

Midway City Council  
4 May 2021  
Regular Meeting

Warrants

Report Criteria:

Detail report.  
Invoices with totals above \$0 included.  
Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
<b>180</b>								
180	BISCO	1642292-2	Flange	04/19/2021	3.51	.00		
180	BISCO	1642551	B&W Long Stainless Hitch Pin w/	04/14/2021	33.75	.00		
Total 180:					37.26	.00		
<b>305</b>								
305	COLONIAL FLAG & SPECIALTY	0240215-IN	Cemetery Flag Rotations	04/21/2021	45.00	.00		
305	COLONIAL FLAG & SPECIALTY	0240497-IN	Administrative Bldg Rotations	04/21/2021	80.00	.00		
305	COLONIAL FLAG & SPECIALTY	0240514-IN	Hamlet Park Rotations	04/21/2021	83.00	.00		
305	COLONIAL FLAG & SPECIALTY	0240516-IN	Town Hall Rotations	04/21/2021	80.00	.00		
Total 305:					288.00	.00		
<b>565</b>								
565	HORROCKS ENGINEERS INC	60871	Gerber Tank Water Line: Construc	04/12/2021	11,086.90	.00		
565	HORROCKS ENGINEERS INC	60871	Attend City Council Meeting	04/12/2021	318.00	.00		
565	HORROCKS ENGINEERS INC	60871	Midway General Engineering	04/12/2021	2,090.75	.00		
565	HORROCKS ENGINEERS INC	60871	2020 Capital Facility Plan	04/12/2021	2,685.00	.00		
565	HORROCKS ENGINEERS INC	60871	Develop Rev Comm w/ Michael &	04/12/2021	477.00	.00		
565	HORROCKS ENGINEERS INC	60871	Update Roadway General Plan	04/12/2021	990.00	.00		
565	HORROCKS ENGINEERS INC	60871	Attend Planning Commission	04/12/2021	159.00	.00		
565	HORROCKS ENGINEERS INC	60871	2021 South Homestead Trail Desi	04/12/2021	4,150.00	.00		
565	HORROCKS ENGINEERS INC	60871	Update the Trail General Plan	04/12/2021	795.00	.00		
565	HORROCKS ENGINEERS INC	60871	Water System Maintenance	04/12/2021	266.45	.00		
565	HORROCKS ENGINEERS INC	60871	Metering Gerber & Mahogany Spr	04/12/2021	1,419.10	.00		
565	HORROCKS ENGINEERS INC	60871	2020 Water Line Design	04/12/2021	13,290.40	.00		
565	HORROCKS ENGINEERS INC	60871	Update the Water GIS Map	04/12/2021	356.35	.00		
565	HORROCKS ENGINEERS INC	60871	Huntleigh Woods Subdivision-Pla	04/12/2021	84.00	.00		
565	HORROCKS ENGINEERS INC	60871	The Reserve Phase 2: Planning	04/12/2021	728.00	.00		
565	HORROCKS ENGINEERS INC	60871	Homestead Resort - Planning	04/12/2021	324.00	.00		
565	HORROCKS ENGINEERS INC	60871	SADDLE CREEK Ph 1: Const	04/12/2021	1,619.15	.00		
565	HORROCKS ENGINEERS INC	60871	The Village - Planning	04/12/2021	3,671.25	.00		
565	HORROCKS ENGINEERS INC	60871	Whitaker Farms-Const	04/12/2021	103.85	.00		
565	HORROCKS ENGINEERS INC	60871	Remund Farms Ph 2 & # Const	04/12/2021	532.50	.00		
565	HORROCKS ENGINEERS INC	60871	Rising Ranch (Sam Castor) Planni	04/12/2021	854.00	.00		
565	HORROCKS ENGINEERS INC	60871	George Hansen Rural Pres: Plann	04/12/2021	252.00	.00		
565	HORROCKS ENGINEERS INC	60871	SADDLE CREEK RANCH: Planni	04/12/2021	1,148.00	.00		
565	HORROCKS ENGINEERS INC	60871	The Reserve Phase 1: Constructi	04/12/2021	5,288.30	.00		
565	HORROCKS ENGINEERS INC	60871	2021 Road Surface Treatment De	04/12/2021	4,391.85	.00		
Total 565:					57,080.85	.00		
<b>665</b>								
665	JB GORDON CONSTRUCTION I	3577	Gerber Water Line	04/07/2021	162,121.30	.00		
665	JB GORDON CONSTRUCTION I	3578	Gerber Water Line	04/09/2021	43,775.01	.00		
Total 665:					205,896.31	.00		
<b>845</b>								
845	MOUNTAINLAND SUPPLY COMP	S104034051.0	Supplies	04/21/2021	2,792.61	.00		
845	MOUNTAINLAND SUPPLY COMP	S104055100.0	Supplies	04/20/2021	338.46	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
845	MOUNTAINLAND SUPPLY COMP	S104059365.0	Supplies	04/22/2021	338.46	.00		
Total 845:					3,469.53	.00		
<b>875</b>								
875	OFFICE DEPOT	168328845001	OFFICE SUPPLIES	04/13/2021	66.06	.00		
875	OFFICE DEPOT	168796860001	OFFICE SUPPLIES	04/14/2021	18.80	.00		
875	OFFICE DEPOT	168796860001	OFFICE SUPPLIES	04/14/2021	276.21	.00		
875	OFFICE DEPOT	168804132001	OFFICE SUPPLIES	04/14/2021	19.25	.00		
875	OFFICE DEPOT	168804134001	OFFICE SUPPLIES	04/14/2021	5.53	.00		
875	OFFICE DEPOT	168804135001	OFFICE SUPPLIES	04/15/2021	11.87	.00		
875	OFFICE DEPOT	168804136001	OFFICE SUPPLIES	04/13/2021	50.89	.00		
875	OFFICE DEPOT	169070827001	OFFICE SUPPLIES	04/15/2021	65.99	.00		
875	OFFICE DEPOT	169071079001	OFFICE SUPPLIES	04/16/2021	71.65	.00		
875	OFFICE DEPOT	169071080001	Tea Kettle	04/16/2021	21.99	.00		
875	OFFICE DEPOT	169071081001	OFFICE SUPPLIES	04/16/2021	107.18	.00		
Total 875:					715.42	.00		
<b>930</b>								
930	Dominion Energy	2731063797 4/	2731063797 Community Center	04/13/2021	484.24	.00		
930	Dominion Energy	5770020000 4/	5770020000 TOWN HALL	04/13/2021	640.19	.00		
930	Dominion Energy	6558550000 04	6558550000 Gas Service	04/13/2021	368.43	.00		
930	Dominion Energy	6558550000 04	6558550000 Gas Services	04/13/2021	399.88	.00		
930	Dominion Energy	6801020000 4/	6801020000 Admin Office	04/13/2021	128.73	.00		
Total 930:					2,021.47	.00		
<b>945</b>								
945	CENTURYLINK - 435-654-3227 2	3227 269B 4/2	PHONE SERVICE	04/07/2021	360.42	.00		
Total 945:					360.42	.00		
<b>955</b>								
955	REAMS	349694	Jeremy Horrocks Clothing Allowa	04/24/2021	129.97	.00		
Total 955:					129.97	.00		
<b>960</b>								
