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**Date:** 30 April 2024  
**To:**  
**Cc:**  
**From:** Brad Wilson, City Recorder  
**RE:** Minutes of the 16 April 2024 City Council Work Meeting

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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, 16 April 2024, 5:00 p.m.  
Midway Community Center, Council Chambers  
160 West Main Street, Midway, Utah**

**Note:** Notices/agendas were posted at 7-Eleven, The Market 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 5:05 p.m.

**Members Present:**

Celeste Johnson, Mayor  
Jeff Drury, Council Member  
Lisa Orme, Council Member (Arrived at 5:20 p.m.)  
Kevin Payne, Council Member  
Craig Simons, Council Member  
JC Simonsen, Council Member

**Staff Present:**

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

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

**2. Land Use and Development Process / State Mandated Changes** (City Attorney and City Planner – Approximately 30 minutes) – Discuss implementing state mandated changes regarding land use and the development process including SB 174 (2023).

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

- Legislative versus administrative actions
- Development agreements
- Conditional use permits
- Examples of legislative and administrative actions from council agendas
- Plat map amendments

**Note:** Council Member Orme arrived at 5:20 p.m.

- Timelines
- Review cycles
- Legislative actions
- Density

Mr. Henke also made the following comments:

- The Council still had discretion in decision making.
- Multi-unit developments would still be considered by the Council.

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

Corbin Gordon also gave a presentation regarding possible options and made the following comments:

- The law could not be challenged.
- Advised against development approvals being conditional use permits.
- Lowering density was an extreme response.
- Advised against wholesale and extreme responses because of the public outcry and the state legislative response.
- The Council should focus on items it could control like zoning.
- Most of the value of a property had to be wiped out for it to be a taking.

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

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

- Full density developments were of the most concern.
- Vacant land with legislative agreements or approvals should be identified.
- The current process should continue to be followed for large-scale developments, maybe based on the zone.
- The City should plan for the future.
- Was the current municipal code what the Council wanted?
- Should developments over five dwellings be phased?
- The state mandated changes would not increase affordable housing.
- The City should pick its battles.
- Should greater open space be required?
- Should the Council adopt a performance-based code?
- Consolidations of lots did not need to be considered by the Council.
- It was a benefit to have developers negotiate with the Council. Developers had been cooperative in these negotiations.
- It was surprising how many developers did not maximize density.
- The Council should submit ideas to staff.

The Council decided to have a four-hour work meeting to continue to discuss the issue.

- 3. Utah State Legislature / 2024 Session Summary** (Katie Villani – Approximately 30 minutes) – Receive and discuss a summary of the Utah State Legislature’s 2024 session.

The item was not discussed.

#### **4. Adjournment**

The meeting was adjourned at 5:58 p.m.

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Celeste Johnson, Mayor

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Brad Wilson, Recorder

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