

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

**Tuesday, 3 May 2022, 6:00 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; Pledge of Allegiance; Prayer and/or Inspirational Message

Mayor Johnson called the meeting to order at 6:05 p.m. She excused Council Member Drury and Council Member Orme.

Members Present:

Celeste Johnson, Mayor
Steve Dougherty, 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

Members Excused:

Jeff Drury, Council Member
Lisa Orme, Council Member

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

Mayor Johnson led the Council and meeting attendees in the pledge of allegiance. Council Member Dougherty gave the prayer and/or inspirational message.

2. Consent Calendar

- a. Agenda for the 3 May 2022 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 19 April 2022 City Council Work Meeting
- d. Minutes of the 19 April 2022 City Council Regular Meeting
- e. Resolution 2022-16 amending the Midway City Fee Schedule to adopt a fee for special use permits

Note: Copies of items 2a through 2e are contained in the supplemental file.

Motion: Council Member Simonsen moved to approve the consent calendar as listed.

Second: Council Member Payne seconded the motion.

Discussion: None

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

Council Member Dougherty	Aye
Council Member Drury	Excused from the Meeting
Council Member Orme	Excused from the Meeting
Council Member Payne	Aye
Council Member Simonsen	Aye

3. Public Comment – Comments were taken for items not on the agenda.

Mayor Johnson asked if there were any comments from the public for items not on the agenda.

Use of Buildings

Suzette Gertsch made the following comments regarding the use of the City's buildings:

- Helped found the Midway Art Association.
- Was its president for eight years and on its board for another five years.
- Organized the Plein Air Paradise, the Art Association's fall retreat, and the Midway Moomba.
- Was no longer a member of the Art Association.
- In 2021 rented several of the City's buildings when the Art Association cancelled its event. The Association then came back and said that it wanted to rent the buildings for the same days. Let the Town Hall go so that the Association could use it. Both groups had successful events.
- Wanted to do her event in 2022 the same days as the Association's event. The Association instituted a non-compete clause that would prevent artists from participating in both events. This caused problems in the art community. The clause should be eliminated.
- The City's buildings should be shared by the various art organizations and events.
- It was the Council's stewardship to rent the buildings.
- Suggested that the events alternate using the buildings from year to year.

Mayor Johnson indicated that the City would consider Ms. Gertsch's remarks.

Appreciation

Harry Weyandt thanked the Council for its service and was grateful for the time it spent for the community.

No further comments were offered.

4. Department Reports

River Road / Construction

Council Member Simonsen reported that construction had been completed on River Road and the street was open.

Roads / Trails / Resurfacing

Council Member Simonsen reported that resurfacing would begin on certain roads and trails.

Homestead Trail / Delay

Council Member Simonsen reported that work, on the final section of the Homestead Trail, was delayed until the following year because of supply chain issues and UDOT regulations.

Trails / North Center Street

Council Member Simonsen reported that he received a lot of requests for a trail along north Center Street.

Trails / Cleaning

Council Member Simonsen reported that several trails needed to be cleaned.

Trails Committee / Missing Sections of Trails / Coloring Contest

Council Member Simonsen reported that the Parks, Trails, and Trees Committee was discussing missing trail sections. The Committee also suggested another coloring contest for Arbor Day.

Founders' Day / Clean-Up

Mayor Johnson reported that the Founders' Days celebration and the city clean-up would be held on June 4th.

HVRR / Track Repairs

Mayor Johnson reported that the Heber Valley Railroad (HVRR) would repair a section of track at Vivian Park.

MSD / Rate Increase

Mayor Johnson reported that the Midway Sanitation District (MSD) would increase its rate because the Heber Valley Special Service District increased its fee for treating sewage.

5. Tentative FY 2023 Budget / Adoption (Budget Officer - Approximately 5 minutes) – Discuss and possibly deny, continue, or adopt a tentative budget for FY 2023.

Nancy Simons indicated that the tentative budget had been provided to the Council. She asked if there were any questions or comments.

Council Member Dougherty indicated that some requested items needed to be included in the budget before it was finalized.

Motion: Council Member Simonsen moved to adopt the tentative FY 2023 budget as included in the packet.

Second: Council Member Payne seconded the motion.