960	REMOTE CONTROL SYSTEMS	21048	SCADA~	04/20/2021	575.00	.00		
Total 960:					575.00	.00		
<b>1045</b>								
1045	STANDARD PLUMBING SUPPLY	MLNH07	SUPPLIES	04/14/2021	16.49	.00		
1045	STANDARD PLUMBING SUPPLY	MLPR47	SUPPLIES	04/15/2021	25.94	.00		
1045	STANDARD PLUMBING SUPPLY	MLQ976	CREDIT	04/15/2021	.80-	.00		
1045	STANDARD PLUMBING SUPPLY	MLQB44	SUPPLIES	04/15/2021	9.14	.00		
1045	STANDARD PLUMBING SUPPLY	MMDQ17	SUPPLIES	04/21/2021	19.98	.00		
1045	STANDARD PLUMBING SUPPLY	MMH299	SUPPLIES	04/22/2021	7.38	.00		
1045	STANDARD PLUMBING SUPPLY	MMRF27	SUPPLIES	04/26/2021	14.16	.00		
1045	STANDARD PLUMBING SUPPLY	MMRM30	SUPPLIES	04/26/2021	12.98	.00		
1045	STANDARD PLUMBING SUPPLY	MMRW09	SUPPLIES	04/26/2021	2.99	.00		
Total 1045:					108.26	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
<b>1160</b>								
1160	THE UPS STORE	6262	Supplies	04/12/2021	22.00	.00		
1160	THE UPS STORE	8135	COLOR COPIES & Laminate	04/21/2021	13.00	.00		
Total 1160:					35.00	.00		
<b>1170</b>								
1170	TIMBERLINE ACE HARDWARE	141276	PARKS	04/14/2021	39.52	.00		
1170	TIMBERLINE ACE HARDWARE	141363	Gift Shop	04/19/2021	1.59	.00		
1170	TIMBERLINE ACE HARDWARE	141418	PARKS	04/20/2021	169.99	.00		
1170	TIMBERLINE ACE HARDWARE	141421	Ice Rink	04/20/2021	14.58	.00		
1170	TIMBERLINE ACE HARDWARE	141466	Supplies	04/21/2021	208.88	.00		
1170	TIMBERLINE ACE HARDWARE	141596	Dog Shower	04/26/2021	44.46	.00		
1170	TIMBERLINE ACE HARDWARE	141602	BOB CAT	04/26/2021	42.12	.00		
1170	TIMBERLINE ACE HARDWARE	141612	Dog Park	04/27/2021	6.99	.00		
1170	TIMBERLINE ACE HARDWARE	141622	Supplies	04/27/2021	81.26	.00		
1170	TIMBERLINE ACE HARDWARE	141636	Supplies	04/27/2021	15.17	.00		
1170	TIMBERLINE ACE HARDWARE	141650	KeyKRafter	04/28/2021	2.59	.00		
Total 1170:					627.15	.00		
<b>1255</b>								
1255	UTAH LOCAL GOVERNMENTS T	1590112	Automobile Insurance	04/13/2021	3,085.08-	3,085.08-	04/21/2021	
1255	UTAH LOCAL GOVERNMENTS T	1590113	PROPERTY INSURANCE	04/13/2021	69.92-	69.92-	04/21/2021	
1255	UTAH LOCAL GOVERNMENTS T	1590114	WORKERS COMP Policy - Monthl	04/13/2021	3,775.42	3,775.42	04/21/2021	
Total 1255:					620.42	620.42		
<b>1310</b>								
1310	WASATCH AUTO PARTS	221049	Supplies	04/19/2021	34.98	.00		
Total 1310:					34.98	.00		
<b>1365</b>								
1365	WAVE PUBLISHING	L 17214	Notice - Open House	03/26/2021	50.88	.00		
1365	WAVE PUBLISHING	L 17215	Notice of Public Meeting	03/26/2021	138.76	.00		
1365	WAVE PUBLISHING	L 17216	PUBLIC NOTICE - Demo	03/26/2021	48.57	.00		
1365	WAVE PUBLISHING	L 17218	Notice of Public Hearings	04/02/2021	134.12	.00		
Total 1365:					372.33	.00		
<b>1603</b>								
1603	ROCKY MOUNTAIN POWER	4/21/2021	Power	04/21/2021	11.98	.00		
Total 1603:					11.98	.00		
<b>2075</b>								
2075	MIDWAY CITY	04272021	Reimburse for Ck23743	04/27/2021	3,306.00	.00		
2075	MIDWAY CITY	04272021-2	Reimburse for Ck 24302	04/27/2021	111.89	.00		
Total 2075:					3,417.89	.00		
<b>2377</b>								
2377	RIDLEY'S FAMILY MARKETS	0140	SUPPLIES	04/19/2021	5.99	.00		
Total 2377:					5.99	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
<b>2417</b>								
2417	Utility Refunds	18221	Posted to wrong account sb 1822	04/26/2021	54.00	.00		
Total 2417:					54.00	.00		
<b>2418</b>								
2418	FINAL COMPLETION DEPOSIT	20-170 FCD	20-170 FINAL COMPLETION DE	04/27/2021	1,500.00	.00		
Total 2418:					1,500.00	.00		
<b>2561</b>								
2561	CENTURYLINK -435-654-3924 45 BN 4/7/21		Phone/Internet	04/07/2021	144.95	.00		
Total 2561:					144.95	.00		
<b>2562</b>								
2562	CENTURYLINK 435-654-4204 77	4204 775B 4/2	Phone Service	04/07/2021	57.90	.00		
Total 2562:					57.90	.00		
<b>2614</b>								
2614	Executech Utah, Inc.	CREDIT MEM	Credit Memo Contract Labor Over	10/31/2019	180.00-	.00		
Total 2614:					180.00-	.00		
<b>2636</b>								
2636	CenturyLink ACCT# 88239224	220771117	Phone Services	04/12/2021	1,024.42	.00		
Total 2636:					1,024.42	.00		
<b>2757</b>								
2757	BORDER STATES INDUSTRIES I	921880316	SUPPLIES	04/13/2021	123.98	.00		
Total 2757:					123.98	.00		
<b>2791</b>								
2791	PURCHASE POWER	04192021	Meter Refill	04/19/2021	250.00	250.00	04/21/2021	
2791	PURCHASE POWER	04192021	equipment and services	04/19/2021	112.88	112.88	04/21/2021	
Total 2791:					362.88	362.88		
<b>2815</b>								
2815	CATHY COVINGTON	04272021	TARP Employee Safety Program-	04/27/2021	240.00	.00		
2815	CATHY COVINGTON	04272021	Office Supplies	04/27/2021	12.86	.00		
Total 2815:					252.86	.00		
<b>2880</b>								
2880	Bell Janitorial Supply	1012150	Janitorial Supplies	04/22/2021	1,790.39	.00		
Total 2880:					1,790.39	.00		
<b>2881</b>								
2881	IBI Group	10012424	Town Square Planning	04/19/2021	1,340.23	.00		
Total 2881:					1,340.23	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
<b>2882</b>								
2882	Tonia Turner	04282021	Souvenir Shop/Supplies for Open	04/28/2021	119.62	.00		
2882	Tonia Turner	04282021	Souvenir Shop/Supplies for Open	04/28/2021	16.33	.00		
2882	Tonia Turner	04282021	Souvenir Shop/Supplies for Open	04/28/2021	18.09	.00		
Total 2882:					154.04	.00		
Grand Totals:					282,433.88	983.30		

