

Midway City Council  
6 October 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
<b>105</b>								
105	ABE NEERINGS & SON	5976	Office Building	09/11/2020	1,150.00	.00		
Total 105:					1,150.00	.00		
<b>270</b>								
270	CASELLE INC	104234	Caselle Contract Support & Maint	09/01/2020	358.27	.00		
Total 270:					358.27	.00		
<b>305</b>								
305	COLONIAL FLAG & SPECIALTY	0225139	Rotations	08/28/2020	78.40	.00		
305	COLONIAL FLAG & SPECIALTY	0225176	Rotations	08/28/2020	127.12	.00		
305	COLONIAL FLAG & SPECIALTY	0226197	Rotations	09/09/2020	112.00	.00		
305	COLONIAL FLAG & SPECIALTY	0226198	Rotations	09/09/2020	115.00	.00		
305	COLONIAL FLAG & SPECIALTY	0226199	Rotations	09/09/2020	118.00	.00		
305	COLONIAL FLAG & SPECIALTY	0226200	Rotations	09/09/2020	45.00	.00		
Total 305:					595.52	.00		
<b>410</b>								
410	FEDERAL LICENSING INC	09302020	FCC RULES AND REGULATION	09/30/2020	119.00	.00		
Total 410:					119.00	.00		
<b>505</b>								
505	HEBER CITY CORPORATION	09232020	*Animal Control (October 2019)	09/23/2020	4,120.66	.00		
505	HEBER CITY CORPORATION	09232020	*Animal Control (November 2019)	09/23/2020	9,041.63	.00		
505	HEBER CITY CORPORATION	09232020	*Animal Control (December 2019)	09/23/2020	6,851.49	.00		
505	HEBER CITY CORPORATION	09232020	*Animal Control (January 2020)	09/23/2020	3,662.44	.00		
505	HEBER CITY CORPORATION	09232020	*Animal Control (February 2020)	09/23/2020	4,099.54	.00		
505	HEBER CITY CORPORATION	09232020	*Animal Control (March 2020)	09/23/2020	3,973.72	.00		
505	HEBER CITY CORPORATION	09232020	*Animal Control (April 2020)	09/23/2020	3,707.89	.00		
505	HEBER CITY CORPORATION	09232020	*Animal Control (May 2020)	09/23/2020	5,374.22	.00		
505	HEBER CITY CORPORATION	09232020	*Animal Control (June 2020)	09/23/2020	4,353.25	.00		
Total 505:					45,184.84	.00		
<b>565</b>								
565	HORROCKS ENGINEERS INC	57684	Attend Planning Commission Mee	09/17/2020	306.00	.00		
565	HORROCKS ENGINEERS INC	57684	Attend City Council Meeting	09/17/2020	1,224.00	.00		
565	HORROCKS ENGINEERS INC	57684	Midway General Engineering	09/17/2020	627.00	.00		
565	HORROCKS ENGINEERS INC	57684	Water System Maintenance	09/17/2020	560.45	.00		
565	HORROCKS ENGINEERS INC	57684	Create and Update Stormdrain GI	09/17/2020	1,783.50	.00		
565	HORROCKS ENGINEERS INC	57684	Whitaker Farms - Const	09/17/2020	14,117.13	.00		
565	HORROCKS ENGINEERS INC	57684	Midway Vista Master Plan - Planni	09/17/2020	1,185.00	.00		
565	HORROCKS ENGINEERS INC	57684	Edelwiess Meadows - Planning	09/17/2020	738.12	.00		
565	HORROCKS ENGINEERS INC	57684	Scotch Fields Phase 3 & 4	09/17/2020	4,645.10	.00		
565	HORROCKS ENGINEERS INC	57684	Snake Creek Partners, Lodges -	09/17/2020	101.15	.00		
565	HORROCKS ENGINEERS INC	57684	Cozens 3 Lot - Planning	09/17/2020	243.00	.00		
565	HORROCKS ENGINEERS INC	57684	Haven Farms - South: Const	09/17/2020	945.80	.00		
565	HORROCKS ENGINEERS INC	57684	Remund Farms Ph 2 & 3 - Const	09/17/2020	5,604.70	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
565	HORROCKS ENGINEERS INC	57684	Updating Construction Standards	09/17/2020	81.00	.00		
565	HORROCKS ENGINEERS INC	57684	2020 TRAIL Homestead & River R	09/17/2020	11,258.25	.00		
565	HORROCKS ENGINEERS INC	57684	HUNTLEIGH WOODS SUBDIVISI	09/17/2020	162.00	.00		
565	HORROCKS ENGINEERS INC	57684	Lime Canyon Meadows - Const	09/17/2020	276.90	.00		
565	HORROCKS ENGINEERS INC	57684	2020 Road Surface Treatment - C	09/17/2020	4,410.74	.00		
565	HORROCKS ENGINEERS INC	57684	2020 CITY WIDE STRIPING	09/17/2020	1,462.00	.00		
565	HORROCKS ENGINEERS INC	57684	Haven Farms - North: Const	09/17/2020	202.50	.00		
565	HORROCKS ENGINEERS INC	57684	2020 Water PROJECT #1 Const 1	09/17/2020	12,611.57	.00		
565	HORROCKS ENGINEERS INC	57684	2020 Water PROJ #3A - Con N Ri	09/17/2020	72.50	.00		
565	HORROCKS ENGINEERS INC	57684	2020 Water PROJ #2 CONS 100	09/17/2020	4,251.57	.00		
Total 565:					66,869.98	.00		
<b>720</b>								
720	LATIMER DO IT BEST HARDWA	B300673	Parks	09/08/2020	25.98	.00		
Total 720:					25.98	.00		
<b>845</b>								
845	MOUNTAINLAND SUPPLY COMP	S103631284.0	Supplies	06/30/2020	147.64	.00		
845	MOUNTAINLAND SUPPLY COMP	S103738404.0	IRR FILTER INSULATION	09/28/2020	393.56	.00		
845	MOUNTAINLAND SUPPLY COMP	S103745085.0	Supplies	09/10/2020	28.62	.00		
845	MOUNTAINLAND SUPPLY COMP	S103757695.0	Supplies	09/21/2020	1,395.56	.00		
845	MOUNTAINLAND SUPPLY COMP	S103760582.0	Supplies	09/21/2020	40.03	.00		
845	MOUNTAINLAND SUPPLY COMP	S103761950.0	Supplies	09/22/2020	142.95	.00		
845	MOUNTAINLAND SUPPLY COMP	S103762070.0	Supplies	09/23/2020	177.17	.00		
Total 845:					2,325.53	.00		
<b>870</b>								
870	NUTECH SPECIALTIES INC	190415	Supplies	09/10/2020	70.43	.00		
870	NUTECH SPECIALTIES INC	190573	Supplies	09/16/2020	113.38	.00		
Total 870:					183.81	.00		
<b>875</b>								
875	OFFICE DEPOT	122097537001	Supplies	09/04/2020	57.33	.00		
875	OFFICE DEPOT	122639616001	Credit Memo	09/09/2020	29.69-	.00		
875	OFFICE DEPOT	123899541001	Ink	09/11/2020	43.73	.00		
875	OFFICE DEPOT	124622673001	Paper Towel & Tissues	09/18/2020	63.97	.00		
Total 875:					135.34	.00		
<b>930</b>								
930	Dominion Energy	2731063797-0	2731063797 Community Center	09/09/2020	22.87	.00		
930	Dominion Energy	5770020000-0	5770020000 TOWN HALL	09/09/2020	53.93	.00		
930	Dominion Energy	6558550000-9/	6558550000 Maintenance Shop 2	09/09/2020	7.26	.00		
930	Dominion Energy	6801020000-0	6801020000 Admin Office	09/09/2020	19.75	.00		
Total 930:					103.81	.00		
<b>945</b>								
945	CENTURYLINK - 435-654-3227 2	09072020	435-654-3227-269B	09/07/2020	347.64	.00		
Total 945:					347.64	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
<b>1015</b>								
1015	SAFETY SUPPLY & SIGN CO IN	174237	Cemetery	09/09/2020	114.50	.00		
1015	SAFETY SUPPLY & SIGN CO IN	174239	Street Signs	09/09/2020	1,907.76	.00		
1015	SAFETY SUPPLY & SIGN CO IN	174243	Supplies	09/09/2020	222.30	.00		
1015	SAFETY SUPPLY & SIGN CO IN	174481	ICE RINK CARES	09/30/2020	2,435.84	.00		
Total 1015:					4,680.40	.00		
<b>1045</b>								
1045	STANDARD PLUMBING SUPPLY	LND806	SUPPLIES	09/09/2020	26.06	.00		
1045	STANDARD PLUMBING SUPPLY	LNFD17	SUPPLIES	09/09/2020	3.76	.00		
1045	STANDARD PLUMBING SUPPLY	LNH048	32 OZ 40:1 2CYC FUEL/OIL	09/10/2020	13.98	.00		
1045	STANDARD PLUMBING SUPPLY	LNQ701	SUPPLIES	09/15/2020	8.18	.00		
1045	STANDARD PLUMBING SUPPLY	LNQM67	SUPPLIES	09/15/2020	18.98	.00		
1045	STANDARD PLUMBING SUPPLY	LNRG89	SUPPLIES	09/15/2020	20.98	.00		
1045	STANDARD PLUMBING SUPPLY	LNTB78	SUPPLIES	09/16/2020	29.97	.00		
1045	STANDARD PLUMBING SUPPLY	LNTP10	GAL SUPER CONC ROUNDUP	09/16/2020	115.00	.00		
1045	STANDARD PLUMBING SUPPLY	LPH053	SUPPLIES	09/22/2020	47.94	.00		
1045	STANDARD PLUMBING SUPPLY	LPMG92	QUIKRETE MIX-PALLET PACK	09/24/2020	4.89	.00		
