



Memo

Date: 11 September 2023
To:
Cc:
From: Brad Wilson, City Recorder
RE: Minutes of the 15 August 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, 15 August 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 Johnson called the meeting to order at 5:09 p.m. She excused Council Member Payne.

Members Present:

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

Staff Present:

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

Members Excused:

Kevin Payne, Council Member

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

2. Charitable Organizations / Donations

Mayor Johnson asked if charitable organizations should come before the Council, to request donations, or follow a process like requesting TAP tax funds. Council Member Dougherty recommended the same procedure for all requests. Council Member Drury recommended that any presentations to the Council be short, and a decision not be made on the same night.

3. Land Use and Development Process / State Mandated Changes (City Attorney and City Planner – Approximately 60 minutes) – Discuss options for implementing state mandated changes to the Midway City Municipal Code regarding land use and the development process.

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

- Developments being a conditional use.
- Density being decreased and then developers requesting a zone change to increase it.

Mr. Henke also made the following comments:

- The timing and number of review cycles was an issue.
- The cycles were determined by the State.
- The mandates had to be implemented by the end of 2024.
- A planned performance code could also be an option.

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

- A coalition of local governments was needed to oppose and defend against the mandates.
- The Utah League of Cities and Towns (ULCT) was not informing members of the mandates.
- Many items such as phasing could be changed to conditional uses.
- Developments were better when the City and the developer worked together.
- A conditional use permit could be required before developments could be processed.
- Phasing benefited developers.
- Could the Municipal Code be amended to require developers to negotiate with the City?
- Inconsistencies should be avoided.
- Density could be reduced to one unit per 200 acres.
- It was questionable that a zone change could also be a conditional use.
- Developers had voluntarily negotiated with the City in the past. Could that voluntary process be continued? Was a negotiated or contract approval enforceable?
- A mayor could appoint a pro-development land use committee.
- The development approval process could be streamlined.
- Southill had been changed because of negotiations.
- Local governments needed to respond before the State Legislature discussed further mandates.
- The City should reach out to other fast growing local governments. It should not rely on the ULCT.

4. Adjournment

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

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

Celeste Johnson, Mayor

Brad Wilson, Recorder