Dated: \_\_\_\_\_

Mayor: \_\_\_\_\_

City Council: \_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

City Recorder: \_\_\_\_\_

City Treasurer: \_\_\_\_\_

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Midway City Council  
4 May 2021  
Regular Meeting

Minutes of the  
20 April 2021  
Work Meeting



# Memo

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**Date:** 30 April 2021

**To:**

**Cc:**

**From:** Brad Wilson, City Recorder

**RE:** Minutes of the 20 April 2021 City Council Work Meeting

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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, 20 April 2021, 4:00 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, Public Works Assistant Crew Chief, 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 4:05 p.m.

#### **Members Present:**

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

Michael Henke, Planning Director  
Wes Johnson, Engineer  
Brad Wilson, Recorder/Financial Officer

#### **Others Present:**

Paul Berg, Berg Engineering / The Village  
Development  
Dan Luster, The Village Development

#### **Staff Present:**

Corbin Gordon, Attorney

### **2. The Village Development / Discussion** (Approximately 60 minutes) – Discuss The Village, a mixed-use and planned unit development, located at 541 East Main Street (Zoning is C-2, R-1-11, and R-1-22). Recommended by the Midway City Planning Commission.

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

- Land use summary
- Master plan requirements
- Location of the proposal
- Sensitive lands
- Layout
- Underground parking
- Commercial buildings

- PUD
- Setbacks
- Phasing plan

Mr. Henke also made the following comments:

- The proposal was for master plan approval.
- It covered three zones.
- It was recommended with conditions by the Planning Commission.
- The property had a high water table.
- The Planning Commission recommended piezometers on the property.
- A pool and racquetball club would replace some of the previously proposed residential units.
- The commercial uses were not indicated.
- The parking was based on an average.
- The club would not qualify as a commercial use if it would be for the exclusive use of the project's residents.
- A third access was needed because of the traffic study.
- Commercial space in Midway was filling up.
- Only a certain number of residential units should be built as a certain number of commercial units were built.
- Received a new plan for the project just before the meeting. It had similar numbers of units with the residential more spread out. All the commercial buildings were still in the commercial zone.
- The most recent plan did not comply with the Municipal Code. The property would at least need to be conditionally rezoned as C-2 to accommodate it. An overlay zone could be put on the property, but this would require writing a new code section. Preferred a rezone to C-2. Recommended that the applicant initiate any change.
- Specifics of the plan could be included in an agreement.
- The zoning and allowed density had been maintained with the Mountain Spa.
- A zone change could occur concurrently with consideration of the current application.
- Both the current application and the new proposal could be considered concurrently.

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

Wes Johnson made the following comments:

- The traffic study was based on no signal light at the intersection of River Road and Main Street. It indicated that a signal light was not needed.
- UDOT approved the two accesses onto Main Street which was a state highway.

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

- The proposal provided just before the meeting was not a formal application but an attempt to incorporate input received.
- A zone change or code amendment was required for the applicant to include open space in the commercial zone.

- The Municipal Code allowed for zone boundaries to be moved by the Council. This had happened for Aspen Hollow and Alder Meadows.

Dan Luster, applicant, made the following comments:

- The most recent plan eliminated Midway Automotive and moved the west Main Street access further to the west.
- The new plan was only economically viable if Midway Automotive was purchased and removed.
- Wanted to move more of the density further back on the property.
- A theater was not part of his proposals.
- The new proposal included open space that was approximately the width of a football field.
- Was not withdrawing the original plan but was trying to improve upon it.

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

- It was difficult to turn left on to Main Street from 580 East because of the traffic.
- The Council needed to figure out how to make the proposal the best it could be.
- A third plan was shown to some of the council members. This plan was largely the same as the proposal submitted just before the meeting.
- There was a disagreement between the applicant and planning staff.
- Commercial buildings so close to Main Street blocked views. The Municipal Code required a ten-to-30-foot setback from Main Street. Anything different would require a code change. The building heights could be limited.
- The property was not zoned for a theater.
- The Municipal Code did not prohibit open space in commercial zones.
- A master plan did not alter zoning or create density. It did not allow density to be moved between zones.
- What did the Council want Main Street to look like? Setbacks, residential density in the commercial zones, and rural versus urban should be discussed. These items should be considered when updating the General Plan that year.
- The Municipal Code should not be too rigid.

**Note:** Council Member Simonsen arrived at 5:05 p.m.

- The Code should incentivize property owners to keep historic structures and maintain the rural and eclectic feel of Main Street.

### 3. Adjournment

Mayor Johnson adjourned the meeting at 5:07 p.m.

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Celeste Johnson, Mayor

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Brad Wilson, Recorder

Midway City Council  
4 May 2021  
Regular Meeting

Minutes of the  
20 April 2021  
Regular Meeting



# Memo

---

**Date:** 30 April 2021

**To:**

**Cc:**

**From:** Brad Wilson, City Recorder

**RE:** Minutes of the 20 April 2021 City Council Regular Meeting

---

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

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

**Tuesday, 20 April 2021, 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, Public Works Assistant Crew Chief, 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 5:10 p.m.

### **Members Present:**

Celeste Johnson, Mayor  
Steve Dougherty, Council Member  
Jeff Drury, Council Member  
Lisa Orme, 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/Financial Officer

**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 Orme gave the prayer and/or inspirational message.

## **2. Consent Calendar**

- a. Agenda for the 20 April 2021 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 5 April 2021 City Council Meeting
- d. Minutes of the 6 April 2021 City Council Work Meeting
- e. Minutes of the 6 April 2021 City Council Regular Meeting
- f. Gerber Water Line Project, Change Order #1
- g. Receive certification of the petition for the Lower River Annexation located at approximately 225 East 850 South
- h. Resolution 2021-06 vacating the development agreement for the Saddle Creek Ranch PUD located at approximately 970 South 250 West (Street Lane) (Zoning is R-1-22)

- i. A release of a recording agreement for the Saddle Creek Ranch PUD located at approximately 970 South 250 West (Street Lane) (Zoning is R-1-22)

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

Council Member Dougherty asked that the minutes for the 6 April 2021 regular meeting state on page 12, at the end of the bullet points for Paul Berg, that Mr. Berg “admitted that the petition was submitted by the applicant and not the City”.

**Motion:** Council Member Dougherty moved to approve the consent calendar with the change to the minutes.

**Second:** Council Member Orme seconded the motion.

**Discussion:** None

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

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
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. No comments were offered.

### **4. Department Reports**

#### Wasatch Housing Authority Board

Council Member Payne reported on changes and staffing for the Wasatch Housing Authority Board. He indicated that the board was trying to hire an experienced consulting firm to help with the effort. He noted that Wasatch County had less money than Park City to address the issue of affordable housing.

#### Midway Boosters / Officers / Events

Council Member Drury reported on the new officers and upcoming events for the Midway Boosters.

#### Founders' Day

Mayor Johnson reported on the planned Founders' Day and the associated activities.

#### Ice Rink / Season / Maintenance

Council Member Drury reported that the City's ice rink had its best season ever. He also reported on maintenance for the rink.

#### Midway Arts Association / Plein Air

Council Member Orme reported that the Midway Arts Association still wanted to hold its plein air event.

#### Water / Conservation

Council Member Dougherty encourage water conservation.

#### Midway Business Alliance

Council Member Dougherty reported that the Midway Business Alliance had not been meeting but information was being distributed to its members.

#### Souvenir Shop

Mayor Johnson reported on preparations for the souvenir shop.

#### HL&P / New Building / Transmission Line

Council Member Dougherty reported on a new building planned by Heber Light & Power Company (HL&P). He also reported on the upgrade of one of the existing transmission lines through the area.

#### **5. Tree City USA Award** (PJ Abraham – Approximately 10 minutes) – Receive an award for Midway City being a Tree City USA.

PJ Abraham, representing the Nation Arbor Day Foundation, presented a plaque, flag, and road signs indicating that Midway City was now a Tree City USA. Mayor Johnson indicated that a group photo of the Council receiving the items could be done at the Founder's Day event.

#### **6. Proclamation 2021-01 / Mental Health Awareness Month** (Aimee Armer – Approximately 10 minutes) – Discuss and possibly adopt Proclamation 2021-01 designating May 2021 as Mental Health Awareness Month in Midway City.

Aimee Armer, People's Health Clinic Director, and Trudy Brereton, Wasatch Behavioral Health,

gave a presentation regarding mental health including community education and available resources. They asked that the Council designate May as Mental Health Awareness Month.

**Motion:** Council Member Simonsen moved to approve Proclamation 2021-01 designating May 2021 as Mental Health Awareness Month in Midway City.

**Second:** Council Member Orme seconded the motion.

**Discussion:** None

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

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

**7. Wasatch County School District / Initiatives** (Wasatch County School District – Approximately 30 minutes) – Receive a presentation on initiatives by the Wasatch County School District.

Jason Watt, Wasatch County School District Director, introduced several members of the Wasatch County School Board and district staff members. He gave a presentation regarding the District and the following items:

- CAPS program
- Mission
- State rankings
- ACT score trend
- Active construction and planned phasing
- Elementary school growth, yield factors, and projections
- Future schools committee

Mr. Watt explained that the District wanted to present information and listen to its stake holders. He wanted a community led effort to address growth. He added that the District would explore avenues for funding growth.

**8. Wasatch Community Arts Foundation / Presentation** (Phil Jordan – approximately 45 minutes) – Receive a presentation from the Wasatch Community Arts Foundation.

Pat Sweeny and Phil Jordan, representing the Wasatch Community Arts Foundation, gave a presentation regarding the group and its proposal for an arts center. They specifically reviewed the following items:

- Project update
- Needed space
- Rendering

- Location at the UVU Heber campus
- Vision
- Studies
- Population growth
- Participation in the arts in Utah
- Participation in arts and culture
- Preferred arts and cultural activities
- Local arts groups
- Site map
- Courtyard theater
- Blackbox theater
- Rehearsal studios
- Layout
- Taylorsville Cultural Center
- Views from the facility
- Capital costs
- Timeline

They made the following comments:

- At that time, they were requesting support not money.
- Half of the funding would come from private sources and the other half would come from public sources.
- Did not want to increase taxes to finance the project.
- Was negotiating with the State for use of the property.