1045	STANDARD PLUMBING SUPPLY	LPV951	SUPPLIES	09/28/2020	10.48	.00		
1045	STANDARD PLUMBING SUPPLY	LPY523	OFFICE RAMP SPRINKLERS	09/29/2020	16.54	.00		
Total 1045:					316.76	.00		
<b>1160</b>								
1160	THE UPS STORE	7180	DOG PARK LAMINATED ETIQUE	09/23/2020	15.87	.00		
Total 1160:					15.87	.00		
<b>1170</b>								
1170	TIMBERLINE ACE HARDWARE	136464	Weeding Tool	09/15/2020	19.99	.00		
1170	TIMBERLINE ACE HARDWARE	136608	MISC REPAIRS	09/22/2020	255.67	.00		
Total 1170:					275.66	.00		
<b>1255</b>								
1255	UTAH LOCAL GOVERNMENTS T	1585709	CONTRACTOR EQUIPMENT EN	09/10/2020	2.98	.00		
1255	UTAH LOCAL GOVERNMENTS T	1585710	WORKERS COMP Policy - Monthl	09/10/2020	1,285.52	.00		
Total 1255:					1,288.50	.00		
<b>1305</b>								
1305	VERIZON WIRELESS	9861833736	385-208-5410 KELTON WEBB	09/01/2020	42.44	.00		
1305	VERIZON WIRELESS	9861833736	385-224-8803 JETPACK	09/01/2020	45.19	.00		
1305	VERIZON WIRELESS	9861833736	435-315-5910 BUILDING DEPT T	09/01/2020	45.19	.00		
1305	VERIZON WIRELESS	9861833736	435-503-5707-BUILDING TABLET	09/01/2020	40.01	.00		
1305	VERIZON WIRELESS	9861833736	435-503-5739 S.Owens Phone	09/01/2020	50.67	.00		
1305	VERIZON WIRELESS	9861833736	435-671-0501 C.Lott Jetpack	09/01/2020	35.01	.00		
1305	VERIZON WIRELESS	9861833736	385-248-2828 C.Lott Jetpack	09/01/2020	40.01	.00		
1305	VERIZON WIRELESS	9861833736	435-671-6905 M.Henke Phone	09/01/2020	42.44	.00		
1305	VERIZON WIRELESS	9861833736	435-671-7205 C.Lott Phone	09/01/2020	50.67	.00		
1305	VERIZON WIRELESS	9861833736	435-671-7387 On call phone	09/01/2020	30.53	.00		
1305	VERIZON WIRELESS	9861833736	435-671-7762 D.Bunker Phone	09/01/2020	55.62	.00		
1305	VERIZON WIRELESS	9861833736	435-671-8855 BUILDING DEPT P	09/01/2020	50.44	.00		
Total 1305:					528.22	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
<b>1310</b>								
1310	WASATCH AUTO PARTS	206268	Blister Pack Capsules	09/17/2020	24.98	.00		
Total 1310:					24.98	.00		
<b>1360</b>								
1360	WASATCH COUNTY SOLID WAS	.90638 092520	MICHIE LANE PARK	09/01/2020	64.00	.00		
Total 1360:					64.00	.00		
<b>1365</b>								
1365	WAVE PUBLISHING	J81315	Window Security Peel & Seal Env	08/31/2020	256.00	.00		
1365	WAVE PUBLISHING	L 17000	Notice of PUBLIC HEARING	09/09/2020	97.12	.00		
1365	WAVE PUBLISHING	L 17006	LEGAL NOTICE-BACKNET	09/09/2020	46.25	.00		
1365	WAVE PUBLISHING	L17001	PUBLIC NOTICES	09/16/2020	32.38	.00		
Total 1365:					431.75	.00		
<b>1414</b>								
1414	GENEVA ROCK PRODUCTS INC	61079-04	PARTIAL PAYMENT #4 0 FINAL	09/21/2020	118,949.62	.00		
1414	GENEVA ROCK PRODUCTS INC	61079-04	PARTIAL PAYMENT #4 - FINAL M	09/21/2020	9,537.84	.00		
1414	GENEVA ROCK PRODUCTS INC	61079-04	PARTIAL PAMENT #4-FINAL IRRI	09/21/2020	385.49	.00		
Total 1414:					128,872.95	.00		
<b>1440</b>								
1440	POSTMASTER	10012020	4th Quarter Sewer Billing 2020-M	10/01/2020	683.55	.00		
Total 1440:					683.55	.00		
<b>1548</b>								
1548	USA BLUE BOOK	341592	BW SOLO SINGLE GAS CHLORI	08/27/2020	954.56	.00		
1548	USA BLUE BOOK	341593	BW SOLO SINGLE GAS CHLORI	08/27/2020	485.06	.00		
1548	USA BLUE BOOK	341594	GAS ALERT QUATTRO 4 GAS D	08/27/2020	1,432.00	.00		
1548	USA BLUE BOOK	342092	GAS ALERT QUATTRO 4 GAS D	08/27/2020	730.92	.00		
1548	USA BLUE BOOK	353677	Water-	09/09/2020	653.67	.00		
1548	USA BLUE BOOK	363648	MICRODOCK	09/18/2020	1,677.26	.00		
Total 1548:					5,933.47	.00		
<b>1571</b>								
1571	FASTENAL IND & CONST SUPP	UTHEB78448	SUPPLIES	09/08/2020	100.49	.00		
1571	FASTENAL IND & CONST SUPP	UTHEB78563	SUPPLIES	09/16/2020	126.18	.00		
1571	FASTENAL IND & CONST SUPP	UTHEB78628	SUPPLIES	09/22/2020	153.34	.00		
Total 1571:					380.01	.00		
<b>1593</b>								
1593	TWIN D INC ENVIRONMENTAL S	19359	Excavating of a water line	07/22/2020	225.00	.00		
Total 1593:					225.00	.00		
<b>1603</b>								
1603	ROCKY MOUNTAIN POWER	09212020	SWISS MOUNTAIN PUMP	09/21/2020	12.28	.00		
Total 1603:					12.28	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
<b>1683</b>								
1683	WASATCH COUNTY FIRE DISTR	213	CONTRIBUTION FOR TRANSP	09/24/2020	99,500.00	.00		
Total 1683:					99,500.00	.00		
<b>1917</b>								
1917	HOSE & RUBBER SUPPLY LLC	01467552	VAC TRAILER	09/16/2020	537.76	.00		
Total 1917:					537.76	.00		
<b>1931</b>								
1931	KW ROBINSON CONSTRUCTIO	2019-104	PARTIAL PAYMENT #3 CITY	09/15/2020	461,956.11	.00		
1931	KW ROBINSON CONSTRUCTIO	2019-104	PARTIAL PAYMENT #3 MSD	09/15/2020	70,197.65	.00		
Total 1931:					532,153.76	.00		
<b>1934</b>								
1934	SKAGGS COMPANIES INC	450_A_38310_	EQUIPMENT	09/15/2020	303.26	.00		
Total 1934:					303.26	.00		
<b>1950</b>								
1950	MORETON & COMPANY	301340	INSURANCE	05/11/2020	294.00	294.00	09/15/2020	
Total 1950:					294.00	294.00		
<b>2220</b>								
2220	DITCH WITCH OF THE ROCKIE	P16385	Equipment Maintenance	09/09/2020	456.73	.00		
2220	DITCH WITCH OF THE ROCKIE	P16386	Equipment Repairs	09/09/2020	29.65	.00		
Total 2220:					486.38	.00		
<b>2418</b>								
2418	FINAL COMPLETION DEPOSIT	19-076 FCD	19-076 FINAL COMPLETION DE	09/30/2020	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	19-078 FCD	19-078 FINAL COMPLETION DE	09/23/2020	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	19-150 FCD	19-150 FINAL COMPLETION DE	09/24/2020	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	20-002 FCD	20-002 FINAL COMPLETION DE	09/24/2020	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	20-012 FCD	20-012 FINAL COMPLETION DE	09/23/2020	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	20-016 FCD	20-016 FINAL COMPLETION DE	09/23/2020	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	20-019 FCD	20-019 FINAL COMPLETION DE	09/23/2020	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	20-053 FCD	20-053 FINA COMPLETION DEP	09/23/2020	1,500.00	.00		
Total 2418:					12,000.00	.00		
<b>2421</b>								
2421	PUBLIC FACILITIES DEPOSIT	15-220 PFD	15-220 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	18-033 PFD	18-033 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	18-155 PFD	18-155 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-064 PFD	19-064 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-095 PFD	19-095 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-098 PFD	19-098 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-103 PFD	19-103 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-104 PFD	19-104 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-142 PFD	19-142 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-144 PFD	19-144 PUBLIC FACILITES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-147 PFD	19-147 PUBLIC FACILITES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-148 PFD	19-148 PUBLIC FACILITES DEP	09/29/2020	1,750.00	.00		

