

Midway City Council  
20 November 2018  
Regular Meeting

2018 Special Bond Election /  
Canvass Ballots



# Memo

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**Date:** 16 November 2018  
**To:** Mayor, City Council and Staff  
**Cc:** File  
**From:** Brad Wilson, City Recorder/Financial Officer  
**RE:** Canvass of Ballots for Special Bond Election

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The City Council is required to canvass and approve the final vote totals for the special bond election held on 6 November 2018. I have attached instructions for the canvass provided by the City's bond counsel. I have also attached the final vote totals provided by Wasatch County who administered the election. They will provide the other needed information before the canvass.

Please contact me if you have any questions.

Midway, Utah

November 20, 2018

The City Council (the “Council”) of Midway City, Utah (the “City”), met in regular session at 160 West Main Street, in Midway, Utah, at 6:00 p.m. on Wednesday, November 20, 2018, with the following members of the Council being present:

Celeste T. Johnson	Mayor
Jeff Drury	Councilmember
Bob Probst	Councilmember
Jared Simonsen	Councilmember
Ken Van Wagoner	Councilmember
Lisa Christen	Councilmember

Also present:

Brad Wilson	City Recorder
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Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the City Recorder presented to the Council, a Certificate of Compliance With Open Meeting Law with respect to this November 20, 2018 meeting, a copy of which is attached hereto as Exhibit A.

It was then moved by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, and carried unanimously that the Council sit as a Board of Canvassers for the purpose of canvassing the returns of the special bond election held in the City on November 6, 2018.

The Board thereupon made a proper canvass of the election returns of said special election in accordance with Sections 11-14-207, 20A-4-301(3), 20A-4-302 and 20A-4-303, Utah Code Annotated 1953, as amended, including making publicly available at the meeting the return of voting for each precinct, and at conclusion of the canvass made the following official findings:

## PROPOSITION

Shall Midway City, Utah (the “City”), be authorized to issue General Obligation Bonds in an amount not to exceed Five Million Dollars (\$5,000,000) (the “Bonds”) for the purpose of partnering with willing landowners, private organizations, land preservation foundations, governmental agencies and private donors, all at the discretion of the City Council, to pay all or a portion of the costs (to preserve open space (as open space is defined and is consistent with the Midway City General Plan and as permitted by the laws of the State of Utah) and related improvements, within the proposed annexation boundaries of the City as established in the land use map of the City dated December 13, 2017, including but not limited to acquisition of land, development rights, conservation easements, maintenance of use agreements, or related start-up expenses; said Bonds to be due and payable in not to exceed twenty-one (21) years from the date of issuance of the Bonds?

Property Tax Cost of Bonds: If the Bonds are issued all at once an annual property tax to pay debt service on the Bonds will be required over a period of twenty-one (21) years in the estimated amount of \$110.76 per year on a \$440,000 residence and in the estimated amount of \$201.39 per year on a business property having the same value.

The foregoing information is only an estimate and is not a limit on the amount of taxes that the City may be required to levy in order to pay debt service on the Bonds. The City is obligated to levy taxes to the extent provided by law in order to pay the Bonds. The amounts are based on various assumptions and estimates, including estimated debt service on the Bonds and current taxable values of property in the City.

Total votes cast	
Total persons challenged	
Total persons who were issued a provisional ballot	
Total number of provisional ballots that were counted	
Total votes cast in favor of issuing \$5,000,000 General Obligation Bonds	
Total votes cast against issuing \$5,000,000 General Obligation Bonds	

Based upon the canvass of returns by City Council of Midway City, Utah sitting as a Board of Canvassers, said Board hereby declares the Proposition set forth above to have carried.

PASSED AND APPROVED this November 20, 2018.

(SEAL)

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Mayor

ATTEST:

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City Recorder

(Here follows other business not pertinent to the above.)

Upon conclusion of all business and motion duly made and carried, the meeting was adjourned.

(SEAL)

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Mayor

ATTEST:

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City Recorder

STATE OF UTAH                    )  
  : ss.  
COUNTY OF WASATCH    )

I, Brad Wilson, the duly qualified and acting City Recorder of Midway City, Utah (the “City”), do hereby certify according to the records of the City in my possession that the above and foregoing constitutes a true and correct copy of the excerpts from the minutes of the meeting of the City Council of Midway City, Utah, held on Tuesday, November 20, 2018.

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City Recorder

(SEAL)

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Brad Wilson, the undersigned City Recorder of Midway City, Utah (the “City”), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the November 20, 2018 public meeting held by the City as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the City's principal offices on November \_\_\_\_, 2018, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, delivered to the Wasatch Wave pursuant to its subscription to the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2018 Annual Meeting Schedule for the City Council (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the City Council to be held during the year, by causing said Notice to be (i) posted in \_\_\_\_\_ at the principal office of said City Council, (ii) posted on the Utah Public Notice Website (<http://pmn.utah.gov>) and (iii) provided to at least one newspaper of general circulation within the City pursuant to its subscription to the Utah Public Notice Website (<http://pmn.utah.gov>).

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this November 20, 2018.

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

(SEAL)

SCHEDULE 1

NOTICE OF MEETING

SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE

**LOCAL BALLOT PROPOSITION**

Vote For 1

	TOTAL	VOTE %
FOR THE ISSUANCE OF BONDS (YES)	6,916	57.80%
AGAINST THE ISSUANCE OF BONDS (NO)	5,050	42.20%
<b>Total Votes Cast</b>	<b>11,966</b>	<b>100.00%</b>

**PROPOSITION 10**

Vote For 1

	TOTAL	VOTE %
AGAINST	7,001	62.41%
FOR	4,217	37.59%
<b>Total Votes Cast</b>	<b>11,218</b>	<b>100.00%</b>

**MIDWAY CITY PROPOSITION LOCAL BALLOT**

Vote For 1

	TOTAL	VOTE %
FOR THE ISSUANCE OF BONDS (YES)	1,467	54.68%
AGAINST THE ISSUANCE OF BONDS (NO)	1,216	45.32%
<b>Total Votes Cast</b>	<b>2,683</b>	<b>100.00%</b>

**OFFICIAL BALLOT PARK CITY BOND**

Vote For 1

	TOTAL	VOTE %
AGAINST THE ISSUANCE OF BONDS	2	66.67%
FOR THE ISSUANCE OF BONDS	1	33.33%
<b>Total Votes Cast</b>	<b>3</b>	<b>100.00%</b>