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

**9. Rising Ranch Subdivision / Preliminary Approval** (Summit Engineering – Approximately 45 minutes) – Discuss and possibly grant preliminary approval for the Rising Ranch Subdivision located at 425 Homestead Drive (Zoning is R-1-22 and TROD). Recommended with conditions by the Midway City Planning Commission. **Public Hearing**

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

- Land use summary
- Location
- Photographs
- Trails
- Proposed plan
- Unsuccessful plans
- Access
- Easements for the open space
- Potential eighth lot
- Letter from the City Engineer
- Water board recommendation
- Possible findings

- Funds for bike lane
- Proposed conditions
- Existing school bus stop

Mr. Henke also made the following comments:

- The existing home was in the transient rental overlay district (TROD).
- The project would allow for a detached trail on Swiss Alpine Road.
- There would be two accesses on Homestead Drive.
- Kohler Lane could not be used as an access because it had a limited prescriptive easement.
- There would be a 100-foot setback from Homestead Drive.
- The open space would not be common area.
- The plat map would have to be amended if the eighth lot met land use requirements in the future and would be developed.
- Homestead Drive would be widened to UDOT requirements.
- The open space would be private and could remain in agriculture.
- The water rights, required before the plat map could be recorded, included the eighth lot.
- The lots accessing Homestead Drive would have hammerhead turnarounds. This would be noted on the plat map.
- Open space should be visible to the public, but that was not feasible with the project because of the need for frontage on Homestead Drive.
- Each home could be a transient rental if that were approved by the Council.

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

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

- The City and Midway Sanitation District had lines under Kohler Lane. The City had a recorded easement for its water line.
- The width of the trail on Swiss Alpine Road would remain at eight feet. It would have a one-foot shoulder on each side. There would be five feet from the edge of the road asphalt to the edge of the trail.

Sam Caster, applicant, made the following comments:

- Would support wider trails if it increased safety.
- The proposal was like the existing area homes and would maintain an open feel.
- Some homeowners might want to have accessory dwelling units.
- Preferred that the development agreement address the eighth lot and a plat map amendment not be needed.

## **Public Hearing**

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

## Mike Horrocks

Mr. Horrocks indicated that the City never maintained Kohler Lane. He wanted the road to remain private and not be used as an access for the proposed development.

Mr. Henke made the following comments:

- Kohler Lane was shown on some maps designating city roads.
- The Public Works Department said that it had maintained a portion of the road.
- The proposal only showed the road being used for agricultural access.
- The road would have to be to city standards, even if it were private, to access the eighth lot.

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

**Motion:** Council Member Payne moved to grant preliminary approval for the Rising Ranch Subdivision located at 425 Homestead Drive (Zoning was R-1-22 and TROD) with the following findings and conditions:

- The proposal met the intent of the General Plan for the R-1-22 zone.
- The proposal complied with the land use requirements of the R-1-22 zone.
- A public trail would be built along Swiss Alpine Road as part of the subdivision that would benefit members of the community along with funds donated for a future bike lane along Homestead Drive.
- 0.956 acres of open space would be created as part of the development.
- The Homestead Drive half width adjacent to the development would be widened to 26 feet.
- Must provide a will serve letter from the Midway Irrigation Company before applying for final approval.
- Include a plat note that limited access to lot three from Swiss Alpine Road.
- Funds to build the five-foot bike lane along Homestead Drive adjacent to this project were added to the general trails fund and would be used when the bike lane was completed in the future as part of a larger improvement project.
- The plat map and development agreement must clearly state that parcel eight was not currently considered a building lot and what needed to occur for the parcel to become buildable. This would include at a minimum a need for additional planning approval and possibly amending the development agreement, obtaining a minimum of 115 feet of frontage along a road built to city standards, lot improvements that included a sewer connection, culinary water connection, irrigation connection, adequate access to a fire hydrant, etc.

**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	Aye
Council Member Orme	Aye

Council Member Payne	Aye
Council Member Simonsen	Aye

**10. Resolution 2021-07 / Surplus Property** (City Recorder – Approximately 10 minutes) – Discuss and possibly approve Resolution 2021-07 amending Section 7.01 of the Midway City Policies and Procedures regarding surplus property.

Brad Wilson gave a presentation on the changes to the proposed policy from the last council meeting.

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

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

- Should there be a limit to the value of property that someone could surplus over time? The treasurer could track the value. A yearly limit of \$25,000 was suggested.
- Employee’s personal property should state that it was acquired with the employee’s own funds.

**Motion:** Council Member Simonsen moved to approve Resolution 2021-07 regarding surplus property with the following modifications:

- C(5) should state “accumulated estimated market value less than \$25,000 per fiscal year”.
- C(6) should state “accumulated estimated market value at or greater than \$25,000 per fiscal year”.
- C(1) should state “acquired by the employee with their personal funds”.

**Second:** Council Member Drury seconded the motion.

**Discussion:** None

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

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

**11. Wards Lane / Easement for Access Road** (City Attorney) – Discuss and possibly approve a request, from the developer of the Ward property located at 944 West Wards Lane, to use three feet of a city easement along Wards Lane for an access road.

Corbin Gordon made the following comments regarding the request:

- A group developing property outside of the city limits needed several things from the City.
- They needed three feet of the City's right-of-way along 275 feet of Wards Lane. They would prevent moving an existing fence.
- They needed a certified provider to test their private water system. The City could provide this service.

John Stewart, developer, made the following comments:

- His project on the Ward family property had received preliminary approval from Wasatch County.
- Wanted to maintain a rural feel.
- Needed a sliver of the City's right-of-way for a required access. This would avoid moving an existing fence.
- The Wasatch County Fire District wanted a certified entity to test and maintain the fire protection system for the project.
- It had been suggested that the individual wells for each lot be replaced by one larger well and water tank. This would expand the fire protection system to a culinary water system.
- Asked that the City test and maintain this expanded system. In exchange the City could pay for the well to be upsized to meets its future needs. This would help all the residents in the area by increasing water pressure. Would also stub the water lines to the north for a possible connection to the Indian Springs water tank.
- An agreement could be signed detailing the arrangement.
- Would maintain the private portion of Wards Lane.

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

- The City owned the additional property for the future widening of Wards Lane. The Cascades at Soldier Hollow HOA did not need to consent to its use.
- The agreement should not affect the easement for the transmission line along the road.

**Motion:** Council Member Dougherty moved that the City grant the request for a road widening easement as a nonexclusive easement subject to the following conditions:

- The City Attorney would prepare the necessary easement documents at the requester's expense.
- The requester would provide an out-of-pocket deposit to cover this expense.

**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	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

**12. Ward Property / Water Quality Testing** (City Attorney) – Discuss and possibly approve a request, from the developer of the Ward property located at 944 West Wards Lane, for Midway City as a certified entity to test the water quality in the private water system for the project.

Wes Johnson reviewed the Indian Spring and tank and made the following comments:

- The water from Indian Spring was not usable.
- The City needed an additional 800 gallons per minutes of water for buildout.
- It had sufficient water rights until 2035.
- Upsizing the well in the proposed project would provide sufficient capacity for buildout.
- Was the Council interested in upsizing the well from 80 to 880 gallons per minutes?
- The City should also oversee the design and inspection of the system if the Council agreed to the request.
- The cost would be minimal to oversee the fire protection system because it would not include testing the water.
- The development would pay for any repairs that the City would have to make.

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

- Other entities like the Jordanelle Special Service District did testing and management for fire protection systems.
- Upsizing the well would increase fire flow and water resources for the City.
- The water right from Indian Spring could be transferred to the new well.
- The City would not need to annex the property.

**Motion:** Council Member Dougherty moved that the City Attorney draft an agreement for the fire protection system with the following conditions:

- The City would review the plans, inspect the construction, and sign off on the system.
- The City would operate the system and certify that to Wasatch County.

**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	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

Council Member Dougherty directed the Mayor and staff to explore entering into an agreement with the developer where generally the City would own and operate the culinary water system in exchange for an increase in the water production and storage capacity, with an interconnect

with the Indian Spring, eliminate the multiple wells in the project, and a contribution to the City's favorite project.

