



Memo

Date: 28 September 2018
To:
Cc:
From: Brad Wilson, City Recorder/Financial Officer
RE: Minutes of the 18 September 2018 Board of Equalization Meeting

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

MINUTES OF THE MIDWAY CITY BOARD OF EQUALIZATION

Tuesday, 18 September 2018, 9:00 a.m.
Midway City Office Building, Old City Council Chambers
75 North 100 West, 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 Board, 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

Board Chair Johnson called the meeting to order at 10:21 p.m.

Members Present:

Celeste Johnson, Board Chair
Lisa Christen, Board Member
Bob Probst, Board Member
JC Simonsen, Board Member
Ken Van Wagoner, Board Member

Staff Present:

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

Members Excused:

Jeff Drury, Board Member

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

2. Consent Calendar

- a. Agenda for the 18 September 2018 Board Meeting
- b. Minutes of the 22 August 2018 Board Meeting

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

Motion: Board Member Simonsen moved to approve the consent calendar.

Second: Board Member Van Wagoner seconded the motion.

Discussion: None

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

Board Member Christen	Aye
Board Member Drury	Excused from the Meeting
Board Member Probst	Aye
Board Member Simonsen	Aye
Board Member Van Wagoner	Aye

3. Mountain Goat Apartments / Water Assessment (Jean Hoover – Approximately 30 minutes) – Discuss and possibly decide on the culinary water assessment for the Mountain Goat Apartments located at 269 East Main Street.

Corbin Gordon and Board Chair Johnson reviewed the findings of fact that Mr. Gordon prepared regarding Jean Hoover's request.

The Board, staff and meeting attendees discussed the following items related to the request:

- Users paid less if they had five units on a 1.5-inch water meter than if each unit was on a $\frac{3}{4}$ inch meter. They payed more if there were four units or less.
- The City's water fee structure was consistent with those of surrounding communities.
- The base rate paid for the maintenance of the existing water infrastructure.
- If the City billed based only on usage, then it would receive less revenue for its water system. Owners of second homes, which were not regularly occupied, would pay very little.
- Changing the fee structure should not be considered at that meeting.
- Was Order #2 in the findings redundant because it granted a right that the applicant already had? It did require that the meter size be approved by an engineer.
- Someone should have the ability to change the size of their water meter.
- A water meter should be sized properly for a property.
- An appropriate engineer should determine the size of a meter.
- Jean Hoover's request dealt only with the culinary water assessment for the project and not the size of the meter. She could make another request regarding the meter size.

Motion: Board Member Van Wagoner moved to approve the findings of fact excluding Order #2 because of the City's existing fee structure.

Board Member Van Wagoner emphasized that the fee disparity between meter sizes needed to be addressed in the future.

Second: The motion died for lack of a second.

Motion: Board Member Christen moved to approve the findings of fact as written and that the size of the meter, with the recommendations of an engineer, could be reviewed in the future.

Board Member Simonsen asked if the Board should reduce an assessment just because of a water user's inexperience in developing a project.

Board Chair Johnson and Board Member Probst doubted that an engineer would recommend a

smaller meter for the project.

Second: The motion died for lack of a second.

Motion: Board Member Van Wagoner again moved to approve the findings of fact excluding Order #2 because of the City's existing fee structure.

Second: Board Member Simonsen seconded the motion.

Discussion: Board Member Simonsen thought that excluding Order #2 would leave the findings silent on the issue of meter size. Board Member Christen stated this would be contrary to what Ms. Hoover had been offered regarding the meter. Board Chair Johnson responded that Ms. Hoover did not accept her offer to reduce the size of the meter, so removing Order #2 would be fair.

Board Member Van Wagoner noted that Ms. Hoover could apply to change the meter. Corbin Gordon noted that the findings of fact, even excluding Order #2, did not deny her that opportunity.

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

Board Chair Johnson	Aye
Board Member Christen	Nay
Board Member Drury	Excused from the Meeting
Board Member Probst	Nay
Board Member Simonsen	Aye
Board Member Van Wagoner	Aye

4. Adjournment

Motion: Board Member Van Wagoner moved to adjourn the Midway City Board of Equalization meeting and to continue the city council meeting.

Second: Board Member Simonsen seconded the motion.

Discussion: None

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

Board Member Christen	Aye
Board Member Drury	Excused from the Meeting
Board Member Probst	Aye
Board Member Simonsen	Aye
Board Member Van Wagoner	Aye

The meeting was adjourned at 10:55 a.m.

DRAFT