MINUTES OF THE
MIDWAY CITY COUNCIL

(Regular Meeting)

Wednesday, 24 August 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 Kraig Powell.

Members Present:

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

Staff Present:

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

2. General Consent Calendar

- **a.** Agenda for the 24 August 2016 City Council Regular Meeting
- **b.** Warrants
- **c.** Minutes of the 10 August 2016 City Council Meeting
- **d.** Appoint Stuart Waldrip to a Second Term as a Full Member of the Midway City Planning Commission

Note: Copies of items 2a, 2b and 2c 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	Aye
Council Member Kohler	Aye
Council Member Christen	Aye
Council Member Probst	Aye

3. **Public Comment** – Comments will be Taken on Any Item Not on the Agenda, 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. **Community Enrichment & Education Program (Beth Lawrence)** – A Proposal for a Community Enrichment & Education Program in Midway City.

Mayor Bonner explained that Beth Lawrence come to her with suggestions on how to use the Community Center and Town Hall for an education program. She asked Ms. Lawrence to make a presentation to the Council and answer any questions.

4a. Presentation – Receive a Presentation Regarding the Proposal.

Ms. Lawrence made the following comments:

- She was an instructor for the performing arts and a lifelong learner. She had taught classes at community colleges.
- Had to go outside of the community to teach.
- Proposed teaching adult courses for specialty interests.
- The cost of the classes should be low so that anyone could attend.
- An education program would benefit Midway City, the community and the instructors.

- There were a lot of residents, especially those who were retired, who could teach and take classes.
- Thought that there would be a waiting list for the program.
- Class fees were usually split 50/50 or 70/50 between the instructor and the organizing entity.
- The program would build a community feel and promote the City.
- Utah Valley University's (UVU) Heber campus no longer offered continuing education classes.
- Having to rent rooms would increase the costs for the program.
- Midway and the surrounding area were a growing community.

4b. Discussion – Discuss the Proposal.

Mayor Bonner was concerned with the time it would take to administer the program. She asked if it could be administered by Wasatch County, which already offered youth programs, with classes also being held in the City's buildings.

Ms. Lawrence said that someone would have to do the scheduling, create applications, etc. She said that some of the work could be automated. She added that working with the County could be an option. She wanted the City to do the marketing and prepare the required policies.

Mayor Bonner thought that the program would help create a viable downtown.

Council Member Van Wagoner did not want the program to compete with private instructors. Ms. Lawrence responded that such instructors could teach entry level classes, as part of the program, and then teach more advanced classes privately.

Mayor Bonner said that each class would be for a short period of time.

Mayor Bonner did not want the program to become someone's dance studio. Ms. Lawrence responded that dance and music studios focused on young students and not adults.

Mayor Bonner suggested that a blueprint or detailed model be prepared for the program. Ms. Lawrence said that the program could be based off of those at UVU and community colleges.

Council Member Christen suggested that a volunteer could administer it.

Mayor Bonner thought that the amount of administration would decrease over time.

Mayor Bonner thanked Ms. Lawrence for the proposal.

5. City Flag (Rob Foster) – A Proposal to Create a New Flag for Midway City.

5a. Presentation – Receive a Presentation Regarding the Proposal.

Rob Foster made the following comments:

- He was a graphic designer.
- Was a member of the North American Vexillological Association (NAVA).
- A flag should be simple enough that a child could draw it from memory.
- It should use meaningful symbolism.
- It should use two to three basic colors and no lettering or seals.
- It should be distinctive.
- A great flag should look good hanging horizontally or vertically.
- Most seals did not reproduce well in a small size.
- A designer could be hired to create a flag or submissions could be requested from residents.
- Do not design a flag by committee.
- Experts should judge any submissions.
- Submissions should be anonymous.
- Submissions should be graded on a scale from one to ten.

Mr. Foster reviewed several flags including a design he made for Midway. He also reviewed Milwaukee's successful flag and submission process. Mr. Foster would help setup a submission process but wanted to be free to submit some of his own designs.

5b. Action – Discuss and Possibly Approve the Proposal.

Mayor Bonner liked residents submitting flag designs. Council Member Christen agreed that the community would embrace a flag better if a submission process was used.