Discussion: None

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

Council Member Dougherty	Aye
Council Member Drury	Excused from the Meeting
Council Member Orme	Excused from the Meeting
Council Member Payne	Aye
Council Member Simonsen	Aye

6. Tentative FY 2023 Budget / Set Public Hearing (Budget Officer – Approximately 5 minutes) – Discuss and possibly deny, continue, or set a public hearing, on the tentative budget for FY 2023, for 17 May 2022, 6:00 p.m. at the Midway Community Center (160 West Main Street, Midway, Utah).

Motion: Council Member Simonsen moved to set a public hearing date, to review and take public feedback on the tentative budget, for 17 May 2022, 6:00 p.m. at the Midway Community Center.

Second: Council Member Payne seconded the motion.

Discussion: None

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

Council Member Dougherty	Aye
Council Member Drury	Excused from the Meeting
Council Member Orme	Excused from the Meeting

- 7. Watts Remund Farms, Phase 4 / Preliminary Approval** (Midway Springs, LLC – Approximately 60 minutes) – Discuss and possibly deny, continue, or grant preliminary approval for Phase 4 of the Watts Remund Farms PUD located at 280 East Rockwell Circle (Zoning is R-1-15). Recommended for approval by the Midway City Planning Commission.

Public Hearing

Corbin Gordon made the following comments regarding the request:

- The Wasatch County Fire Marshall requested a City easement be used for a fire access from 300 North to the PUD.
- Determined that the City could not grant the request and the Fire Marshall did not have jurisdiction in Midway.
- Wendy Johnson, a previous building official for the City, at one time had jurisdiction in Midway as the fire marshal.
- The master plan agreement for the project was approved without a third access.
- The Wasatch County Fire Code did not apply to Midway.
- Midway did not adopt the relevant appendices, to the International Fire Code, that applied to the request.
- The City would enforce the easement which would be used for a trail and utility access but not for emergency access.

Mayor Johnson indicated that the City's current building official had a fire certification.

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

- Land use summary
- Location of the development
- Easement to Swiss Paradise and 300 North
- Site plan
- Phasing plan
- Sensitive lands
- Setbacks
- Landscaping plan
- Proposed plat map
- Trails
- Letter from the City Engineer
- Water board recommendation
- Possible findings
- Recommended conditions

Mr. Henke also made the following comments:

- The wetlands had been delineated for construction. The delineation was not over extended.
- The master plan agreement indicated the surface of the various trails related to the PUD including along 300 South.

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

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

- Should there still be a proposed condition for an asphalt trail with ten-foot shoulders?
- There was no engineering reason for extra gravel along a trail.
- The surrounding property owners should be able to give their preference regarding the trails.
- The City nor the developer requested the emergency access.
- The details of the 600 North trail needed to be clarified because trees had been planted in its' planned location.

Paul Berg, Berg Engineering Resource Group and representing the applicants, made the following comments:

- The trails would be either asphalt or slag.
- The small connector trail should not be both asphalt and slag. It was originally approved as a six-foot trail. Would like it to return to that width.
- Appreciated the City resolving the issue regarding the emergency access.
- The developer provided money to the City to build the 600 North trail.

Public Hearing

Mayor Johnson opened the hearing and asked if there were any comments from the public.

Kailey Parker

Ms. Parker made the following comments:

- Thanked the City for resolving the issue with the emergency access.
- Lived next to the trail connecting the project with 300 North. Requested that the trail be road base instead of asphalt.
- Had children.
- Utilities were more difficult to access under asphalt.
- Requested large rocks to delineate the property line.

Jeff Parker

Mr. Parker made the following comments:

- Appreciated the emergency access issue being resolved.
- Wanted the trail to have a softer feel.
- Supported the recommendation of the Planning Commission.

Mayor Johnson closed the hearing when no further public comment was offered.

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

- There was a difference between road base and slag.
- Signage would not prevent vehicle traffic on trails.
- Vehicles using the access from 300 North would end when the development was completed.
- The pending PUD ordinance did not apply to the request.