Council Member Drury was not interested in water rights that someone else owned. He wanted any exploration to clarify who owned the system, well, tank, and water rights.

Council Member Dougherty further directed that the agreement would clarify who owned the system, well, tank, and water rights.

Michael Henke asked if the lots could be further subdivided. Mr. Stewart responded that they would be deed restricted against further subdividing.

Council Member Payne asked the timing for the project. Mr. Stewart responded that final approval would be granted in the following two months, site work could then begin, and building permits sought the following spring.

Wes Johnson stressed that the well needed to be tested as soon as possible in the development process.

Council Member Dougherty emphasized that the arrangement was for just this project and did not set precedence for other projects surrounding the City.

### **13. Closed Meeting to Discuss Pending or Reasonably Imminent Litigation**

A close meeting was not held.

### **14. Adjournment**

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

The meeting was adjourned at 8:35 p.m.

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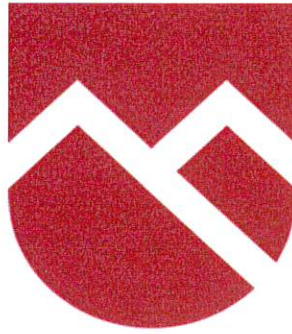
Celeste Johnson, Mayor

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Brad Wilson, Recorder

Midway City Council  
4 May 2021  
Regular Meeting

Ordinance 2021-07 /  
Cross Connection Control



**Midway**

**ORDINANCE**

**2021-\_\_**

**AN ORDINANCE AMENDING PORTIONS OF TITLE 10 OF THE MIDWAY CITY CODE REGARDING MIDWAY CITY'S CROSS CONNECTION CONTROL PROGRAM, RULES, POLICIES, ENFORCEMENT METHODS, AND RELATED MATTERS**

**WHEREAS**, Chapter 10.03 of the Midway City Code contains the City's Cross Connection Control rules, regulations, policies and procedures; and

**WHEREAS**, the current Code needs to be updated to more fully meet the requirements and policies of the State Division of Water Quality and related entities; and

**WHEREAS**, it is the desire of the City Council of Midway City to provide clean, safe culinary to its citizens and water customers; and

**WHEREAS**, unprotected cross connections, with the associated potential for backflow contamination of the culinary water system represent a danger to the health and safety of all users of the Midway Culinary Water System; and

**WHEREAS**, the adoption of this ordinance will be in the best interests of the citizens of Midway City;

**NOW, THEREFORE**, be it hereby Ordained by the City Council of Midway City, Utah that

Section 10.03 of the Midway City Code is hereby amended to read as follows:

**CROSS CONNECTION CONTROL ORDINANCE**  
**For**  
**Midway City Water System**  
**Utah System No. 26008**

**City Offices**  
**Midway Municipal City Government**  
**75 North 100 West**  
**Midway, Utah 84049**  
**Phone (435) 654-3223 #117**  
**Fax (435) 654-4120**

**Contact Information**  
**Cory Lott**  
**Water Operator and Backflow Prevention Supervisor**  
**Crew Supervisor**  
**(435) 671-7205**  
**[clott@midwaycityut.org](mailto:clott@midwaycityut.org)**

**R. Shane Owens**  
**Water Operator #22025**  
**Public Works Administration Lead**  
**(435) 503-5739**  
**[sowens@midwaycityut.org](mailto:sowens@midwaycityut.org)**

## **Chapter 10.03            Control of Backflow and Cross Connections**

Section 10.03.010	Purpose
Section 10.03.020	Responsibility for Backflow Prevention – Midway City
Section 10.03.030	Responsibility for Backflow Prevention – Consumer
Section 10.03.040	Responsibility for Backflow Prevention – Public Works Director
Section 10.03.050	Responsibility for Backflow Prevention – Certified Backflow Technician, Surveyor or Repair Person
Section 10.03.060	Responsibility for Repair of Backflow Prevention Assemblies
Section 10.03.070	Definitions
Section 10.03.080	Requirements
Section 10.03.090	Violation and Enforcement

**Introduction:** The general purpose of this ordinance is to protect the water supply of Midway City from contamination or pollution from any cross connections (existing or potential) and to assure that approved backflow prevention assemblies are tested when put into service and at least on an annual basis thereafter. This ordinance complies with Section R309.105.12 of the Utah Public Drinking Water Rules (UPDWR) and the International Plumbing Code as adopted by the State of Utah.

In order to conserve the limited supply of culinary-quality water available, Midway City requires a property within the City Service Area to connect to the secondary water system if secondary water is available. If secondary water is not available, an irrigation system connection to the Midway City Culinary Water System will be allowed only upon the condition that all such connections comply fully with State and local rules, regulations and policies regarding cross-connections and backflow prevention.

If a Water User desires to install both a culinary and a secondary water system for pressurized irrigation, they will be required to install a separate individual system for each, with no connection or bypass between the two systems, and with the proper backflow prevention devices installed on the culinary water system. Each backflow prevention device must be inspected when first installed, and then not less than annually thereafter by a qualified backflow prevention technician who has been certified by the State of Utah to prevent cross connections and backflow. Any type of backflow prevention device installed within the boundaries of the Midway Culinary Water System must be inspected, and appropriate forms showing proof of the inspections must be delivered to Midway City.

The installation or maintenance of any unprotected cross connection which would endanger the water supply of Midway City is prohibited. Any such cross connection now existing or hereafter installed is hereby declared unlawful and shall be immediately protected or eliminated.

The control or elimination of cross connections and the criteria for determining the degree of hazard and prescribing appropriate levels of protection shall be in accordance with the International Plumbing Code as adopted by the State of Utah, the UPDWR and the Ordinances, Rules and Regulations of Midway City. Water service to any premises shall be contingent upon the customer providing appropriate cross connection control if determined

necessary. Determinations and enforcement shall be the responsibility of the Public Works Director in conjunction with the City Water Operators, Inspectors, etc. Water service may be refused or terminated to any premises where an unprotected cross connection may allow contamination or pollutants to backflow into the public drinking water system.

Authorized employees of Midway City with proper identification, shall have free access at reasonable hours of the day, to all areas of a premises or building to which drinking water is supplied for the purpose of conducting hazard assessment surveys. Water service may be refused or terminated, or maximum backflow protection may be required, to the premise where access to perform surveys is denied, where unprotected cross connections are located, or in the event that installed assemblies are not tested and maintained as required by State and local regulations.

Before any water service is terminated, due process of notifying the customer and providing a reasonable time for compliance will be observed according to the operating procedures and policies of Midway City. However, in the event of an actual backflow incident which endangers the public health, that water service may be terminated immediately and shall not be restored until the cross connection is either eliminated or adequately protected.

#### **Section 10.03.010     Purpose of Ordinance:**

**10.03.010.01** It is the purpose of this Ordinance to protect the Public drinking water supply of Midway City from the possibility of contamination or pollution by requiring compliance with the Utah State Rules for Public Drinking Water Systems and the International Plumbing Code as adopted by the State of Utah, that require a cross connection control protection of all public drinking water systems in the State of Utah. Compliance with these minimum safety codes will be considered reasonable diligence for the prevention of contaminants or pollutants which could backflow into the public drinking water system; and,

**10.03.010.02** It is the purpose of this Ordinance to promote the elimination or control of cross connection in the plumbing fixtures and industrial piping system(s) of the consumer, as required by the State of Utah and applicable plumbing regulations to assure water system safety; and,

**10.03.010.03** It is the purpose of this Ordinance to provide for the administration of a continuing program of backflow prevention which will systematically examine risk and effectively prevent the contamination or pollution of the drinking water system, through the adoption of rules, regulations and policies governing the installation of all backflow prevention devices, the elimination of cross connections where possible, and the inspection and certification of all backflow prevention devices.

#### **10.03.020     Responsibility: Drinking Water Provider**

**10.03.020.01** Midway City shall be responsible for the protection of the culinary water distribution system from any foreseeable condition leading to the possible contamination or pollution of the drinking water system due to the backflow of contaminants or pollutants into the drinking water supply.