Mayor Bonner said that an event could be held to explain the process to residents.

Council Member Dodge wondered if a lot of submissions would be received. Mayor Bonner responded that students could be asked for submissions.

Mr. Foster stressed that any submission process needed to include the guidelines for a good flag.

Motion: Council Member Van Wagoner moved to have Mr. Foster put together a campaign for a new Midway flag.

Second: Council Member Kohler seconded the motion.

Discussion: Council Member Dodge hoped that an event would be held to explain the campaign and guidelines.

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

Council Member Van Wagoner	Aye
Council Member Dodge	Aye
Council Member Kohler	Aye
Council Member Christen	Aye
Council Member Probst	Aye

Mr. Foster noted that he would only be able to work on the project in his spare time. Mayor Bonner suggested that it be finished by the end of the year.

6. **Ice Castles/Charge for Water Usage (Mayor Bonner)** – Discuss and Possibly Approved a Charge or Fee for the Usage of Water by the Ice Castles

Mayor Bonner made the following comments:

- Ryan Davis with the Ice Castles called her.
- The Homestead Resort invited the company to have ice castles on its driving range. This would benefit the resort.
- Mr. Davis asked how much the City would charge for water.
- In the past the company had built ice castles on the Town Square which created a synergy downtown.
- Water used at the Homestead Resort was pumped which incurred electrical charges.

Brad Wilson gave a presentation regarding the Ice Castles and water usage. He specifically covered the following areas:

- Items to consider
- 2013 – 2014 season
- Location of the Homestead driving range
- Fire hydrants near the driving range
- Pumping costs
- Water costs

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

Michael Henke indicated that having ice castles at the Town Square would be a greater economic benefit for the City. He said the previous traffic problems could be lessened by tickets for specific times and making certain streets one-way.

Council Member Dodge asked why the ice castles would not again be at Soldier Hollow. Brad Wilson thought that the new organization, operating the venue, wanted to focus on Nordic skiing.

Council Member Dodge questioned how the fire hydrants would be used since they were so

close to homes and other buildings.

Wes Johnson noted that one hydrant, on the east side of the driving range, was outside of the pumping zone. He said that chlorination was the only cost associated with that water. He added that cost would be insignificant. He pointed out that during the winter the water would go down the creek anyway.

Michael Henke indicated that the castles, which was a service, did not pay sales tax. Council Member Dodge asked if a city surcharge could be required on each ticket.

Council Member Van Wagoner cautioned against setting precedence. He did not want other water users, like HOA's, requesting the same deal that was given to the Ice Castles. He did not think that requiring a surcharge would set precedence.

Michael Henke noted that a significant amount of water would be used no matter how many days the event was open to the public.

Council Member Dodge asked how much the Midway Irrigation Company charged for water when the event was at Soldier Hollow. Mayor Bonner said that she would contact the Irrigation Company President to find out, but she said $40,000 was spent running a new water line to the site. Council Member Christen added that the company also had to pay Soldier Hollow.

Mayor Bonner pointed out that the water would be used during the nonpeak time of the year.

Council Member Dodge said that the City Attorney would have to answer the question of setting precedence.

Mayor Bonner thought that the Ice Castles would go to the Homestead Resort.

Council Member Van Wagoner recommended that the water use be metered even if any charge was not based on usage.

Mayor Bonner suggested charging at least $2,000.

Council Member Dodge suggested a flat fee of $20,000. Mayor Bonner responded that the Ice Castles went to Soldier Hollow when the City asked for $20,000.

Council Member Van Wagoner stated that at least the City's costs should be covered. He suggested $7,000 to $10,000.

Mayor Bonner suggested a cost that could be charged no matter the location of the event. Council Member Dodge responded that the Town Square was different from the Homestead Resort because city property would be rented. Mayor Bonner thought that the Council should just determine a fee for the water at that point.

Michael Henke reported that the City Attorney recommended an upfront deposit.

Mayor Bonner thought that the benefits of the ice castles outweighed the cost.

Council Member Christen suggested a flat fee of $7,500 for water and a surcharge of $0.20 per ticket.

Council Member Dodge thought that the Ice Castles would want to charge an even amount and not add a surcharge. Mayor Bonner said that the legality of the surcharge would have to be discussed with the City Attorney.

