

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

**Tuesday, 20 July 2021, 5:00 p.m.  
Midway Community Center, 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, 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 5:14 p.m.

**Members Present:**

Celeste Johnson, Mayor  
Steve Dougherty, Council Member  
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

**Members Excused:**

Jeff Drury, Council Member

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

**2. Ordinance 2021-13 / Non-Conforming Buildings and Uses** (City Planner – Approximately 10 minutes) – Discuss Ordinance 2021-13 amending Section 16.26.8 (Non-Conforming Buildings and Uses) of the Midway City Municipal Code regarding non-conforming buildings and uses. Recommended without conditions by the Midway City Planning Commission.

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

- Reasons for the ordinance
- Proposed language
- Diagrams
- Changes since the previous meeting

Mr. Henke also made the following comments:

- A survey was the only way to avoid incorrect property lines.
- Requiring a survey had advantages and disadvantages.
- The City had 30 days to stop construction once it started.
- Marking just the front property line would still require a survey.
- Commercial was discretionary so the ordinance focused on residential structures.

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

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

- Engineered drawings from the improving of Main Street could be used to determine property lines along that street.
- An engineer could verify a property line without needing a new survey.
- Would the City want a setback along Main Street of six feet from the sidewalk and then another ten feet from there?

**3. Ordinance 2021-14 / Off-Street Parking and Loading Uses** (City Planner – Approximately 10 minutes) – Discuss Ordinance 2021-14 amending Section 16.13.39 (Off-Street Parking and Loading Uses) of the Midway City Municipal Code allowing narrower commercial driveways for existing structures. Recommended without conditions by the Midway City Planning Commission.

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

- Proposed language
- Diagrams

Mr. Henke also made the following comments:

- The ordinance would apply to a limited number of properties.

**4. Resolution 2021-13 / Street Cross-Sections** (City Engineer – Approximately 30 minutes) – Discuss Resolution 2021-13 amending the Midway City Standard Specifications and Drawings regarding reducing the width of street cross-sections.

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

- Cross-sections and changes

Mr. Johnson also made the following comments:

- Should the fourth cross-section discussed be optional?
- Should the engineer be allowed discretion on the drainage, etc.?

- The widths were set and not a minimum.
- The fourth cross-section needed a ribbon curb to meet the width.
- Park strips were usually in the public right-of-way but HOAs or the adjoining property owners usually maintained them.
- Greater lot frontages would reduce the need for street parking.

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

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

- Roads should not be too narrow for service vehicles. These vehicles could park off the road if there was a ribbon curb.
- Emergency vehicles and traffic could not use a road if it was too narrow, and vehicles were parked on both sides. Off-street parking should be required to address this issue.

**5. Resolution 2021-24 / Cemetery Moratorium** (City Attorney – Approximately 10 minutes) – Discuss moratorium on the sale of spaces in the Midway City Cemetery to allow for a review of rates and services.

Corbin Gordon made the following comments:

- There were problems determining the ownership of some existing spaces in the City's cemetery. Families were fighting over the spaces. The City was starting an adjudication of these burial rights.
- Deeds for burial spaces were a right that had to go through probate.
- Recommended a moratorium on the sale of spaces for the next six months. The only exception would be for a death. In this case a space could be purchased for the deceased plus a space for their spouse.

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

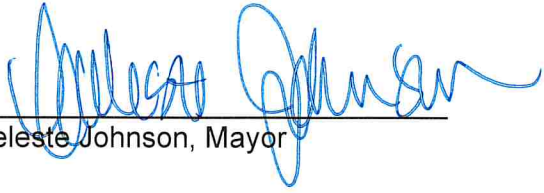
Mayor Johnson made the following comments:

- The goal of the moratorium was to set limits on the number of spaces that could be purchased while other issues with the cemetery were being addressed.
- The City needed to track the ownership of spaces from generation to generation.
- The moratorium would give staff time to complete the GIS system for the cemetery.

## 6. Adjournment

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

The meeting was adjourned at 5:53 p.m.



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Celeste Johnson, Mayor



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Brad Wilson, Recorder