**10.03.020.02** Drinking water system surveys/inspections of the consumer's water distribution system(s) shall be conducted or caused to be conducted by individuals deemed qualified by and representing Midway City. Survey or inspection records shall indicate compliance with the State of Utah Regulations and local regulations and policies. All such records will be maintained by Midway City.

**10.03.020.03** Midway City shall schedule and notify in writing, all consumers of the need for the periodic system survey to ensure compliance with existing applicable rules, regulations and policies relating to water quality, including cross connection control and backflow prevention.

**10.03.020.04** Selection of an approved backflow prevention assembly for containment control required at the service entrance shall be determined from the results of the system survey or inspection. Culinary water service from Midway City is contingent upon full compliance with all State and local rules, regulations and policies regarding Cross Connection Control and Backflow Prevention.

**10.03.030      Responsibility: Consumer**

**10.03.030.01** It is the responsibility of each user of Midway City Culinary Water to comply with this ordinance and all associated State and local rules, regulations and policies. Compliance is a term and condition of water supply and consumer's acceptance of service is admittance of his/her awareness of his/her responsibilities as a water system user.

**10.03.030.02** It shall be the responsibility of the consumer to purchase, install, and arrange testing and maintenance of any backflow prevention device/assembly required to comply with this ordinance. Failure to comply with this ordinance shall constitute grounds for discontinuation of service.

**10.03.04      Responsibility: Plumbing Official**

**10.03.040.01** The plumbing official's responsibility to enforce the applicable sections of the plumbing code begins at the point of service (downstream or consumer side of the meter) and continues throughout the length of the consumer's water system.

**10.03.040.02** The plumbing official will review all plans to ensure that unprotected cross connections are not an integral part of the consumer's water system. If a cross connection cannot be eliminated, it must be protected by the installation of an air gap or an approved backflow prevention device/assembly, in accordance with the International Plumbing Code and other Rules as adopted by the State of Utah.

**10.03.05      Responsibility: Certified Backflow Technician, Surveyor, or Repair Person**

**10.03.05.01** Whether employed by the consumer or a utility to survey, test, repair, or maintain backflow prevention assemblies the Certified Backflow Technician, Surveyor, or Repair Person will have the following responsibilities:

- a. Insuring that acceptable testing equipment and procedures are used for testing, repairing or overhauling backflow prevention assemblies.
- b. Make reports of such testing and/or repairs to the consumer and the water purveyor on form approved for such use by the water purveyor within time frames as described by the Division of Drinking Water.
- c. Include the list of materials or replacement parts being used of the reports.
- d. Insuring that replacement parts are equal in quality to parts originally supplied by the manufacturer of the assembly being repaired.
- e. Not changing the design, material or operational characteristics of the assembly during testing, repair or maintenance.
- f. Performing all test of the mechanical devices/assemblies and shall be responsible for the competence and accuracy of all test and reports.
- g. Insuring that his/her license is current, the testing equipment being used is acceptable to the State of Utah, and is in proper operating condition.
- h. Being equipped with, and competent to use, all necessary tools, gauges, test tags, and other equipment necessary to properly test, and maintain backflow prevention assemblies.
- i. Tagging each double check valve, pressure vacuum breaker, reduced pressure backflow assembly and high hazard air gap, showing the serial number date tested and by whom. The certified technician's license number must also be on the tag.

#### **10.03.05.02    Responsibility: Repair of backflow assemblies**

In the case of a consumer requiring an assembly to be tested, any currently Certified Backflow Technician is authorized to make the test and report the results to the consumer and the water purveyor. Any installation repair or relocation shall be done with individuals having appropriate licensure from the department of licensing.

### **SECTION 10.03.10    DEFINITIONS**

**10.03.10.01    Water Purveyor:** The person designated to be in charge of the Water Department of Midway City is invested with the authority and responsibility for the implementation of an effective cross connection control program and for the enforcement of the provisions of this ordinance.

**10.03.10.02    Approved Backflow Assembly:** An assembly accepted by the Utah State Department of Environmental Quality, Division of Drinking Water, as meeting and applicable specification or as suitable for the proposed use.

**10.03.10.03    Auxiliary Water Supply:** Any water supply on or available to the premises other than the purveyor's public water supply will be considered as an auxiliary water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source(s) such as a s well, spring, river, stream, etc., or "used waters" or "industrial fluids". These waters may be contaminated or polluted or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have authority for sanitary control.

**10.03.10.04    Backflow:** The reversal of the normal flow of water caused by wither back-pressure or back siphonage.

**10.03.10.05    Back-Pressure:** The flow of water or other liquids, mixtures, or substances from a region of high pressure to a region of lower pressure into the water distribution pipes of a potable water supply system from any source(s) other than the intended source.

**10.03.10.06    Back-Siphonage:** The flow or water or other liquids, mixtures, or substances under vacuum conditions into the distribution pipes of a potable water supply system from any source(s) other than the intended source, caused by the reduction of pressure in the potable water system.

**10.03.10.07    Backflow Prevention Assembly:** An assembly or means designed to prevent backflow. Specifications for backflow prevention assemblies are contained within the Plumbing Code as adopted by the State of Utah and in the Cross Connection Control Program for Utah maintained by the Division of Drinking Water.

**10.03.10.08    Cross Connection:** Any physical connection or arrangement of piping or fixtures which may allow non-potable water or industrial fluids or other material of questionable quality to come into contact with potable water inside a water distribution system. This would include temporary conditions, such as swing connections, removable sections, four way plug valves, spools, dummy sections of pipe, swivel or change-over devices or sliding multiport tubes or other plumbing arrangements.

**10.03.10.09    Contamination:** Means a degradation of the quality of the potable water supply by sewage industrial fluids or waste liquids, compounds or other materials that may create a health hazard.

**10.03.10.10    Cross Connection-Controlled:** A connection between a potable water system and a non-potable water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

**10.03.10.11    Cross Connection-Containment:** The installation of an approved backflow assembly at the water service connection to any customer's premises where it is physically and economically infeasible to find permanently eliminate or control all actual or potential cross connection within the customer's water distribution system; or, it shall mean the installation of an approved backflow prevention assembly on the service line leading to and supply a portion of a

customer's water distribution system; or, it shall mean the installation of a portion of a customer's water system where there are actual or potential cross connections which cannot be effectively eliminated or controlled at the point of the cross connection (isolation).

## **SECTION 10.03.20 REQUIREMENTS**

### **10.03.20      Policy:**

**10.03.20.01** No water service connection to any premises shall be installed or maintained by the Water Purveyor unless the water supply is protected as required by State laws, regulations, codes, and this ordinance shall be discontinued by the water purveyor after due process of written notifications of violation and an appropriate time suspense for voluntary compliance, if:

- a. A backflow prevention assembly required by this ordinance for the control of backflow and cross connections is not installed, tested, and maintained, or
- b. If it is found that a backflow prevention assembly has been removed or by-passed, or
- c. If an unprotected cross connection exists on the premises, or
- d. If the periodic system survey has not been conducted.
- e. Service will not be restored until such conditions or defects are corrected.

**10.03.20.02** The customer's system(s) shall be open for inspection at all reasonable times to authorized representatives of the water purveyor to determine whether cross connections or other structural or sanitary hazards, including violation of this ordinance exist and to audit the results of the required survey (R309.105.12 of the Utah Administrative Code).

**10.03.20.03** Whenever the public water purveyor deems a service connection's water usage contributes a sufficient hazard to the water supply, and approved backflow prevention assembly shall be installed on the service line of the identified consumer's water system, at or near the property line or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line.

**10.03.20.04** The type of protective assembly required under subsection 3.1.3, shall depend upon the degree of hazard which exist at the point of cross connection (whether direct or indirect), applicable to local and state requirements or resulting from the required survey.

**10.03.20.05** All presently installed backflow prevention assemblies which do not meet the requirements of this section but were approved assemblies for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the inspection and maintenance requirements under subsection 3.1.6, be excluded from the requirements of these rules so long as the water purveyor is assured that they will satisfactorily protect the public water system. Whenever the existing is moved from the present location or requires more than minimum maintenance or when the water purveyor finds that the operation or of this assembly constitutes a

hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting all local and state requirements.