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2421	PUBLIC FACILITIES DEPOSIT	19-158 PFD	19-158 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-159 PFD	19-159 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-167 PFD	19-167 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-178 PFD	19-178 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-182 PFD	19-182 PUBLIC FACILITES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-185 PFD	19-185 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-189 PFD	19-189 PUBLIC FACILITES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-007 PFD	20-007 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-026 PFD	20-026 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-035 PFD	20-035 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-037 PFD	20-037 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-040 PFD	20-040 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-061 PFD	20-061 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-091 PFD	20-091 PUBLIC FACILITIES DEP	09/29/2020	1,750.00	.00		
Total 2421:					45,500.00	.00		
<b>2502</b>								
2502	UTAH DIVISION OF WATER QUA	2170000381	FY 2021 Annual Billing Pesticide	08/26/2020	200.00	.00		
Total 2502:					200.00	.00		
<b>2561</b>								
2561	CENTURYLINK -435-654-3924 45	09072020	435-654-3924 453B	09/07/2020	133.70	.00		
Total 2561:					133.70	.00		
<b>2562</b>								
2562	CENTURYLINK 435-654-4204 77	09072020	435-654-4204 775B	09/07/2020	50.97	.00		
Total 2562:					50.97	.00		
<b>2563</b>								
2563	CENTURYLINK 76612167	150367563	76612167	09/01/2020	.15	.00		
Total 2563:					.15	.00		
<b>2582</b>								
2582	WEST COAST CODE CONSULT	UT20-504-013	Review Service	09/01/2020	85.00	.00		
Total 2582:					85.00	.00		
<b>2614</b>								
2614	Executech Utah, Inc.	150571	Tech Support	08/31/2020	608.74	.00		
2614	Executech Utah, Inc.	EXEC-86333	Tech Support	09/01/2020	1,430.00	.00		
2614	Executech Utah, Inc.	EXEC-87001	Labor	08/31/2020	240.00	.00		
Total 2614:					2,278.74	.00		
<b>2625</b>								
2625	Sunburst Ranch Phase 2	09242020	Reimbursment 20-125 542 N. Oly	09/17/2020	1,000.00	.00		
Total 2625:					1,000.00	.00		
<b>2658</b>								
2658	SIGNARAMA	7041	Sneeze Guard, Counter Cover	09/14/2020	258.00	.00		
2658	SIGNARAMA	INV-7447	EMBROIDERY ON CUSTOMER	09/29/2020	204.00	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
2658	SIGNARAMA	INV-7451	REORDER-FREE STANDING SN	09/29/2020	138.00	.00		
Total 2658:					600.00	.00		
<b>2698</b>								
2698	Promo Ink LLC	OCT-97	Equipment	09/11/2020	2,484.86	.00		
Total 2698:					2,484.86	.00		
<b>2709</b>								
2709	Celeste Johnson	09172020	Reimbursement for lunch	09/17/2020	34.01	.00		
Total 2709:					34.01	.00		
<b>2744</b>								
2744	SPRUCE DECOR	RR-10860	10 DESIGN HOURS - COMMUNI	08/03/2020	750.00	.00		
2744	SPRUCE DECOR	RR-10860	10 DESIGN HOURS-TOWN HALL	08/03/2020	750.00	.00		
Total 2744:					1,500.00	.00		
<b>2754</b>								
2754	CURTIS BLUE LINE	PINV589713	Equipment (Backnet)	09/24/2020	3,306.00	.00		
Total 2754:					3,306.00	.00		
<b>2757</b>								
2757	BORDER STATES INDUSTRIES I	920719145	Townhall	09/22/2020	151.48	.00		
Total 2757:					151.48	.00		
<b>2758</b>								
2758	SPECTRUM Landscaping Service	10472	PARKS CONTRACT SERVICES	07/18/2020	598.92	.00		
2758	SPECTRUM Landscaping Service	10511	PARKS CONTRACT SERVICES	07/25/2020	420.84	.00		
2758	SPECTRUM Landscaping Service	10640	SEPTEMBER 2020 MONTHLY C	09/01/2020	2,326.00	.00		
2758	SPECTRUM Landscaping Service	10641	CONTRACT SERVICES	09/01/2020	8,537.00	.00		
Total 2758:					11,882.76	.00		
<b>2761</b>								
2761	BRITE AV SOLUTIONS, LLC	10422	Change Order #1 Patch Panel	03/05/2020	250.00	.00		
Total 2761:					250.00	.00		
<b>2783</b>								
2783	VERIZON WIRELESS	9861852517	Cellular Service	09/07/2020	299.84	.00		
Total 2783:					299.84	.00		
<b>2804</b>								
2804	JIVE COMMUNICATIONS, INC.	IN7000027180	Phone service	09/01/2020	387.66	.00		
Total 2804:					387.66	.00		
<b>2807</b>								
2807	RIGHTWAY SANITARY SUPPLY	102387	Supplies	09/14/2020	113.80	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 2807:					113.80	.00		
<b>2816</b>								
2816	COMCAST	09062020	Phone Service	09/06/2020	84.78	.00		
Total 2816:					84.78	.00		
<b>2821</b>								
2821	FUEL NETWORK	F2102E00897	Fuel Billing	09/03/2020	2,026.58	.00		
Total 2821:					2,026.58	.00		
<b>2824</b>								
2824	ASPHALT PRESERVATION	189	2020 Road Surface Treatments	08/31/2020	48,541.51	.00		
Total 2824:					48,541.51	.00		
<b>2851</b>								
2851	AlphaGraphics	55454	Graphics	06/30/2020	1,783.78	.00		
Total 2851:					1,783.78	.00		
<b>2852</b>								
2852	Dawn Enterprises	51418	Parks	06/23/2020	5,047.00	.00		
2852	Dawn Enterprises	51680	Parks	08/14/2020	2,734.00	.00		
Total 2852:					7,781.00	.00		
<b>2853</b>								
2853	MayFly Promotions	30HA032	Equipment	09/22/2020	799.02	.00		
Total 2853:					799.02	.00		
<b>2854</b>								
2854	BAMBOOHR	INV00689512	09/17/2020-10/16/2020 - PERFO	09/17/2020	503.91	.00		
Total 2854:					503.91	.00		
Grand Totals:					1,038,187.83	294.00		

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

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

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

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

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

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Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

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Midway City Council  
6 October 2020  
Regular Meeting

Minutes of the  
1 September 2020  
Regular Meeting



# Memo

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**Date:** 2 October 2020  
**To:**  
**Cc:**  
**From:** Brad Wilson, City Recorder/Financial Officer  
**RE:** Minutes of the 1 September 2020 City Council Regular Meeting

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

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

**Tuesday, 1 September 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 Payne.

**Members Present:**

Celeste Johnson, Mayor  
Steve Dougherty, Council Member  
Jeff Drury, Council Member  
Lisa Orme, Council Member  
JC Simonsen, Council Member

**Staff Present:**

Corbin Gordon, Attorney (Arrived at 6:13 p.m.)  
Amanda Cruz, Administrative Assistant  
Michael Henke, Planning Director  
Wes Johnson, Engineer  
Brad Wilson, Recorder/Financial Officer

**Members Excused:**

Kevin Payne, Council Member

Mayor Johnson led the Council and meeting attendees in the pledge of allegiance. Council Member Orme gave the prayer and/or inspirational message.

