

MIDWAY CITY COUNCIL REGULAR MEETING

Tuesday, 18 June 2019, 6:00 p.m.
Midway Community Center, City Council Chambers
160 West Main Street, Midway, Utah

Our vision for the City of Midway is to be a place where citizens, businesses and civic leaders are partners in building a city that is family-oriented, aesthetically pleasing, safe, walkable and visitor friendly. A community that proudly enhances its small town Swiss character & natural environment, as well as remaining fiscally responsible.

1. Call to Order

a. Pledge of Allegiance

b. Prayer and/or Inspirational Message

Any Midway resident interested in giving a prayer and/or an inspirational message may contact the City Recorder at bwilson@midwaycityut.org or 435-654-3223 x118.

2. Consent Calendar

Be it hereby moved that the following consent calendar items stand approved:

- a. Agenda for the 18 June 2019 City Council Regular Meeting
- b. Warrants for the 21 May 2019 Meeting
- c. Warrants for the 18 June 2019 Meeting
- d. Minutes of the 7 May 2019 City Council Work Meeting
- e. Minutes of the 7 May 2019 City Council Closed Meeting
- f. Minutes of the 7 May 2019 City Council Regular Meeting
- g. Minutes of the 9 May 2019 City Council Meeting
- h. Minutes of the 9 May 2019 City Council Closed Meeting
- i. Minutes of the 21 May 2019 City Council Work Meeting
- j. Minutes of the 21 May 2019 City Council Regular Meeting
- k. Minutes of the 21 May 2019 City Council Closed Meeting
- l. Conclude the warranty period and release the remainder of the bond for the Deer Creek Estates Subdivision located at 300 East Michie Lane subject to the payment of all fees due to Midway City
- m. Stuart Waldrip as the administrative law judge for Midway City
- n. Ordinance 2019-10 adopting various international and national building codes

3. Public Comment (Approximately 15 minutes)

This is the public's opportunity to comment on items not on the agenda. Please state your name and address.

4. Department Reports (Approximately 30 minutes)

- a. Heber Valley Tourism and Economic Development, Midway Business Alliance and Legislative.
- b. Midway Boosters, Ice Rink, Open Space, and the Swiss Days Committee.
- c. Heber Light & Power Company, Heber Valley Railroad, Heber Valley Special Service District, and the Midway Sanitation District.

5. Parking Requirements (Cecil Duvall – Approximately 5 minutes) – Receive comments on proposed parking requirements from the owner of the Café Galleria.

6. Ordinance 2019-06 / Parking Requirements for Commercial and Mixed-Use Developments (City Planner – Approximately 20 minutes) – Discuss and possibly adopt

Ordinance 2019-06 amending Section 16.13.39 (Off-Street Parking and Loading) of the Midway City Municipal Code regarding parking requirements for commercial and mixed-use developments. Recommended for approval by the Midway City Planning Commission. **Public Comment**