**10.03.20.06** It shall be the responsibility of the consumer at any premises where backflow prevention assemblies are installed to have certified surveys; inspections, and operational test made at least once per year at the consumer's expense. In those instances where the Public Water Purveyor deems the hazard to be great, he may require certified surveys/inspections and test at a more frequent interval. It shall be the duty of the purveyor to see that these tests are made according to the standards set forth by the State Department of Environmental Quality, Division of Drinking Water.

**10.03.20.07** All backflow prevention assemblies shall be tested within ten (10) working days of installation.

**10.03.20.08** No backflow prevention assemblies shall be installed so as to create a safety hazard. (Example: Installed over an electrical panel, steam pipes, boilers, or above ceiling level).

**10.03.30      Violation of this Policy:**

If violation of this ordinance exists if there has not been any corrective action taken by the consumer within ten (10) days of the written notification of the deficiencies noted within the survey or test results, then the water purveyor shall deny or immediately discontinue service to the premises by providing a physical break in the service line until the customer has corrected the condition(s) in conformance with all State and local regulations and statutes relating to plumbing, safe drinking water suppliers, and this ordinance.

This Ordinance shall take effect immediately upon publication as required by law.

**PASSED AND ADOPTED** by the Midway City Council on the \_\_\_\_ day of \_\_\_\_\_, 2021.

**MIDWAY CITY COUNCIL**

	<b>AYE</b>	<b>NAY</b>
<b>Council Member Steve Dougherty</b>	_____	_____
<b>Council Member Jeff Drury</b>	_____	_____
<b>Council Member Lisa Orme</b>	_____	_____
<b>Council Member Kevin Payne</b>	_____	_____
<b>Council Member JC Simonsen</b>	_____	_____

**APPROVED**

\_\_\_\_\_  
Celeste Johnson, Mayor

**ATTEST:**

\_\_\_\_\_  
Brad Wilson, City Recorder

APPROVED AS TO FORM

\_\_\_\_\_  
Corbin B. Gordon, City Attorney

# Cross Connection Control Field Survey

Water System Name: \_\_\_\_\_

Water System #: \_\_\_\_\_

Date of survey: \_\_\_\_\_

Facility Name: \_\_\_\_\_

Facility Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile #: \_\_\_\_\_

E-mail: \_\_\_\_\_

Site Notes:

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Airgap's: \_\_\_\_\_ AVB's: \_\_\_\_\_

Site Use: \_\_\_\_\_

Culinary Supply Protection:	yes	no				
Fire Sprinkler System Protection:	yes	no	n/a	Glycol system	yes	no
Landscape Irrigation Protection:	yes	no	n/a	Pressure Irrigation	yes	no

Degree of Hazard: ☐ Heath (High) ☐ Non-Health (Low)

Corrections Needed:

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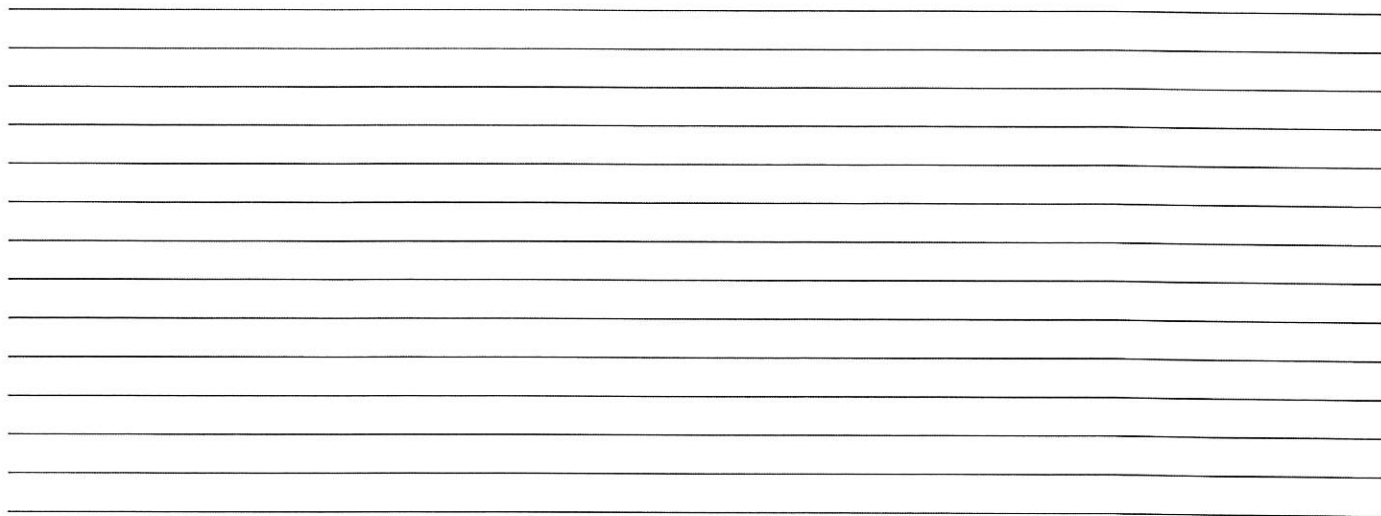
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Time to Complete: \_\_\_\_\_ Days

Water System Inspector: \_\_\_\_\_



## Cross Connection Control Survey

Company/Facility Name: \_\_\_\_\_  
 Service Address: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Type of Business: \_\_\_\_\_  
 Contact Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Mobile Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

	Number of Service Connections	Type of Existing Backflow Protection
Domestic: _____		
Fire: _____		
Irrigation: _____		

	Yes	No
1. Is business activity listed in ordinance or rule? Type of service protection required: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Is there an auxiliary water supply available? A. Water Well B. Storage Tank C. Other	<input type="checkbox"/>	<input type="checkbox"/>
Approved water system?	<input type="checkbox"/>	<input type="checkbox"/>
Interconnected with Public water system	<input type="checkbox"/>	<input type="checkbox"/>
3. Are there hazardous materials on premises? A. Water connected?	<input type="checkbox"/>	<input type="checkbox"/>
4. Special use equipment requiring water at all times?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
5. Heating and/or cooling systems (water connected)	<input type="checkbox"/>	<input type="checkbox"/>
a. Air conditioners	<input type="checkbox"/>	<input type="checkbox"/>
b. Boilers	<input type="checkbox"/>	<input type="checkbox"/>
c. Chillers	<input type="checkbox"/>	<input type="checkbox"/>
d. Cooling towers	<input type="checkbox"/>	<input type="checkbox"/>
e. Heat exchangers	<input type="checkbox"/>	<input type="checkbox"/>
f. Solar panels	<input type="checkbox"/>	<input type="checkbox"/>
g. Other	<input type="checkbox"/>	<input type="checkbox"/>

# Cross Connection Survey (page 2 of 4)

	Yes	No
<b>6. Industrial fluids and/or Pressure systems (water connected)</b>		
a. Booster pumps		
b. Circulating pumps		
c. Hydraulic lines		
d. Steam lines		
e. Other		

	Yes	No
<b>7. Chemical injection and/or Feeder Systems (water connected)</b>		
a. Corrosion/Scale inhibitors		
b. Biocides Algae		
c. Soaps		
d. Softeners		
e. Other:		

	Yes	No
<b>8. Irrigation Systems</b>		
a. Chemigation		
b. Pumps		
c. Separate Service Connection		
d. Other:		

	Yes	No
<b>9. Laboratory facilities with water connected equipment:</b>		

	Yes	No
<b>10. Kitchen facilities (commercial)</b>		
Coffee urns		
Dishwashers		
Double boilers		
Garbage disposal		
Grease trap		
Pressure cookers		
Steam table		
Other:		

# Cross Connection Survey (page 3/4)

		Yes	No
11.	Laundry and/or dry cleaning facilities		
12.	Fountains and/or ponds		
13.	Photo Processing and/or Printing equipment (water connected)		
14.	Plating facilities		
15.	Reclaimed water and/or solvents		
		Yes	No
16.	<b>Sewage System</b>		
a.	Pumps		
b.	Water operated sump ejectors		
c.	Water connection for unclogging		
d.	Trailer flushing facilities		
e.	Holding tanks		
f.	Flush valve toilets/urinals		
g.	Other:		
		Yes	No
17.	<b>Swimming pools and/or spas</b>		
	Chemical additives		
	Low-level inlet		
		Yes	No
18.	Tanks, vats or other vessels containing non-potable substances		
		Yes	No
19.	<b>Fire Protection Systems – connected to public water</b>		
a.	Class I-II (Special conditions)		
	i. Hazardous substances on premises?		
	ii. Complex piping systems?		
	iii. Other?		
b.	Unapproved auxiliary water supply available?		
	Connected to Auxiliary Water?		
c.	Elevated storage tanks and/or private reservoirs?		
d.	Hazardous substance(s) in fire system?		
e.	Interconnection with another public water system?		