**2. Consent Calendar**

- a. Agenda for the 1 September 2020 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 4 August 2020 City Council Regular Meeting
- d. Minutes of the 7 August 2020 City Council Meeting
- e. Minutes of the 7 August 2020 City Council Closed Meeting
- f. Minutes of the 18 August 2020 City Council Work Meeting
- g. Minutes of the 18 August 2020 City Council Closed Meeting
- h. Minutes of the 18 August 2020 City Council Regular Meeting

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

Brad Wilson indicated that only the minutes for the 4 August 2020 meeting were ready for approval. He also requested that a bill for \$81,432.10 to Wasatch Asphalt Paving be added to the warrants.

**Motion:** Council Member Orme moved to approve the consent calendar with the unprepared minutes taken off and the warrant for Wasatch Asphalt Paving added.

**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	Aye
Council Member Orme	Aye
Council Member Payne	Excused from the Meeting
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. No comments were offered.

#### **4. Department Reports**

##### Ice Rink / Maintenance

Council Member Drury reported that the bidding process began for maintenance on the ice rink chiller system.

##### Swiss Days / Cancelled

Council Member Drury reported that Swiss Days was cancelled because of the pandemic.

##### COVID-19 Pandemic / Update

Mayor Johnson gave an update on the pandemic including infections and testing. She reported that the City applied for CARES Act funding. She also reported that although transient room tax revenue was down other sales tax revenue was up.

**Note:** Corbin Gordon arrived at 6:13 p.m.

### HVSSD / Management Plan

Mayor Johnson reported that the Heber Valley Special Service District (HVSSD) was developing a management plan.

### HL&P / Resignation

Mayor Johnson read a statement stating that she was resigning from the Heber Light & Power Company (HL&P) Board of Directors and appointing Council Member Dougherty to fill the vacancy.

### 970 South Transmission Line / Legal Briefs

Corbin Gordon reported that he filed a brief with the Utah Supreme Court regarding the appeal by Rocky Mountain Power. He added that a brief had to be filed with the Utah Court of Appeals before September 16<sup>th</sup>.

### Amanda Cruz / Administrative Assistant

Mayor Johnson introduced Amanda Cruz who was a new administrative assistant working for the City.

- 5. Time Limit for Council Meetings** (Mayor Johnson – Approximately 10 minutes) – Discuss limiting city council meetings to 10:00 p.m. unless extended by a majority of the City Council.

Mayor Johnson suggested that the City Council conclude its meetings before 10:00 p.m. unless extended by a majority vote of its members. She said that legally required items would be first on the agenda. Council Member Orme suggested extending the meeting in hour increments.

- 6. Volksmarch / Presentation** (Athina Koumarela – Approximately 20 minutes) – Receive a presentation on the 2020 Volksmarch.

Athina Koumarela, Kirsten Ward, and Sharka Fabian gave a presentation regarding the Volksmarch for 2020 and made the following comments:

- The money raised would be used to preserve the Albert Kohler Dairy.
- Because of the pandemic, participants would use a cell phone application to guide them on the walk.
- Preservation Utah and the Midway Historic Preservation Committee were supporting the event.
- Robert Duncan was again selling prints to support the event.
- Asked if the City could donate to the event.

Mayor Johnson responded that CARES Act funds or economic development funds might be

used for the event.

**7. CARES Funds / Request** (Clair Provost – Approximately 10 minutes) – Receive a request for CARES funds to be used for emergency services.

Clair Provost and Ernie Giles, with the Wasatch County Fire District, gave a presentation and asked for CARES Act funds to purchase a transport van. They made the following comments:

- The area was growing rapidly.
- Demand on emergency services had also grown because of the pandemic.
- Would like a transport van to reduce the use of its ambulances. The cost would be \$95,000. It would then need to be stocked with supplies.
- Wasatch County was helping the Wasatch County School District with its needs during the pandemic. It was also helping purchase equipment for the Fire District.
- There was a lot of pressure on emergency workers.

The Council supported the request and indicated that the City did not have a lot of pandemic related expenses.

The Council discussed other uses for the CARES Act money including helping local businesses and resorts. It was suggested that the City provide the assistance through the program already set up by Heber Valley Tourism and Economic Development.

**8. Midway Vistas Subdivision, Phase 1 / Preliminary Approval** (Berg Engineering – Approximately 30 minutes) – Discuss and possibly grant preliminary approval for Phase 1 of the Midway Vistas Subdivision located at 285 Luzern Road (Zoning is RA-1-43). **(Public Hearing)**

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

- Access points
- Trails
- Discussion items
- Pictures of the property
- Interlaken garbage dumpsters
- Water Board recommendation
- Possible findings
- Proposed conditions

Mr. Henke also made the following comments:

- The Interlaken Mayor said an agreement had been reached to access the Subdivision through his town. The roads in the Town were public.
- A property owner no longer would allow trail access through his property because of privacy and liability. The backcountry trail would have to be rerouted along Edelweiss Lane and Interlaken Drive.
- Interlaken Drive up to Interlaken Town was private.
- The City already built a section of trail that would have been the responsibility of the

developer. The developer should instead build a portion of the trail along Homestead Drive.

- The Midway Irrigation Company agreed that preliminary approval could be granted but the issue of irrigation water pressure needed to be resolved before final approval.
- The north access would connect to Interlaken.

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

Council Member Dougherty explained that pumping from a pipe that did not have enough water would not help the pressure issue. The Irrigation Company's engineer was studying the issue. There might need to be irrigation water storage above the subdivision.

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

- The HOA would have to maintain the roads and sidewalks. They should do a capital reserve study that was reviewed by the City.
- Should the road width be reduced to 26 feet?
- Should the subdivision have the rural cross-section?
- The Interlaken Mayor wanted to resolve the issues with the dumpsters. They would be temporarily placed by the Town's pumphouse until the proposed subdivision was built.

### **Public Hearing**

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

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

- The easement agreement for Interlaken's dumpsters had been sent to the Interlaken Town's attorney for his review.
- The proposal complied with the conditions of the master plan including accommodating the dumpsters.
- Trails beyond the City's master plan would be built.
- The developer would provide the needed easement and help reroute the backcountry trail.
- A trail near the north entrance could connect to the backcountry trail.
- Several Interlaken roads, which were in Midway City, were not needed for the subdivision. They were not part of the City's road system and the developer should not have to improve them.
- Guardrail was installed where needed when Interlaken Road was last improved.

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

- Street parking was lost with narrower roads.

**Motion:** Council Member Dougherty moved to grant preliminary approval for the Midway Vistas Subdivision, Phase 1 with the following findings and conditions:

- The proposal complied with the requirements of the Municipal Code for standard subdivisions.
- The proposal met the vision of the area as described in the General Plan for the RA-1-43 zone.
- The public trails would be built by the developer and would be an amenity for the entire community.
- The proposal met all the requirements of the annexation agreement.
- The developer would pay the cost of building a 300-foot section of trail along Homestead Drive. This would take the place of the trail that the City built along Burgi Lane that was originally required of the developer. Payment was required before the plat map for Phase 1 could be recorded.
- All approved non-irrigated areas would be noted on the plats.
- Prior to final approval of the plat a plan would be completed to provide irrigation water to the 15 most elevated lots either with individual pumps or an irrigation water storage system. At final approval it would be determined if a note would be added to the plat.
- Private roads and sidewalks in the development would have public access easements which would be noted on the plats and in the development agreement.
- The HOA would be obligated to provide to city staff a capital reserve study, so that city staff could see that the cost of maintaining the private roads was addressed.
- Private trails with public trail easements would be maintained by the City with an annual maintenance fee paid by the HOA to the City.
- If it existed, a copy of the access agreement for Interlaken Drive would be submitted to the City before consideration of final approval for Phase 1.
- The backcountry trail would connect on the trail or sidewalk structure on the north and Edelweiss Lane on the east.
- The rural cross-section was approved for the project.

