



Memo

Date: 11 April 2022
To:
Cc:
From: Brad Wilson, City Recorder
RE: Minutes of the 5 April 2022 City Council Work Meeting

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

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

**Tuesday, 5 April 2022, 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 Pro Tem Drury called the meeting to order at 5:00 p.m. He excused Mayor Johnson.

Members Present:

Jeff Drury, Mayor Pro Tempore
Steve Dougherty, Council Member
Lisa Orme, Council Member (Arrived at 5:05 p.m.)
Kevin Payne, Council Member
JC Simonsen, Council Member

Staff Present:

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

Members Excused:

Celeste Johnson, Mayor

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

2. Highlands at Soldier Hollow / Water System (Wes Johnson – Approximately 10 minutes)
– Discuss Midway City participating in the water system for the Highlands at Soldier Hollow located at 944 West Wards Lane.

Wes Johnson gave a presentation regarding the water system and reviewed the following items:

- Background
- Location
- Layout of the project
- Cost and payback

Mr. Johnson also made the following comments:

- The well drilled for the project was not to culinary standards. The water quality could not be improved and could only be used for fire protection.
- The developer would donate \$150,000 to Midway City for trails in exchange for the City operating the water system.
- Estimated that the City would spend an average of one hour per week in operation and maintenance. At that rate the donation would be repaid in 38 to 40 years.
- A shallower test well was culinary quality but did not produce the necessary volume.

Note: Council Member Orme arrived at 5:05 p.m.

- The City would oversee construction and pay for repairs.
- The City had signed a temporary letter regarding the proposal but still needed to enter into an agreement.
- The developer would meet with the Council if it wanted to enter into an agreement.

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

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

- The only incremental cost would be fuel. The City would already incur the other costs.
- The project would be a valuable fire break.
- The development's water system would not connect to the City's culinary water system.
- The City should be able to reevaluate its participation every 15 years.
- The City should not be responsible for damage done by earthquakes, etc.
- The development was not obligated to be annexed into the City.
- The City did not have land use control over the development.
- The City should be reimbursed for repairing damage to the water system.
- The development should have insurance for the water system.
- The City should not manage the system.
- Insurance for the system would address several concerns.
- Several issues needed to be addressed before the Council made a decision.
- The City should be more than fully reimbursed for any costs.

It was decided that the item would be considered at a future meeting after staff worked out some of the issues.

3. Midway Arts Center / Concept Plan (Midway Main Street Holdings, LLC – Approximately 50 minutes) – Discuss a proposed concept plan for the Midway Arts Center located at approximately 330 – 368 East Main Street.

Devin Johnson, who owned the property proposed for the arts center, made the following comments:

- Was confident and optimistic that it would work.

- After some education his concerns with long-term sustainability had been resolved. This included understanding the funding for construction and an endowment.
- It would be next his farm.

Jeff Strong, proponent, thanked the City for a letter of support and waiving rental fees for previous performances. He reviewed the preliminary concept, parking options, tree planters, views, and funding.

Laurie Fitzgerald, proponent, reviewed the proposed parking. She indicated that using the existing parking lot to the south was the preferred option instead of building underground parking.

Barry Kent, proponent, reviewed the anticipated traffic. He made the following comments:

- Hales Engineering did a study showing the traffic routes that would be used.
- The traffic would not increase because the number of performers and audience members would be the same as for the existing outdoor theater.
- A proposed traffic signal at Main Street and River Road would help.
- The traffic would not be comparable to Swiss Days.

Marvin Rust, proponent, reviewed the size and community uses for the proposed facility. He added that another theater, being proposed in Heber City, could not accommodate the amount of the group's performances. The group could also move more rapidly than the group proposing the other theater.

Randon Wilson, proponent, reviewed the financial benefits to Midway. He requested that the County take steps to allow the facility.

Mindy McMaster, proponent, reviewed how the facility would enrich lives.

Mary Cernyar, proponent, reviewed the value of the theater to her.

Sue Waldrip, proponent, made the following comments:

- Ticket sales would not completely support the facility.
- Would start raising money as soon as the facility was approved by the City.
- Had looked at building the facility at the Zermatt Resort, which was in the resort zone, but there was not enough land and parking.
- The study done by Victus did not account for the theater proposed in Heber City.

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

- The costs for the proposed facility would be dramatically higher than the current outdoor theater.
- The traffic would be comparable to that for church services on Sundays.
- The Municipal Code allowed theaters in the resort zone and specified how the number of parking spaces should be calculated. The same calculation was used for the proposal.
- Having been a cook and participating in the theater were more important for being an attorney than internships and grades.
- Participating in theater helped build confidence.
- Less was more.

- The existing parking should be used instead of laying down more asphalt.
- The Code would have to be amended to allow the theater at the proposed location. This amendment should only be done if there was a specific plan to consider.

4. Adjournment

The meeting was adjourned at 6:00 p.m.

Celeste Johnson, Mayor

Brad Wilson, Recorder

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