

**MINUTES OF THE  
MIDWAY CITY COUNCIL  
(Strategic Planning Meeting)**

**Friday, 17 January 2020, 10:00 a.m.  
The Corner Restaurant, Lower Level Banquet Room  
195 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**

Mayor Johnson called the meeting to order at 10:00 p.m.

**Members Present:**

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

Michael Henke, Planning Director  
Wes Johnson, Engineer (Arrived at 12:52  
p.m.)  
Brad Wilson, Recorder/Financial Officer

**Others Present:**

Ryan Child, Child Richards  
Ben Probst, Gilbert and Stewart

**Staff Present:**

Corbin Gordon, Attorney

Mayor Johnson introduced the format for the meeting.

**2. Audit Report**

Ryan Child reviewed the City's financial statements for FY 2019. Ben Probst read his opinion letter regarding the financial statements and indicated there were no findings. He also indicated that the City complied with all state audit requirements.

**Note:** A copy of the financial statements and communications from the auditor are contained in the supplemental file.

**3. Contracts and Policies / Use of City Buildings**

Corbin Gordan reviewed current and several expired contracts between the City and other parties. The meeting attendees discussed which contracts needed to be renewed. They also reviewed agreements for the use of the City's buildings.

The meeting attendees specifically discussed the following items:

- The City policy for the use of its buildings needed to be fair and provide equal protection.
- The buildings were not a business venture and should benefit residents.
- A discount should not be given for long-term use of buildings.
- There should be shops, etc. along Main Street for people to visit after they ate at a restaurant.
- There should be a committee focusing on Main Street.
- Was storage the best use of the City's buildings?
- A vision and priorities should be established for the use of the buildings.
- A distinction should be made between charitable and not-for-profit organizations wanting to use the buildings.
- Groups using the buildings for storage should pay a fee and have renter's insurance.
- The facilities had deferred maintenance.
- Some portions of the facilities were only good for storage.

Council Member Dougherty, Council Member Drury and Corbin Gordon would review the policy for the use of facilities.

Mayor Johnson asked that policy recommendations be brought back to the Council no later than March.

Mayor Johnson recessed the meeting at 11:58 a.m. She reconvened the meeting at 12:52 p.m.

**Note:** Wes Johnson arrived at approximately 12:00 p.m.

#### **4. Budget Review**

Brad Wilson reviewed the timeline for the FY 2021 budget and when budget reports would be provided. It was requested that money, rolled over from year to year, be tracked. It was also requested that an executive summary, aggregating all expenditures for certain categories like roads, be provided.

#### **5. Updating Impact Fee (Capital) Facilities Plan**

Wes Johnson recommended that the Impact Fee Facilities Plan, which was last revised in 2012, be updated. He explained the cost for the update.

**Note:** A copy of the cost proposal is contained in the supplemental file.

Mr. Johnson also indicated that two changes were needed to the Standard Specifications and Drawings. He asked that changes be approved at the next possible council meeting. He recommended that other items like road widths be addressed separately and at a work meeting.

He also reviewed the water and trails projects planned for CY 2020.

**Note:** A list of the water projects for CY 2020 is contained in the supplemental file.

## **6. Committees / Council Assignments**

The meeting attendees discussed and recommended the following committee and council assignments:

### **Celeste Johnson, Mayor**

Budget

Community Development and Renewal Agency Board (Chair)

Heber Light & Power Company Board

Heber Valley Railroad Board

Heber Valley Special Service District Board

Midway Sanitation District Board

Midway Water Advisory Board (Non-Voting Member)

Mountainland Association of Governments

Municipal Building Authority Board (Chair)

Personnel

Public Works

### **Steve Dougherty, Council Member**

Midway Business Alliance

Midway Irrigation Company Board

Midway Water Advisory Board

Open Space Advisory Committee (Non-Voting Member)

Water

### **Jeff Drury, Council Member**

Ice Rink

Midway Boosters

Midway Water Advisory Board

Swiss Days Committee

### **Lisa Orme, Council Member**

Affordable Housing (Secondary)

Buildings  
Cemetery  
Cowboy Poetry Gathering  
Heber Valley Tourism and Economic Development Board  
Legislative  
Tourism  
Utah League of Cities and Towns (Voting Member)

**Kevin Payne, Council Member**

Affordable Housing (Primary)  
Planning Commission Liaison

**JC Simonsen, Council Member**

Animal Control  
Parks and Recreation  
Roads/Sidewalks/Parking  
Trails  
Trails and Parks Advisory Committee (Non-Voting Member)

Council Member Payne explained that he might develop affordable housing in Wasatch County. He asked if being on an area affordable housing board would be a conflict? Corbin Gordon responded that it would not be a conflict if Council Member Payne disclosed any conflicts and recused himself when appropriate. He recommended that Council Member Payne resign if he did a significant project that was considered by the board.

Ways of communicating with residents were discussed including updating the City's website, newsletter and social media presence.

**7. City Council Dates**

The Council decided to cancel its meetings on June 16, July 21<sup>st</sup> and December 15<sup>th</sup>.

The meeting attendees discussed the Council holding work meetings. Holding them once a quarter or only as needed was discussed. It was felt that they should not be a duplication of the regular meetings.