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

**Discussion:** Wes Johnson indicated that a narrower road would reduce cutting and filling which would improve the visual impact.

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

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

**Note:** Council Member Orme left at 8:10 p.m.

**9. Mountain Spa Property / Letter of Commitment** (City Planner – Approximately 30 minutes) – Discuss and possibly approve a letter committing \$1.5 million for the reduction of density on the Mountain Spa Property on the west side of River Road and the south side of Burgi Lane.

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

- Land use summary
- Location of the property
- Irrigated area
- Previous development proposals
- Proposed development plan
- General Plan
- Possible conditions

Mr. Henke also made the following comments:

- The property had a high-water table.
- There would be a sensitive lands easement where the City could do a public facility. The water on that property was available for non-consumptive use.
- Lot #2 was surrounded by the resort zone. A resident wanted to purchase this lot and have a mixed-use project with a home and physical therapy business. There would be parking for the home, business, and public facility. This lot could be left in the resort zone and the memorandum of understanding would have to be amended. The use was not allowed in a residential zone.
- The recommended water rights had not yet been determined by the Water Advisory Board.

**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 item before the Council that night was a letter of commitment and not rezoning or land use.
- Did the City's commitment depend upon issues of rezoning, land use, or the proposed mixed-use project?
- Sufficient water rights were needed because the open space was being preserved as agricultural land.
- The Summit Land Conservancy agreed to the possible conditions.
- Was the sensitive lands area, which could be used for a public facility, limited to passive uses? This limitation was a concern. The size of the area should be increased to be more usable.
- One stone structure would be preserved, and the rest of the buildings would be razed.
- There were deadlines for the project.
- The City would be conditionally committing funds.
- The passive use restriction could be removed.
- The smaller lots did not have to be limited to residential. Lot two could be designated as mixed use in the resort zone.
- The City should be deeded the sensitive lands area.

**Motion:** Council Member Simonsen moved to approve a letter of commitment as presented to

the Council with the following changes based on the discussion that evening:

- Any reference to Lot 2 being residential be modified to potentially mixed-use.
- References to passive use be modified so potential uses by the City could be more active, as allowed by the sensitive lands code, like a soaking pool and other structures to support those uses.
- All references to conservation easements also include deed restrictions.
- Staff was authorized to make the changes.
- The Mayor was authorized to sign the letter.

**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	Aye
Council Member Orme	Recused
Council Member Payne	Excused from the Meeting
Council Member Simonsen	Aye

**Motion:** Without objection, Mayor Johnson recessed the meeting at 9:14 p.m. She reconvened the meeting at 9:20 p.m.

**Note:** Council Member Orme returned at 9:20 p.m.

**10. Law Enforcement Contract** (Mayor Johnson – Approximately 60 minutes) – Review and discuss Midway City’s contract with the Wasatch County Sheriff’s Department for law enforcement.

Mayor Johnson reviewed discussions with the Sheriff’s Department and indicated that the City wanted increased traffic control.

Corbin Gordon reviewed the existing agreement with the Department and made the following comments:

- Municipalities and counties were not required to provide law enforcement.
- The agreement was entered into in 1987 and the fee had increased over the years.
- It was the basis for the current service and should be updated.

Jared Rigby, Wasatch County Sheriff, gave a presentation and reviewed the following items:

- Minimal level of service
- Traffic enforcement in Midway
- Law enforcement options for Midway including paying for a higher level of service from the Department, its own police department, and consolidated enforcement.

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

Sheriff Rigby made the following comments:

- Counties were required to provide a minimal level of service. Could provide more service but needed more resources.
- The current agreement needed to change because it did not cover all the costs for serving Midway. It required 40 hours of service a week but often up to 60 hours a week was provided. That did not include the items in the minimal level of service.
- Was providing notice that the agreement needed to change before that January.
- If the Department provided just the minimal level of service, then other items would be referred to the City. The City would do code enforcement.
- Employees without peace officer standards and training (POST) certification, such as building inspectors, could do inspections and had some citing powers.
- Wasatch County had increased the budget for law enforcement from \$300,000 to \$700,000. The County's budget was \$10 million. This helped retain staff.
- A lot of the additional time the Department spent in Midway was for traffic enforcement.
- The City would need a minimum of four officers if it had its own police department. This did not include back-up, vacation, training, supervision, dispatch, prosecution, courts, etc.
- Dispatch was a significant cost. Most of the cost was paid by the County.
- There was a significant difference between the number of calls for Midway and Wallsburg.
- Was just trying to cover the Department's costs.
- The Department's billing to other entities depended upon cases and calls.
- Midway was high maintenance. Had received only three calls from the Charleston Mayor.
- Other communities did not have much money for law enforcement.
- Wanted to meet with the City Attorney to discuss the issue.

Council Member Dougherty suggested that the City Attorney and a member of the Council meet with Sheriff Rigby. He wanted to explore consolidated enforcement.

**11. Resolution 2020-25 / Homestead Resort Master Plan Amendment** (City Attorney – Approximately 30 minutes) – Discuss and possibly approve Resolution 2020-25 adopting an amendment to the master plan for the Homestead Resort located at 700 North Homestead Drive.

Michael Henke reported that The Links at Homestead HOA send the City a letter continuing to question the details of an access agreement between them and the Homestead Resort. Bryce Dalton, Kirton McConkie and representing the applicants, responded that the HOA wanted to amend the agreement which allowed for access to five lots.

Corbin Gordon made the following comments:

- An east to west trail through the Resort was not a good option because it created liability for the City.
- A north to south trail of equal length had been discussed.
- The applicants would pay a per foot cost for trail construction.

- The trail would be owned by the City.
- The applicants wanted to deed a section of land, for a trail along Homestead Drive and north of the Resort, to the City instead of granting an easement.

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

- The HOA President wanted to make clear that the easement was only for single family homes.
- Any amendment of the easement was between the HOA and the applicants.
- The Council was only concerned with access.
- Any disagreements over the easement could be resolved in court.
- There was a problem with access because there was a question with the easement.
- It was not the City’s job to make the HOA and applicant agree.
- The HOA did not want the houses, accessed through its development, to have lockouts.
- The applicants were hiding behind the ambiguity of the access agreement to have up to 48 rental units on the five lots.
- The City did not specify how many residents could live in a house.
- The Council should not approve the amendment with ambiguity that could become a future problem.
- The water rights for the project needed to be finalized.

Mr. Dalton indicated that the applicants would specify that single-family homes would be on the five lots. Mr. Gordon added this would be included in the amended master plan.

Paul Berg, Berg Engineering Resource Group and representing the applicants, indicated that the applicants would remove the trees and clear the area for the section of trail along Homestead Drive and north of the Resort.

**Motion:** Council Member Simonsen moved to approve Resolution 2020-25 adopting an amendment to the master plan for the Homestead Resort with the following changes:

- Subsection g(13) would state that the five lots would have single family homes.
- The section of the north trail would be deeded to the City with the applicants having an easement to cross the trail.

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

**12. Resolution 2020-15 / Fee Schedule Amendment** (City Planner – Approximately 30 minutes) – Discuss and possibly approve Resolution 2020-15 amending the fee schedule for

Midway City regarding planning, building, parking, and other fees.

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

- Reasons for the fees
- Chart of proposed fees
- Public parking lease

Mr. Henke also made the following comments:

- Spent a lot of time and did a lot of things at no charge to requesters.
- The proposed amounts were similar to those of other Cities.
- The fee to appeal was intentionally low.
- Was unable to find another city that charged for leasing parking.
- The lease lowered the upfront cost for a business to install parking.
- The lease fee did not obligate the City to provide parking.
- Might not charge a fee for a first meeting.
- Wanted to prevent people from using him as their architect, engineer, etc.