## Cross Connection Survey (page 4 of 4)

Comments:

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Required service line protection (AG, RP, DC, PVB, NONE)

Domestic: 

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Fire: 

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Irrigation: 

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Water System Representative: 

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Date

Water Customer Representative: 

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Date

## CROSS CONNECTION HAZARD ASSESSMENT REPORT

FACILITY NAME: \_\_\_\_\_ DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

FACILITY ADDRESS: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

FACILITY TYPE: \_\_\_\_\_ Containment ( ) Isolation ( ) Hazard Priority: High ( ) Medium ( ) Low ( )

LOCATION OF CROSS CONNECTION		DEGREE OF HAZARD	Health	Non Health
TYPE OF CROSS CONNECTION				
RECOMMENDED CORRECTIVE ACTIONS AND COMMENTS				
TIME TO COMPLETE		DATE COMPLETED		BACKFLOW PREVENTION TYPE AG RP DC PVB SVB AVB HBVB

LOCATION OF CROSS CONNECTION		DEGREE OF HAZARD	Health	Non Health
TYPE OF CROSS CONNECTION				
RECOMMENDED CORRECTIVE ACTIONS AND COMMENTS				
TIME TO COMPLETE		DATE COMPLETED		BACKFLOW PREVENTION TYPE AG RP DC PVB SVB AVB HBVB

LOCATION OF CROSS CONNECTION		DEGREE OF HAZARD	Health	Non Health
TYPE OF CROSS CONNECTION				
RECOMMENDED CORRECTIVE ACTIONS AND COMMENTS				
TIME TO COMPLETE		DATE COMPLETED		BACKFLOW PREVENTION TYPE AG RP DC PVB SVB AVB HBVB

WATER SYSTEM

FACILITY REPRESENTATIVE

Inspector: \_\_\_\_\_

Signature: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Print Name: \_\_\_\_\_

Water System Name \_\_\_\_\_ Water System # \_\_\_\_\_

## Cross Connection Control Program

## Trained Staff

[illegible]

Water System Name \_\_\_\_\_ Water System # \_\_\_\_\_

## Cross Connection Control Program

## Public Awareness Activities

[illegible]

Water System Name \_\_\_\_\_ Water System # \_\_\_\_\_

## Cross Connection Control Program

## Written Records

## Cross Connection Hazard Assessments

[illegible]

Water System Name \_\_\_\_\_ Water System # \_\_\_\_\_

## Cross Connection Control Program

## Written Records

## Backflow Assembly Inventory

[illegible]

Water System Name \_\_\_\_\_ Water System # \_\_\_\_\_

## Cross Connection Control Program

## On-Going Program

## Enforcement Actions and CCC Program Activities

[illegible]

Water System Name \_\_\_\_\_ Water System # \_\_\_\_\_

## Cross Connection Control Program

## Trained Staff

[illegible]

Water System Name \_\_\_\_\_ Water System # \_\_\_\_\_

## Cross Connection Control Program

## Public Awareness Activities

[illegible]

Water System Name \_\_\_\_\_ Water System # \_\_\_\_\_

## Cross Connection Control Program

## Written Records

## Cross Connection Hazard Assessments

[illegible]

Water System Name \_\_\_\_\_ Water System # \_\_\_\_\_

## Cross Connection Control Program

## Written Records

## Backflow Assembly Inventory

[illegible]

Water System Name \_\_\_\_\_ Water System # \_\_\_\_\_

## Cross Connection Control Program

## On-Going Program

## Enforcement Actions and CCC Program Activities

[illegible]

## WATER LINE INSPECTION SUMMARY

Dear Midway City Resident:

A request was made to check out the City water meter that is located within the City Utility Right Of Way, located at Street Address: \_\_\_\_\_, within the Midway City Limits or connected to the Midway City Culinary Water System.

The following Items were found: (Check all that apply)

### **Private Property Owners Responsibility:**

- Water Meter Spinning, Leak on Your Side of Water Meter. (It is your responsibility to contact a plumber, for repairs from the meter to the house). You have 14 days from the day of being notified of a leak to have leak fixed. One you have the leak fixed you must notify the City of the repair so that the City may review/inspect the repair. If the repair is completed in a timely and workmanlike manner, the City may adjust your water bill based on the water usage from previous months. If the repair does not occur in a timely and workmanlike manner, and/or the City is not notified of repair within the fourteen days, you will be required to pay entire balance of the bill.
- Water line is frozen from the culinary water meter to the house. (It is your responsibility to contact a plumber for repairs from the meter to the house). Note: if your water line is frozen you should contact the City immediately. To prevent freezing in the future, the City may allow you to connect an outside hose to the water tap, and let it run a pencil size stream from during the coldest months of the year. This has to be preapproved by the City, or you will be charged for all water usage. Do not leave water running in the house. This water goes into the sewer system and all the City residents must pay the bill for sewer treatment.
- Jumper installed in place of a water meter, jumpers are illegal in the Midway Water System and violators may be assessed a fine, billed for damage to property, billed for stolen water or lose their culinary water connection rights.
- An illegal connection or cross connection to a City Culinary Water Line and a Secondary Water line (Irrigation Water). Midway City Does not allow any residential connection to connect to a swing joint or any other backflow device between the Culinary and Secondary water source. If you wish to have a Secondary and Culinary water system you must run two different systems.

### **City Water System Responsibility:**

- Inadequate Pressure. City should supply a minimum of 20 psi to the City Water Meter.
- Water leaks from the Main to the Water Meter, within the City Utility and Street Right of Way.
- Frozen Water Lines from the Water Main to the Water Meter, Within the City Utility and Streets Right of Way.
- Water Meter Installation Request: Installation of the City Water meter shall occur once the City receives the request from the property owner or contract, and all applicable fees are paid in full and the appropriate forms are completed. Meters shall be set within two business days if there have been no damages to City Property: Example Water Meter Setter, Meter Can, Water Meter Lid and Ring. Property owner must provide open clear access to the water meter can.
- City Contact information:
- Phone number: (435) 654-3223 x 117
- Email: [sowens@midwaycityut.org](mailto:sowens@midwaycityut.org)

## **Midway City Municipal Water System UTAH 26008**

### **SUMMARY OF CROSS CONNECTION CONTROL POLICY**

The Midway City Cross Connection Control policies, rules and regulations are contained in Section 10.03 of the Midway City Code. This is a Summary of those rules and regulations. Nothing in this summary shall supersede or negate the detailed provisions of the Midway City Code.

#### **PART I:**

##### **CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION**

- (I) It shall be against the policy of the Midway City Municipal Water System, at any connection supplied with water from the Midway City distribution system, to do any of the following:
  - (a) To install or use any physical connection or arrangement of piping or fixtures, which may allow any fluid or substances unsuitable for human consumption to enter the potable water distribution system, as required by Section 608.1 through 608.5 of the International Plumbing Code as adopted by the State of Utah.
  - (b) To install any connection, arrangement, or fixture without a Backflow Prevention Device or approved Assembly.
  - (c) To incorrectly install any Backflow Prevention Device or Assembly required by Section 608.6 and 608.1 of the International Plumbing Code and amendments as adopted by the State of Utah.
- (2) Any person found in violation of this policy shall be subject to reprimand or other appropriate disciplinary action as set forth in the Midway City Code.
- (3) Backflow prevention assemblies required by the policy will be required to be tested at least annually. Midway City shall prepare and maintain a Backflow Assembly Information sheet on all such devices and test results shall be maintained for a period of no less than five (5) years.

#### **PART II:**

This policy is currently in effect. A copy of the policy shall be placed in the office in the Midway Public Works Director, and will be reviewed for all new construction projects on a case by case basis.

It is the responsibility of the property owner and/or water user to make sure that their connection to the Midway City water system complies in all respects with this policy, and the Cross Connection Control rules and regulations found in the Midway City Code.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_