Motion: Council Member Payne moved to grant preliminary approval for Watts Remund Farms, Phase 4 located at 280 East Rockwell Circle with the following findings and conditions:

- The proposed plan met the requirements of the code for a PUD in the R-1-15 zone.
- The public trail system in the development benefited the entire community by creating trails that were separated from roadways.
- The proposal complied with the approved revised master plan for the phase.
- Any failure to submit a proposed final plan and final approval submittal package within one year of the approval of the Preliminary Plan by the City Council would terminate all proceedings and render the Preliminary Plan null and void.
- 1.24 acres of open space must be created as part of the development, which would be noted on the plat and restricted from future building or development.
- Trails along the north side of the property on 600 North would be paved and the funds for the construction of a second trail connection would be contributed to the general trails fund as part of the subdivision. Both trails would benefit members of the community.
- The applicant would be required to improve the existing trail along Swiss Paradise Lane to be a six-foot asphalt trail. The applicant would also be required to improve the existing trail on Swiss Paradise lot three to be a six-foot soft trail. This trail section would connect Swiss Paradise Lane to the Rockwell Circle cul-de-sac sidewalk in Phase 4. These trails would be noted as public and built according to Midway City trail standards (excluding the modified widths).
- The applicant would be required to contribute the funds associated with installing the eight-foot asphalt trail from Farm Hill Lane to 200 East to the general trails fund. The funds would be used when the trail was completed in the future as part of a larger improvement project.
- The applicant would be required to install the remaining attached trail along 600 North
- The applicant would be required to survey the boundary of the wetland and then install and maintain temporary construction fencing while site improvements were being installed and while homes were under construction.
- Staff and the property owner would work out the surface, except for asphalt, for the trail connecting to 300 North. They would also determine a solution to discourage vehicles from using the trail.
- Accept the recommendation of the Midway Water Advisory Board.

Discussion: Council Member Dougherty approved of the current trail and asked why a condition to the motion was needed. Council Member Simonsen responded that he wanted to ensure there was a connection.

Council Member Payne indicated that the trail was the responsibility of the PUD. Council Member Dougherty added that the trail was on a private easement with a public right to use it. Paul Berg noted that it was a public trail with a public trail easement. Council Member Dougherty said there were separate easements and the City should not have to enforce both.

Council Member Payne wanted to ensure that the trail would not be wider than six feet. Council Member Dougherty responded that the motion would limit the width.

Wes Johnson asked if the new trail section, along 600 North, should be paved. Council Member Simonsen respond that it should because the City received a lot of feedback requesting that it be paved.

Council Member Dougherty asked that the Midway Irrigation Company provide a will-serve letter as a condition of final approval.

Second: Council Member Simonsen seconded the motion.

Discussion: None

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

Council Member Dougherty	Aye
Council Member Drury	Excused from the Meeting
Council Member Orme	Excused from the Meeting
Council Member Payne	Aye
Council Member Simonsen	Aye

8. Bonner Meadows / Preliminary Approval (Johnsons Landing, LLC – Approximately 45 minutes) – Discuss and possibly deny, continue, or grant preliminary approval for the Bonner Meadows Subdivision located at 100 East 100 South (Zoning is R-1-9). Recommended for approval by the Midway City Planning Commission. **Public Hearing**

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

- Land use summary
- History of proposed development on the property
- Location
- Proposed plat map
- Public roads and sidewalks
- Dedications and easements
- Letter from the City Engineer
- Water board recommendation
- Possible findings
- Recommended conditions
-

Mr. Henke also made the following comments:

- 100 South would connect to a stub road in the Timpanogos View Estates Subdivision.
- The project would have single family lots.

- There would be a public trail from the cul-de-sac to 185 South.
- The City agreed to dedicate 185 South to the Wasatch County School District to obtain additional width on Michie Lane.
- A section of 185 South could not be vacated because it accessed a lot.
- Access would be needed for the project's retention pond.
- The Midway Elementary School might become something else in the future.
- The Planning Commission recommended no improvements to the streets during the school year.
- The developer ran a risk if he made changes and reapplied because of the pending ordinances.
- The Midway Irrigation Company had provided a will-serve letter.
- A traffic study had also been provided.
- The houses would be limited to a height of 35 feet.