**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 public parking lease amount seemed high. It should be lowered. It could be increased in the future if necessary.
- Generally, cities charged customers rather than businesses for public parking.
- Would the lease fee be prohibitive when trying to encourage businesses?
- The lease fee should not be so low that a lot of businesses leased parking rather than build it.
- Off-site parking lots were working in the City.
- The City should not grant business licenses based on parking that it was temporarily leasing from a landowner.
- Average residents should be able to ask questions at no charge.
- Choosing who should and should not be charged a fee was problematic. Should the first meeting automatically be free?
- People meeting with Mr. Henke now had to sign a disclaimer regarding the information that he gave them.

**Motion:** Council Member Drury moved to approve Resolution 2020-15 with the following changes:

- The annual lease amount per parking stall would be \$250.
- The fee for pre-application meetings would be \$75 an hour after the first hour at the staff's discretion.

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

**Discussion:** None

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

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

**13. Salon / Parking Lease** (Graciela Montenegro – Approximately 15 minutes) – Discuss and possibly approve a lease of parking for a salon located at 103 East Main Street.

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

- Leasing public parking stalls

Mr. Henke also made the following comments:

- The applicant wanted to lease four stalls.
- The lease amount would be prorated for the first year.
- Told the applicant that the parking was in a lot, leased from the property owner, and could go away. Told her that she would have to find other parking if the lot went away.
- The applicant did not have access to the garage, at the proposed location for the business, so it could not be used for parking.
- The applicant could work with a neighboring business to get parking.
- The applicant wanted to open her business in November.

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

Council Member Dougherty asked if there would be a written parking lease agreement to deal with insurance and indemnification? Corbin Gordon responded that would have to be addressed.

Mayor Johnson indicated that the City had three years to find a permanent replacement for the public parking lot at 70 East Main Street.

**Motion:** Council Member Drury moved to approve the salon parking lease for Graciela Montenegro for four stalls at \$250 annually per stall, with the City Attorney drafting a lease agreement that the Mayor and staff could approve and did not need to be brought back to the Council.

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

#### **14. Adjournment**

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

The meeting was adjourned at 11:41 p.m.

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Celeste Johnson, Mayor

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Brad Wilson, Recorder

Midway City Council  
6 October 2020  
Regular Meeting

Minutes of the  
15 September 2020  
Regular Meeting



# Memo

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**Date:** 2 October 2020  
**To:**  
**Cc:**  
**From:** Brad Wilson, City Recorder/Financial Officer  
**RE:** Minutes of the 15 September 2020 City Council Regular Meeting

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

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

**Tuesday, 15 September 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 6:01 p.m. She excused Council Member Drury.

**Members Present:**

Celeste Johnson, Mayor  
Steve Dougherty, Council Member  
Jeff Drury, Council Member (Arrived at 7:27  
p.m.)  
Lisa Orme, Council Member  
Kevin Payne, Council Member  
JC Simonsen, Council Member

**Staff Present:**

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

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

Mayor Johnson led the Council and meeting attendees in the pledge of allegiance. Council Member Dougherty gave the prayer and/or inspirational message.

**2. Consent Calendar**

- a. Agenda for the 15 September 2020 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 7 August 2020 City Council Meeting
- d. Minutes of the 7 August 2020 City Council Closed Meeting
- e. Minutes of the 18 August 2020 City Council Work Meeting
- f. Minutes of the 18 August 2020 City Council Closed Meeting
- g. Minutes of the 18 August 2020 City Council Regular Meeting
- h. Conclude the warranty period and release the remainder of the bond for the Appenzell PUD, Phase 1 located at 700 South Center Street subject to the payment of all fees due to Midway City.

**Note:** Copies of items 2a, 2b, 2e, 2g, and 2h are contained in the supplemental file.

Brad Wilson reviewed a change to the 18 August 2020 regular meeting minutes requested by Council Member Payne.

**Motion:** Council Member Dougherty moved to approve items “a” through “g” on the consent calendar with the correction to the minutes.

**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

#### **Appenzell PUD, Phase 1 / Conclude Warranty Period**

Wes Johnson gave a presentation regarding the request and reviewed the following items:

- Photos of the landscaping in the PUD
- Construction bond letter

Mr. Johnson also made the following comments:

- Landscaping was included as a line item in the bond.
- The bond was for the installation but not maintenance of the infrastructure including landscaping.
- He and Michael Henke met with the developer regarding the landscaping.
- There were a lot of marmots on the property that were a nuisance.
- Asked the Council if they felt the landscaping was sufficient to conclude the warranty period.
- A berm on the property line was constructed in the right place but was spilling over onto an adjoining property. The berm appeared to be failing.
- The development agreement required any weeds to be mowed four times a year.
- All the sprinklers were working when they were installed.
- Trees on the berm with a drip system had died.
- A natural area could end up with a lot of weeds and not looking good.

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

- It looked like some of the sprinklers were not working.
- Homeowners in the PUD did not want the warranty bond released.

- The bond could not be retained if the infrastructure was installed as required.
- A bond should be held for failing landscaping if it could also be held for a failing road.
- It was a nuisance issue if the landscaping was properly installed and then it was not maintained. A nuisance complaint would need to be received.
- Many complaints had been received from the homeowners.
- The condition of the landscaping should not be accepted as a new standard.
- The irrigation system might not be the only problem with the berm. The berm could have been installed improperly.
- More information was needed to determine if the issue violated the warranty.

**Motion:** Council Member Dougherty moved to continue the item so that staff could investigate anything they thought appropriate to inform the Council about releasing the bond.

**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

### 3. Public Comment – Comments were taken for items not on the agenda.

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

### 4. Department Reports

#### Town Hall / Community Center / Remodel

Council Member Orme reported on the remodeling of the Town Hall and Community Center during the pandemic.

#### HVTED / Golf Tournament

Council Member Orme reported that Heber Valley Tourism and Economic Development (HVTED) held a golf tournament and raised \$7,500 for the kids backpack program.

#### Rural County Grant / Town Square / Town Hall

Council Member Orme reported that Midway City had been awarded a rural county grant of

\$31,500 for the Town Square and Town Hall renovations.

#### HVTED / CARES Funds

Council Member Orme reported that HVTED was providing incentives and grants to local businesses from funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

#### Volksmarch

Council Member Orme reported that the Volksmarch had begun.

#### Hwy 40 / Bypass

Council Member Orme reported that input had to be submitted for the environmental impact statement for the bypass of State Highway 40.

#### Roundabout / River Road and 600 North

Council Member Simonsen gave a progress report on the construction of the roundabout at River Road and 600 North.

#### Hwy 113 / Resurfacing

Council Member Simonsen gave a progress report on the resurfacing of the south section of State Highway 113.

#### 70 East Parking Lot

Council Member Simonsen reported that the public parking lot at 70 East Main Street was being used.

#### Town Square / Additional Parking

Council Member Simonsen suggested that additional parking be considered as part of the master planning for the Town Square.

#### Irrigation System / Valais

Council Member Dougherty reported that there were problems with the secondary irrigation system in the Valais PUD.

#### Mt. Spa Open Space / County Contribution

Council Member Dougherty reported that Wasatch County would contribute \$300,000 for the preservation of open space at the old Mountain Spa Resort.

MBA / Report

Council Member Dougherty reported that members of the Midway Business Alliance (MBA) were working hard to survive the pandemic.

COVID-19 Pandemic / Update

Mayor Johnson reported on the pandemic and indicated that the Wasatch County School District had reported three cases of infection.

**5. CARES Funds / Request** (Brad Wilson – Approximately 10 minutes) – Discuss and possibly approve a request for CARES funds to be used for emergency services.

Brad Wilson gave a presentation on CARES Act funds that had been and would be received by the City. He reviewed requests for those funds and requirements for their use.

Mayor Johnson read an email from Council Member Drury regarding the use of the funds.

Council Member Simonsen thought that purchasing a transport van, for emergency services, made sense and would help with the pandemic.

**Motion:** Council Member Simonsen moved to approve \$95,000 as requested to help pay for a transport van.

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

**Discussion:** Council Member Orme suggested that the City help with other emergency services needs if it got the third installment of CARES funds.

**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

Clair Provost and Ernie Giles, with the Wasatch County Fire District, thanked the Council for the donation.