The meeting attendees decided against holding a work meeting regarding the conditional use permit for the transmission line.

Mayor Johnson indicated that she would add to an agenda any item requested by the Council.

Mayor Johnson also indicated that information for council meetings would be posted on the City's website and paper copies would no longer be distributed. The policy would be revisited in three months.

## 8. Annexation / Resort Zone

Allowing glamping outside of the resort zone and revisiting nightly rental restrictions were discussed.

## 9. Land Use Coordination

Mayor Johnson reported that local mayors were meeting to work together on land use issues. She added that consideration of an area trails planner would be on a future council agenda.

**Note:** Council Member Simonsen left and began participating electronically at 3:08 p.m.

## 10. Open Space

Michael Henke gave an update on preserving open space. He indicated that property at the Kohler farm would be the first preservation project. He thought that the City's money could be leveraged by three to four times with matching funds.

### Closed Meeting to Discuss the Purchase, Exchange, or Lease of Real Property

**Motion:** Council Member Orme moved to go into a closed meeting.

**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	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 Drury moved to go out of the closed meeting.

**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

Mayor Johnson recessed the meeting at 3:37 p.m. She reconvened the meeting at 4:00 p.m.

**Note:** Council Member Simonsen participated in person at 4:00 p.m.

### **11. Ecologically Friendly**

Mayor Johnson indicated that Wasatch County had a forced monopoly on garbage collection which reduced incentives for recycling. She said that the County should be encouraged to help with recycling.

Mayor Johnson explained the Citizen Climate Lobby.

The meeting attendees discussed additional air quality monitoring stations in Midway and partnering with Wasatch County for a groundwater monitoring well at Michie Lane Park.

### **12. Transportation / Parking**

The following items were discussed:

- The owner of the property at 70 East Main Street had signed the agreement allowing it to be used for public parking. The parking lot would be gravel.
- Should the City reconsider a public parking lot between the Community Center and the Town Hall?
- Public parking behind the Midway Booster's cannery, using the mortuary as a second access, was still a possibility.

### **13. Duration of Development Agreements**

Corbin Gordon reviewed various land use agreements and the best duration for each. Various scenarios for the different agreements were discussed.

**Note:** A copy of a memo from Mr. Gordon regarding the issue is contained in the supplemental file.

### **14. Council Authority / Making Motions**

Corbin Gordon reviewed council authority, including legislative, administrative and quasi-judicial, and the standards and discretion for each. He also reviewed public clamor, outside research by

council members and findings with motions.

**Note:** A copy of a memo from Mr. Gordon regarding the issue is contained in the supplemental file.

### **15. Conflicts of Interest**

Corbin Gordon reviewed conflicts of interest and how they should be handled. He reviewed the document used by the City to disclose such conflicts.

**Note:** A copy of the disclosure statement used by the City is contained in the supplemental file.

### **16. Open and Public Meetings Act**

Corbin Gordon reviewed the Utah Open and Public Meetings Act (OPMA) including closed meetings. He asked that council members call staff before meetings, if possible, if they had in-depth questions.

**Note:** A copy of the Act, which was distributed by Mr. Gordon, is contained in the supplemental file.

### **17. Council Compensation**

Mayor Johnson reviewed compensation for elected officials. She suggested that any change occur in two to three years. She also reviewed stipends, an allowance for cellphone use and health insurance coverage for the City's mayor.

Brad Wilson indicated that he received an email from David Church, legal counsel for the Utah League of Cities and Towns (ULCT), indicating that a city could adopt an ordinance increasing elected officials' compensation at set intervals.

Council Member Simonsen suggested comparing the elected officials' compensation to that of other cities.

Council Member Drury recommended that the City continue to compare its staff's wages with those of other cities.

Council Member Dougherty expressed concern that there were only four council candidates in the recent election.

### **18. ULCT Conference**

Mayor Johnson encourage the council members to attend the upcoming Utah League of Cities and Towns conference.

## 19. Rural Day at the Legislature

Mayor Johnson encouraged the council members to attend Rural Day at the State Legislature. Council Member Drury suggested that the Legislature allow school districts to charge impact fees.

## 20. Tourism

Mayor Johnson thought that the City benefited from its membership in Heber Valley Tourism and Economic Development. Council Member Orme asked that tourism be discussed at a future council meeting.

## 21. UDOT / Trade Main Street for Michie Lane

The meeting attendees discussed exchanging Main Street for Michie Lane as a state road controlled by UDOT. Council Member Dougherty noted that the City was limited in what it could do with Main Street because it was a state road. Council Member Simonsen was concerned because Michie Lane was next to an elementary school.

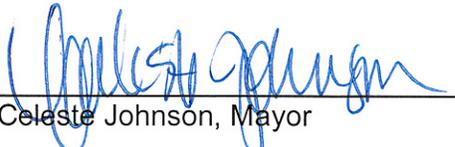
## 22. City Sponsored Events

Council Member Orme indicated that the City needed to sponsor more events. She added that the winter was the time to prepare for events in the summer.

## 23. Adjournment

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

The meeting was adjourned at 5:23 p.m.

  
Celeste Johnson, Mayor

  
Brad Wilson, Recorder