7. **Centennial Plaza / Update** (Mayor Johnson – Approximately 10 minutes) – Receive an update on a plaza in the Centennial Park proposed by the Wasatch County Centennial Committee.
8. **Whitaker Farm Subdivision / Final Approval** (Dan Luster – Approximately 20 minutes) – Discuss and possibly grant final approval for the Whitaker Farm Subdivision located at 455 North River Road (Zoning is RA-1-43). Recommended for approval with conditions by the Midway City Planning Commission.
9. **Resolution 2019-12 / Whitaker Farm Development Agreement** (City Attorney – Approximately 10 minutes) – Discuss and possibly approve Resolution 2019-12 adopting a development agreement for the Whitaker Farm Subdivision located at 455 North River Road.
10. **Resolution 2019-15 / Carriage Agreement** (City Attorney – Approximately 10 minutes) – Discuss and possibly approve Resolution 2019-15 adopting a carriage agreement between Midway City and the Midway Irrigation Company. The agreement formalizes the exchange program for secondary irrigation water.
11. **Corner Restaurant / Temporary Beer Event Permit** (Berkley Probst – Approximately 20 minutes) – Discuss and possibly grant a temporary beer event permit for the Corner Restaurant, located at 195 West Main Street, for August 30th and 31st.
12. **Duncan Preschool / Conditional Use Permit** (Brooke and Christian Duncan – Approximately 25 minutes) – Discuss and possibly grant a conditional use permit for a preschool at 425 East 600 North (Zoning is R-1-22). Recommended for approval with conditions by the Midway City Planning Commission. **Public Hearing**
13. **Bonner Meadows / Final Approval** (Berg Engineering – Approximately 20 minutes) – Discuss and possibly grant final approval for the Bonner Meadows Subdivision, formerly known as the Lucerne Estates Subdivision, located at approximately 149 South 100 East (Zoning is R-1-9). Recommended for approval without conditions by the Midway City Planning Commission.
14. **Resolution 2019-21 / Bonner Meadows Development Agreement** (City Engineer – Approximately 5 minutes) – Discuss and possibly approve Resolution 2019-21 adopting a development agreement for the Bonner Meadows Subdivision located at approximately 149 South 100 East (Zoning is R-1-9).
15. **Cozens Subdivision / Preliminary & Final Approval** (Albert Cozens – Approximately 25 minutes) – Discuss and possibly grant preliminary and final approval for the Cozens Subdivision located at 840 South Stringtown Road (Zoning is RA-1-43). Recommended for approval without conditions by the Midway City Planning Commission. **Public Hearing**
16. **Resolution 2019-22 / Cozens Subdivision Development Agreement** (City Attorney – Approximately 5 minutes) – Discuss and possibly approve Resolution 2019-22 adopting a development agreement for the Cozens Subdivision located at 840 South Stringtown Road (Zoning is RA-1-43).
17. **Zone Boundary Determination** (Neil Karl – Approximately 15 minutes) – Discuss and possibly determine a zone boundary, located at 52 South 450 East, in accordance with Section 16.13.30 of the Midway City Municipal Code.

18. **High Valley Arts / Temporary Use Permit** (City Planner – Approximately 15 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 months of June and July of 2019.
19. **Pelo Subdivision / Culinary Water Will Serve Letter** (Brad Pelo – Approximately 10 minutes) – Discuss and possibly approve a letter stating that Midway City will provide culinary water service to the Pelo Subdivision located at 520 South 500 East.
20. **Resolution 2019-16 / Open Lands Interlocal Agreement** (City Attorney – Approximately 20 minutes) – Discuss and possibly approve Resolution 2019-16 adopting an open lands interlocal agreement between Midway City and Wasatch County.
21. **Resolution 2019-17 / FY 2019 Budget Amendment** (Financial Officer – Approximately 10 minutes) – Discuss and possibly approve Resolution 2019-17 amending the Fiscal Year 2019 Budget. **Public Hearing**
22. **Resolution 2019-18 / FY 2020 Budget** (Financial Officer – Approximately 10 minutes) – Discuss and possibly approve Resolution 2019-18 adopting the Fiscal Year 2020 Budget.
23. **Resolution 2019-19 / Property Tax Rate** (Financial Officer – Approximately 10 minutes) – Discuss and possibly approve Resolution 2019-19 adopting a certified property tax rate for Midway City.
24. **CDRA Meeting** – A meeting of the Community Development and Renewal Agency of Midway City (Please see separate agenda).
25. **Resolution 2019-20 / Incidental Personal Use of Public Property** (City Attorney – Approximately 10 minutes) – Discuss and possibly approve Resolution 2019-20 adopting a policy for the incidental personal use of public property.
26. **Closed Meeting to Discuss Pending or Reasonably Imminent Litigation and the Character, Professional Competence, or Physical or Mental Health of an Individual**
27. **Settlement Agreement / John Probst Lawsuit** (City Attorney – Approximately minutes) – Consider and possibly approve a settlement agreement in the John Probst lawsuit.
28. **Adjournment**

Published on the Utah Public Notice Website on 16 June 2019 at 2:00 p.m. by Brad Wilson (City Recorder)
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The order of individual items on this agenda is subject to change up to 24 hours in advance.
All times are approximate.

For those individuals needing special assistance in accordance with the Americans with Disabilities Act, please contact Brad Wilson at the Midway City Office Building, at 75 North 100 West, Midway, UT 84049, 1-435-654-3223 x104, or by email at: bwilson@midwaycityut.org.