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

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

- School buses loaded on 185 South.
- 100 East needed to be widened for safety, to at least three lanes, because of the traffic to and from the school.
- The school children should cross as few roads as possible. Were the planned sidewalk and trail from the cul-de-sac dangerous because they encouraged children to cross roads?
- The project should be don in conjunction with the School District.
- The school held events in the summer.
- There were several ways to do the project during the school year.
- The sewer and the water infrastructure would have to be done during the summer.
- Restrictions could be imposed on construction.
- Was the developer committed to single family homes or could duplexes be built?
- There should be a maximum size for houses.

Paul Berg, Berg Engineering Resource Group and representing the applicants, made the following comments:

- 100 East would be three lanes with sidewalks when the project was built.
- The project had been to the City Council three times.
- It remained 18 lots in the R-1-9 zone.
- The only change had been to the City's road standard.
- Requested a modification to the first proposed condition to allow other construction options during the school year.
- Received contradicting input from the Irrigation Company regarding piping the ditch. A will-serve letter should prevent this confusion.
- Construction could be stopped if it violated any conditions.
- The developer wanted to stay with single family homes to avoid any delays.
- Requested preliminary approval and would move forward with final approval knowing the risk.

Public Hearing

Mayor Johnson opened the hearing and asked if there were any comments from the public.

Jacqui Jespersen

Ms. Jespersen made the following comments:

- The Norton family was in a care facility and might not be aware of the proposal.
- Children did not look when they crossed the roads.
- Duplexes were already being built nearby.
- The area was becoming crowded.

Harry Weyandt

Mr. Weyandt made the following comments:

- Owned the property to the north of the project.
- Would the irrigation ditch be enclosed? Paul Berg responded that it would be moved to 100 South and enclosed.
- Lots one through four should not access off 100 East because the road was so busy.
- The project should not have duplexes. They would increase traffic next to a school. Duplexes were denied by a previous council.
- 100 East should be rebuilt during the summer.
- Approved of the other aspects of the project.

Cindy Jensen

Ms. Jensen indicated that the excavating for Alder Meadows shook her house. She asked if the project would have basements? Mr. Berg responded that it could, but they would be dug with equipment because blasting was prohibited.

Larry Bonner

Mr. Bonner made the following comments:

- Sold the property to the developer but had nothing to do with the project.
- The developer had maintained the property well and was good to work with.
- The potrock was close to the surface on the property.
- Potrock had built up in the section of the ditch that was piped.

Ellen Bonner

Ms. Bonner suggested that the irrigation ditch be build into a walking path and stream.

Mayor Johnson closed the hearing when no further public comment was offered.

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

- Any changes to the irrigation ditch had to be negotiated with the Midway Irrigation Company.
- A safety engineer should be used on the project.
- The safety of the children was the greatest concern with the project.
- The City would meet with the School District regarding the project.
- No one was assigned to help children cross the roads around the school.
- It was unfortunate that the School District did not want a pull-out for the school on Michie Lane.
- Access on 185 South should be limited.
- The kindergarten got out at a different time from the other grades.
- Those picking up children sometimes had to wait for more than 20 minutes.

Paul Berg made the following additional comments:

- The school was built in the 1970s and did not incorporate traffic circulation.
- Traffic was concentrated to two 30-minute periods during the school day.
- There were no traffic problems during other times of the day.
- Sidewalks helped neighborhoods.
- The accesses for the four lots on 100 East were not a problem because the road was not a collector and significant traffic was only during brief periods of time.

Motion: Council Member Dougherty moved to continue the items without date for the following reasons:

- The Council should be further along the process of deciding if there was going to be a different ordinance.
- Safety issues should be looked into, and more information provided.
- Review the project with the School District and possibly an outside consultant.

Discussion: Council Member Payne ask how the City would force the School District to cooperate. Council Member Simonsen responded that they should not be forced but be offered an opportunity to give input.

Mayor Johnson asked for a safety study for the project. Council Member Dougherty hoped that the City and the developer could meet and solve some of the issues raised.

Second: Council Member Simonsen seconded the motion.

Discussion: None

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

Council Member Dougherty	Aye
Council Member Drury	Excused from the Meeting
Council Member Orme	Excused from the Meeting

Council Member Payne
Council Member Simonsen

Aye
Aye

Mr. Berg asked for guidance on who should perform the safety study.

