



Memo

Date: 25 July 2023

To:

Cc:

From: Brad Wilson, City Recorder

RE: Minutes of the 18 July 2023 City Council Work Meeting

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

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

**Tuesday, 18 July 2023, 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 Tempore Drury called the meeting to order at 5:02 p.m.

Members Present:

Celeste Johnson, Mayor (Participated electronically)
Jeff Drury, Mayor Pro Tempore
Steve Dougherty, Council Member
Lisa Orme, Council Member
Kevin Payne, Council Member

Staff Present:

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

Members Excused:

JC Simonsen, Council Member

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

2. Code Text Amendments (City Planner – Approximately 60 minutes) – Discuss possible code text amendments based on the recent revisions to the Midway City General Plan and changes to the Utah State Code.

Michael Henke gave a presentation from the Utah League of Cities and Towns (ULCT) regarding recent changes to the Utah State Code. He reviewed the following items:

- Senate Bill 174
- Legislation
- Effected development types
- Administrative land use authority
- Appeal process changes

- Review process
- Timeframes
- Development standards
- Development agreements
- Land use regulations/pending ordinance provisions
- Public landscaping improvements
- Lot line adjustments

Mr. Henke also made the following comments:

- Additional requirements were found after the previous discussion with the Council.
- The number of review cycles had been capped.
- A proposed development could only be considered by the Planning Commission for preliminary approval. That consideration and a public hearing had to be within 14 days of receiving a complete application.
- An incomplete application could be denied.
- The City had to provide all applicable requirements to the applicant. Would give a link to the Municipal Code and other related documents.
- The changes to state law had to be incorporated into the Municipal Code by 1 February 2024.
- The City's appeal process would have to be changed.
- Other planners did not seem to be that concerned with the changes.
- The time requirements were the most significant issue.
- How did the changes affect master plans and phasing?

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

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

- There was not a way to legally challenge the changes.
- A minimum of two planners and two engineers would be needed to meet the time requirements and allow for vacations or sick leave. These additional costs should be determined.
- It was stunning that the ULCT supported the changes. The City should contact the ULCT and other mayors about the changes.

3. Adjournment

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

The meeting was adjourned at 5:51 p.m.

DRAFT