**6. Town Square Master Plan / RFP** (Ken Mickelsen – Approximately 30 minutes) – Discuss and possibly approve a request for proposals to master plan the Town Square located at Main Street and 100 West.

Ken Mickelsen, a member of the Midway City Trails and Park Advisory Committee, gave a presentation regarding the proposed RFP and reviewed the following items:

- Professional work team
- Ashland Creek Restoration
- Design meetings
- Stakeholders

Mr. Mickelsen also made the following comments:

- The RFP was a draft and could be revised by the Council.
- The project description and scope of work were important.
- The plan should not interfere with Swiss Days.
- The best people would do the project right.
- The Wasatch Center for Advanced Professional Studies (CAPS) should be involved.
- Each firm that responded would present three designs.

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

**Note:** Council Member Drury arrived at 7:27 p.m.

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

- Each firm could bring one high level design.
- A point system for choosing could prevent the City from getting the best proposal. Criteria should be provided instead.
- Solicitations should not be limited to landscaping firms.
- The process would be phased.
- A previous plan developed by students from the University of Utah (U of U) should be incorporated into the design.

**Motion:** Council Member Simonsen moved to proceed with preparing an RFP with the point system replaced with criteria and using CAPS and work by the U of U students.

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

**Discussion:** Council Member Payne wanted original ideas that were not tainted by the work of others. Council Member Dougherty said the work by the U of U students would be for historical reference.

Council Member Dougherty thought that the completed RFP did not need to come back to the Council for review.

**Amended Motion:** Council Member Simonsen moved to proceed with preparing an RFP with the point system replaced with criteria and using CAPS and work by the U of U students. He further moved that staff could revise the RFP, based on the discussion that evening, and that it

did not need to be brought back to the Council for approval.

**Second:** Council Member Dougherty seconded the amended motion.

**Discussion:** Mr. Mickelsen recommended that the Mayor appoint the selection committee members. Council Member Dougherty suggested that Council Member Orme be on that committee. Council Member Simonsen asked that the Trails and Parks Committee be represented.

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

Council Member Dougherty	Aye
Council Member Drury	Abstained
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

**7. Hidden Creek Bed and Breakfast / Conditional Use Permit** (Meghan and Conner Clark – Approximately 90 minutes) – Discuss granting a conditional use permit for the Hidden Creek Bed and Breakfast proposed for 535 West Cari Lane (Zoning is R-1-15). **(Public Hearing)**

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

- Land use summary
- Location of the proposed bed and breakfast (B&B)
- Site plan
- Parking
- Impact on the neighbors
- Pictures of the property
- Midway City Municipal Code, Section 16.13.35(h)
- Request for additional uses.
- Discussion items
- Possible findings
- Possible conditions

Mr. Henke also made the following comments:

- A conditional use permit (CUP) allowed for conditions to mitigate impacts.
- Staff could approve an event liquor license for the business.
- The only off-site item allowed was parking.
- The RV hook-ups on the property could not be used for the business.
- No parking was allowed within 30 feet of Cari Lane.
- There was no shoulder on Cari Lane for parking.
- The property was in a residential zone.
- The driveway to the house had to be paved. It accessed only this property.
- Cari Lane was a collector road.
- Allowing the additional uses was discretionary.
- The proposed number of parking stalls was too intense. Proposed 20 stalls per event.
- The property would have five lots with 50 trips per day if it was developed as residential.

- Onsite supervision was required for B&Bs.
- The applicant was also requesting an alcohol permit.
- Recommended ten outdoor events per year.
- The applicant indicated that any music would end by 9:30 p.m.
- No additional buildings were planned for the property.
- A new permit would have to be considered if the applicant added property to the proposal.

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

Corbin Gordon explained that CUPs were permitted with conditions. He confirmed that the additional uses were discretionary.

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

- The B&B but not the events would count towards maintaining the Resort Tax.
- The B&B and events should be considered separately.
- The development to the east was a mess and had been tabled. This development could not be used to access the B&B.
- It was difficult to limit who showed up to an event.
- Events could be noisy.
- People became angry when they paid to be at an event, and it was shut down.
- The property was good for a B&B but not for events.
- People would park on the road.

Jeremy Clark, applicant, made the following comments:

- Approved of considering the B&B and events separately.
- Never considered tying the proposal to his development to the east. The lots in that development would be sold to third parties.
- The Municipal Code allowed B&Bs in the zone.
- There were facilities in other cities that held events and were in residential zones.
- The nearest home was 200 feet from the proposed event area.
- If the Municipal Code allowed events, then the number of vehicles should not be limited.
- Blue Boar Inn was on 0.97 acres and had 32 parking stalls.
- The Hiking Inn was much closer to residences. No complaints had been received by the City since it was approved.
- No other municipality required two acres for a B&B.
- Agreed to a limit of 20 events but not to limiting the parking.
- Would not oppose having to seek approval for each event.
- Was concerned about the impact on the neighbors.

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

- The Blue Boar Inn worked with its neighbors. Its parking lot was dug into the ground to prevent vehicle lights was disturbing the neighbors.
- It would be difficult to commit to and schedule events if each one needed to be approved by the City.

## Public Hearing

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

### Kim Parr

Ms. Parr made the following comments:

- 75 cars were too many. They would park on Cari Lane
- There would be noise past 10:00 p.m.
- The applicant would not live at the property.
- Real estate agents said the proposal would devalue her property.
- The applicant would allow people to park across the street on property that he owned.

Mr. Henke responded that the Municipal Code required a manager to live onsite.

### Tom Bradley

Mr. Bradley made the following comments:

- Lived across the road and was the closest neighbor to the property.
- Would have reconsidered purchasing his house if he knew events could be held across the street.
- There would be increased traffic just from the support staff.
- Multiple events were not acceptable.
- A CUP was not a property right.
- Supported the B&B if it met the conditions for the zone.
- Over 70 vehicles were detrimental.
- A traffic analysis should be done.
- Flood lights from the property shined into his house. The same would happen with the vehicle headlights.
- The creek had been altered and wetlands vegetation removed.
- Traffic and safety would be problems.
- Events were not a residential use.

### Chris Bunnell

Mr. Bunnell made the following comments:

- Opposed allowing the events.
- What the applicant said was not always what he did.
- It took the applicant a long time to finish projects which was a red flag.

### Steve Hight

Mr. Hight made the following comments:

- The home on the property was not an event center.
- A B&B was different from an event center.

#### Ally Dabier

Ms. Dabier made the following comments:

- Was concerned about the increase in traffic.
- Worried the applicant would get approval and then come back, maybe multiple times, for amendments and increase the intensity of the use.

#### Wendy Bullock

Ms. Bullock made the following comments:

- The proposal, which was a house in a residential zone, did not compare to the Blue Boar Inn which was in the resort zone.
- The house should not be an event center.
- Allowing ten events would mean an event a week for the entire summer.
- The area amplified sound. Could hear conversations on the golf course from her home.
- Who should be called when the facility violated the Municipal Code?
- Traffic was already bad on Cari Lane.
- The City should adopt heritage zones.

Mr. Henke responded that any complaints would be investigated, and staff would work with the applicant to resolve them. He added that the business could be put on probation or its license revoked.

#### Betsy Tanner

Ms. Tanner made the following comments:

- Good people could have differences.
- Supported the B&B but not having events.
- Was concerned about traffic.
- Young families lived in the neighborhood.
- The proposal would be near a blind corner.

#### Paul Clark

Mr. Clark asked what effect the public comment would have on the Council's decision. Mayor Johnson responded that it had a significant impact. Mr. Henke noted that the B&B was a permitted use, but reasonable conditions could be required.

Jeremy Clark, Applicant

Mr. Clark made the following comments:

- His entire family owned the LLC which owned the property.
- No new lights had been installed on the house. Would adjust the existing lights.
- A wetlands assessment was done, and nothing had been done to violate it.
- The bridge was permitted.
- Removed a tree that had thorns
- Had not paved or created dust.
- All the lots in the proposed Whispering Creek Subdivision were larger than those in the Meadow Creek Subdivision.
- The events would benefit the City by increasing taxes and supporting local businesses.
- The request for alcohol would only be for the events and not the B&B.