Motion: Without objection, Mayor Johnson recessed the meeting at 8:38 p.m. She reconvened the meeting at 8:47 p.m.

9. Ordinance 2022-14 / Streams, Waterways, and Ditches (Cari Lane LLC – Approximately 45 minutes) – Discuss and possibly deny, continue, or adopt Ordinance 2022-14 amending Section 16.14.8 (Streams, Waterways, and Ditches) of the Midway City Municipal Code regarding how close a building may be to a designated flood zone. Recommended for denial by the Midway City Planning Commission. **Public Hearing**

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

- Background
- FEMA floodplain map
- Adopted standards beyond FEMA requirements
- Applicant's property
- High velocity area
- Slow velocity area
- Setbacks
- Current code
- Proposed code inclusion
- Elements of the general plan
- Chapter 16.14 of the Municipal Code
- Possible findings

Mr. Henke also made the following comments:

- The City required an additional 50 foot setback and elevation increase from the floodplain.
- The ordinance would amend the requirements for all Midway.
- There was one exception to building in the floodplain.
- The General Plan should be considered.
- It was difficult to argue the setbacks should be reduced.
- It was better to have the extra spacing.
- Anyone could request a code change.
- The Planning Commission recommended that the ordinance be denied.
- It would be difficult for the applicant to receive a variance instead of changing the Code.
- The current floodplain was established in 2009.
- The applicant could request a change to the floodplain.

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

Jeremy Clark, applicant, made the following comments:

- Agreed with 95% of the areas protected by the floodplain setback.
- A lot of the floodplain was just a couple of feet off Snake Creek.
- There should be space between houses.
- 50 feet was an arbitrary number that did not protect sensitive lands or wetlands.
- The proposed ordinance allowed for houses closer to the floodplain without effecting any sensitive lands.
- It would not affect areas with a steep bank.
- There were not a lot of undeveloped areas that would be impacted.
- The current requirements pushed a house on his property, which was a shallow area, next to the neighboring property.
- Wanted to find a way to use the property without being so close to the neighbors.
- City staff suggested that he amend the Code.
- The City Engineer said that he would support the amendment.
- The right answer was not changing the Code for just one property.

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

- There probably was not a way to achieve what the applicant wanted.
- Codes should be based on a vision and the General Plan and not a single project.
- The floodplain was already established when the applicant purchased the property.
- It was possible that the sensitive lands restricted the ability to develop the property.
- Staff was obligated to give all options.

Public Hearing

Mayor Johnson opened the hearing and asked if there were any comments from the public.

Lori Stone

Ms. Stone made the following comments:

- Represented Preserve Midway.
- Sensitive lands needed to be protected.
- The setbacks should be increased rather than decreased.
- Surveys showed that residents wanted to protect sensitive lands.
- Midway's waterways needed to be protected.
- A lot of letters had been submitted by the neighbors opposing the change. One letter alleged that the stream in the area was being altered.
- The change would set a bad precedent.

Tom Brady

Mr. Brady made the following comments:

- Opposed the change.
- The change should not be made just for a property that was purchased two years earlier.
- The setbacks should be increased.
- Wetlands were important to the ecosystem.
- Flooding would be pushed somewhere else if building happened in the setback.

Clint Coleman

Mr. Coleman made the following comments:

- Someday the drought would end.
- St. George allowed development in a floodplain. FEMA funds were denied when the area flooded, and houses were lost.

Mayor Johnson closed the hearing when no further public comment was offered.

Mr. Clark withdrew his request.

10. Ordinance 2022-15 / Off-Street Parking and Loading (City Planner – Approximately 45 minutes) – Discuss and possibly deny, continue, or adopt Ordinance 2022-15 amending Section 16.13.39 (Off Street Parking and Loading) of the Midway City Municipal Code to prohibit new drive-thru windows. Recommended for approval by the Midway City Planning Commission. **Public Hearing**

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

- Background
- Planning commission motion
- Proposed code
- Possible findings

Mr. Henke also made the following comments:

- The proposed ordinance originated from staff in relation to the restaurant proposed for the Daybell Garage.
- Already submitted applications would not be affected.
- Some restaurants had stacking areas for drive-through windows, but others had vehicles that backed up into the street.
- Reviewed other cities' codes.
- Proposed an ordinance to the Planning Commission requiring stacking areas.
- The Planning Commission recommended prohibiting future drive-throughs.
- Drive-throughs for banks, pharmacies, etc. were considered.
- Drive-throughs were helpful during the pandemic.
- An existing drive-through would be prohibited if it was not used for a year.
- Some proposed drive-throughs did not have the necessary space.
- The Council could adopt the ordinance as presented to the Planning Commission or as

recommended by the Commission.