Mayor Bonner asked if Mr. Davis should attend the next council meeting. Council Member Dodge suggested that the Council make a decision and then negotiate with Mr. Davis.

Council Member Dodge suggested a flat fee of $10,000 plus a surcharge of $0.50 per ticket. He said that the fee could be raised to $20,000 in a good year.

Council Member Christen suggested showing Mr. Davis the actual water costs presented that evening.

Council Members Van Wagoner and Kohler agreed with the flat fee of $10,000.

Council Member Christen noted that the size of the ice castles had increased, since they were at the Town Square, and so more water would be used. She thought that 16 million gallons might be used which would justify increasing the flat fee. Council Member Kohler added that the driving range, at the Homestead Resort, was a large area.

Council Member Dodge suggested a flat fee for eight million gallons and then an additional fee for each additional million gallons.

Brad Wilson suggested that the City keep the Irrigation Company informed on the item. He noted that some of the Company's water might have to be used.

Council Member Probst thought that the amounts discussed were more than reasonable for the Ice Castles.

Mayor Bonner said that she would bring a contract back to the Council for approval.

7. **Financial Report** – Receive a Report on the Finances for Midway City

Brad Wilson gave a financial report for Fiscal Year 2016. He specifically reviewed revenue and expenditures for the General Fund, Capital Projects Fund, Water Fund, and Ice Rink Fund. He also reviewed sales taxes, capital projects, and other significant items.

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

8. Department Reports

Bob Probst, Council Member

Town Hall/Stage – Council Member Probst reported that the stage in the Town Hall would be resurfaced in September.

Colleen Bonner, Mayor

Swiss Days/Parade – Mayor Bonner reminded the Council that they would be in the parade for Swiss Days. Council Members Dodge and Van Wagoner said that they would not be able to participate.

100 West and 100 North/Curb and Parking – Mayor Bonner reported that the curb and parking along 100 West and 100 North was complete.

Wes Johnson, Engineer

Alpenhof Well House – Mr. Johnson reported that the well house, for the new Alpenhof well, had been bricked in.

Michie Lane/Center Street to 80 East – Mr. Johnson reported that Killgore Contracting subcontracted out the work on Michie Lane from Center Street to 80 East. He said that the curb and gutter was not to grade and would have to be addressed.

Valais Park/Tennis Courts – Mr. Johnson reported that he found a company that could fix the cracks in the tennis courts at the Valais Park. He said that the company would inspect the courts in a couple of weeks. He thought that the work would be within the budget.

Ice Rink/Tubing – Wes Johnson reported that two sections of tubing had been exposed in the ice rink slab. He said the tubbing had been inspected by Commercial Mechanical and a tubing provider. They said that the tubing protected by the concrete did not need to be replaced. It was recommended that the concrete be cut back 12 inches and the tubing be replaced to the header with different clamps. He said the tubing would be pressure tested.

Council Member Dodge recommended that a decision be made, on replacing the exposed tubing, after it was pressure tested.

Mr. Johnson wanted the work to be done before the ice skating season.

Council Member Dodge recommended that the pressure testing be done as soon as possible if the cost was reasonable. The Council agreed.

Michael Henke, Planning Director

General Plan Update – Mr. Henke reported that the Planning Commission reviewed and recommended each revised chapter of the General Plan. He said that the chapters would be considered at the next council meeting. He noted that it would take some time to review them.

Council Member Van Wagoner suggested a work meeting. Mayor Bonner suggested September 26th at 2:00 p.m. She said the required public hearing could be on September 28th. The Council agreed.

Development – Mr. Henke reported that a lot of developers were talking to him about potential projects.

Brad Wilson, Recorder

Council Meeting/September 13th – Mr. Wilson reminded the Council that the next council meeting would be on Tuesday, September 13th instead of September 14th.

Direct Deposit – Mr. Wilson reported that the City would begin the direct deposit of paychecks. He asked the Council to complete the form that had been given to them.

IT RFP – Brad Wilson reported that the Mayor and certain staff members were reviewing the proposals for IT services.

9. Adjournment

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

The meeting was adjourned at 8:35 p.m.

Colleen Bonner, Mayor

Brad Wilson, Recorder