Tom Reed

Mr. Reed made the following comments:

- Lived next to the Homestead Resort.
- The proposal was nothing like the noise and traffic from the Resort.
- The Resort had applied to renovate its property.
- People who came to the events would stay at local hotels and eat at local restaurants.
- Property rights needed to be protected.
- The City needed to encourage investment.
- His daughter was married to the applicant.

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

**Motion:** Without objection, Mayor Johnson recessed the meeting at 9:42 p.m. She reconvened the meeting at 9:52 p.m.

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

- The wetlands would only be reviewed if the property was developed or structures added or expanded. A CUP did not require a sensitive lands study.
- The applicant had a stream alteration permit.
- The shining of the lights could be mitigated.
- New lights had not been proposed.
- Vehicle lights could be addressed.
- A traffic study had never been done for this type of proposal. The level of service for Cari Lane would remain at an "A".
- Something different from a traffic study, which counted cars and speed, would be needed to determine pedestrian safety.
- A study of Cari Lane would be good for general traffic enforcement.

Wes Johnson said that he would have traffic tubes placed on the road for a traffic study.

- 8. Kinsey Property / Connect to Culinary Water System** (Nick Patterson – Approximately 30 minutes) – Discuss and possibly allow the Kinsey property located at 15 East 850 South, which is outside of the city limits, to be connected to Midway City’s culinary water system.

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

- Location
- Policy for connecting to the culinary water system
- Discussion items
- Cul-de-sac and frontage requirements

Mr. Henke also made the following comments:

- The applicants wanted to subdivide their property into three lots.
- The minimum lot size would be the same in the City or the County.
- The property could not be annexed because two other property owners where opposed, because of the increase in taxes, and that would create an unincorporated peninsula. The applicants did not have the land value to force the two properties to annex. There would be enough value once houses were built on the Kinsey property.
- The Council was not required to grant access to the culinary system.
- The applicants might be able to develop in the County, without connecting to the City’s culinary system, if they drilled a well and provided sufficient fire flow. Some of the other wells in the area had problems.
- The property could not meet the development requirements in the City.
- Most of the other homes and the fish hatchery on 850 South were already connected to the culinary system.
- The other houses along 850 South, owned by the applicants or their family, were not considered for annexation.
- The City had historically allowed other properties, not within its boundaries, to connect to the culinary system.
- A previous request on Tate Lane and Stringtown Road, which was denied, was similar but had an existing well.
- The applicants wanted culinary water service so they could develop in the County.
- The Council should require participation in any future annexation if water service was granted.
- If developed in the County then annexed into the City, the development would be considered a legal non-conforming use.
- A new type of development, being considered by the City, still would not allow the property to be developed in the City.
- The Municipal Code did not allow another cul-de-sac on 850 South because of density and distance.
- It was preferable to have all culinary water users in the City.
- The Municipal Code allowed one home to be built on the property if it was a lot of record.

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

Nick Patterson, representing the applicants, made the following comments:

- The other homes along 850 South did not need to be included in the annexation. Including the houses would also require 850 South to be part of the annexation. Although, the owners were not opposed to being included.
- The applicants' daughters would build on the property.
- Spoke to the County and the property could be developed if it had access to culinary water.
- The Midway Crest Subdivision was given culinary service because the project limited density.

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

- The property on Tate Lane and Stringtown Road was not contiguous to the City's boundaries.
- Annexing the property would benefit the City because of additional tax revenue.
- The property was within the City's annexation boundary and would help eventually annex the City's public works yard.
- Annexation into the City was not necessarily beneficial because residential development cost more than it provided in revenue.
- If the development was not annexed, the owners would still benefit from City services and would not pay in municipal taxes.
- Specific findings needed to be made if water service was granted.

**Motion:** Council Member Drury moved to grant a will serve letter for the Kinsey Property to connect to the culinary water system with the condition that they participate if any surrounding property owners proposed annexation.

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

**Discussion:** Council Member Simonsen wanted to be fair and also not stand in the way of a legacy family. He questioned why this request was different from other similar requests. Council Member Payne asked if this motion would set precedence. Corbin Gordon stressed that specific reasons were needed for granting approval and why it was different from other such requests.

Council Member Simonsen thought that the property would eventually be annexed.

Mayor Johnson knew of four previous connection requests and each one was different.

**Amended Motion:** Council Member Drury moved to grant a will serve letter for the Kinsey Property to connect to the culinary water system with the following conditions and findings:

- The applicants would participate if any surrounding property owners proposed annexation.
- The property bordered the City on the west side.
- Annexation was beneficial because the property was along State Highway 113 and an entry corridor for the City.
- The annexation of the properties would allow the City's borders to be closer to its public works yard.

**Second:** Council Member Orme seconded the amended motion.

**Discussion:** Mr. Henke recommended that a document be recorded against each property requiring participation in any future annexation.

Council Member Dougherty recommended that a will serve letter be reviewed by the Council before any approval was granted.

**Second Amended Motion:** Council member Drury moved that the City Attorney draft a will serve letter with the following conditions and findings:

- The three proposed lots and the two houses on 850 North would have documents recorded against them stating that the owners would be petitioners in any future annexation.
- The current fee schedule would apply.
- The property bordered the City on the west side.
- Annexation was beneficial because the property was along State Highway 113 and an entry corridor for the City.
- The annexation of the properties would allow the City's borders to be closer to its public works yard.

**Second:** Council Member Orme seconded the second amended motion.

**Discussion:** Council Member Simonsen clarified that the City should be fair and not have special cases.

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

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

**9. Ordinance 2020-17 / Time Limit for Council Meetings** (Mayor Johnson – Approximately 5 minutes) – Discuss and possibly adopt Ordinance 2020-17 amending Chapter 2.02 (City Council and Meetings) of the Midway City Municipal Code to limit city council meetings to 10:00 p.m. unless extended by a majority of the City Council.

**Motion:** Council Member Drury moved to approve Ordinance 2020-17.

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

**Discussion:** None

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

Council Member Dougherty	Aye
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Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

**Motion:** Council Member Dougherty moved to extend the meeting to consider Item 10.

**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	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

**10. High Valley Arts / Temporary Use Permit** (City Planner – Approximately 30 minutes)

Discuss and possibly grant a temporary use permit for High Valley Arts to exceed the allowed sound levels for a musical production at 200 South and 400 East for the weeks of October 19 – 31, 2020.

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

- Overview
- Sound test map
- Chart of sound readings

Mr. Henke also made the following comments:

- Did not receive any complaints about the performances the previous year.
- Received a letter the previous year from Nick Frost, who lived in Bowden Fields, which said that he and his neighbors supported the performances because they maintained the area in open space.
- High Valley Arts did not think that it would exceed the allowed sound levels but applied as a precaution.

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

Council Member Orme asked if the time of the events would be adjusted because of the time of the year, temperatures, and school being held.

Stuart Waldrip, applicant, made the following comments:

- High Valley Arts was trying to serve kids.

- It would perform Adams Family for the holiday season.
- The production would be compressed into the month of October with rehearsals during the first three weeks of the month and held outside with limited sound. They would finish by 9:30 p.m.
- The performances would be the last week of October. They would finish by 8:30 p.m.
- The speakers would be pointed towards the audience.
- Asked that the application fee be waived because the organization was scratching for money.
- The neighbors were supportive and helped with the production.
- There were only occasional complaints.

Council Member Drury indicated that the Seussical, which was a production held in August, went until 10:30 p.m. each night.

**Motion:** Council Member Drury moved to approve the request with the fee not being waived.

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

**Discussion:** Council Member Simonsen asked why the item was not noticed for a public hearing. Mr. Henke responded that a public hearing was not required.

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

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

## Department Reports (Continued)

### 970 South Transmission Line / Litigation

Corbin Gordon made the following comments regarding the litigation:

- The deadline for the appellate court brief was that Friday.
- The brief was not quite ready. Asked for a 30-day extension which was usually granted.
- Received an email from Rocky Mountain Power that they were still pursuing their appeal before the Utah Supreme Court.
- All briefs had been submitted to the Supreme Court.

## 11. Closed Meeting to Discuss Pending or Reasonably Imminent Litigation

**Motion:** Council Member Simonsen moved to go into a closed meeting to discuss pending or reasonably imminent litigation.

**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	Aye
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	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

## 12. Adjournment

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

The meeting was adjourned at 11:29 p.m.

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Celeste Johnson, Mayor

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Brad Wilson, Recorder