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

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

- Prohibiting drive-throughs would allow more room for greenspace.
- What was and was not a drive-through needed to be defined.
- Internal drive-throughs should be allowed.
- Pick-up spaces should not be considered a drive-through.
- Drive-throughs helped people with mobility problems.
- The purpose of the ordinance should be clear before a vote was taken.

Public Hearing

Mayor Johnson opened the hearing and asked if there were any comments from the public. Mayor Johnson closed the hearing when no public comment was offered.

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

- Drive-throughs had advantages and disadvantages.
- They should have clear parameters.
- Prohibiting them would prevent chain restaurants.
- The advantages outweighed the disadvantages.
- Not all drive-throughs would have problems.
- They did not add to the charm of Midway.
- If someone wanted to use a drive-through they could go to Heber City.
- Midway would never have a lot of businesses along its Main Street. It was a bedroom community. Residents preferred to go to Heber City for lower prices.
- The City needed to be bold.
- It would be a mistake to try to prohibit franchises by not allowing drive-throughs.
- Drive-throughs helped with parking problems.
- Other businesses besides restaurants had drive-throughs.
- Staff should be directed to prepare a definition for drive-throughs and provide an out-right justification for prohibiting them.
- A definition should be carefully prepared to avoid missing any types of drive-throughs and to catch loopholes.
- Gas stations should not be considered drive-throughs.

Motion: Council Member Simonsen moved to continue the item to the next meeting with the following findings and conditions:

- A definition for drive-throughs be prepared.
- Possibly ban drive-throughs for fast food restaurants and other groceries.
- If drive-throughs were allowed, then the ordinance should be robust enough to prevent

traffic problems.

Discussion: Council Member Dougherty indicated that drive-through traffic should not back up in front of other businesses.

Council Member Payne indicated that pick-up was different from drive-throughs.

Second: Council Member Dougherty seconded the motion.

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

Council Member Dougherty	Aye
Council Member Drury	Excused from the Meeting
Council Member Orme	Excused from the Meeting
Council Member Payne	Aye
Council Member Simonsen	Aye

11. River Road Project / Change Orders (City Engineer – Approximately 15 minutes) – Discuss and possibly deny, continue, or approve two change orders for the River Road Utility & Road Improvements: 60 South to 300 North.

Wes Johnson made the following comments regarding the proposed change order:

- The City did projects in conjunction with the Midway Sanitation District.
- The District reimbursed the City for all sewer related costs.
- Looked at all utilities when considering a project.
- A section of Stringtown Road was failing.
- Council Member Simonsen suggested that the culvert for Snake Creek also be replaced.
- KW Robinson already had a culvert and would charge the 2019 cost. The City would save \$100,000.
- Already had the necessary stream alteration permit.
- The project was not being done because of the Cozens Subdivision.
- Another change order would be needed for a slot drain, to prevent water from going into a garage on River Road, and to find buried valves.

Michael Henke thought that the project might improve the flooding for the house on the east side of the road.

Motion: Council Member Simonsen moved to approve the two change orders that were presented and authorize the Mayor to sign them.

Second: Council Member Payne seconded the motion.

Discussion: None

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

Council Member Dougherty	Aye
Council Member Drury	Excused from the Meeting

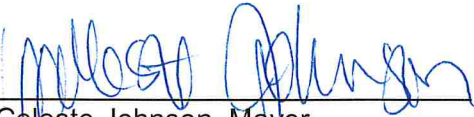
Council Member Orme
Council Member Payne
Council Member Simonsen

Excused from the Meeting
Aye
Aye

12. Adjournment

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

The meeting was adjourned at 10:10 p.m.



Celeste Johnson, Mayor



Brad Wilson, Recorder