

Midway City Council
21 September 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
200								
200	Blue Stakes of Utah 811	UT2021010661	BILLABLE E-MAIL NOTIFICATIO	08/31/2021	115.57	.00		
Total 200:					115.57	.00		
270								
270	CASELLE INC	111622	Oct. 2021 Support and Maintenan	09/01/2021	358.27	.00		
Total 270:					358.27	.00		
845								
845	MOUNTAINLAND SUPPLY COMP	S104285029.0	Marking Paint	08/31/2021	134.07	.00		
845	MOUNTAINLAND SUPPLY COMP	S104297726.0	Supplies	09/08/2021	134.01	.00		
845	MOUNTAINLAND SUPPLY COMP	S104300673.0	Marking Paint	09/08/2021	70.74	.00		
845	MOUNTAINLAND SUPPLY COMP	S104302906.0	WATer Repair	09/10/2021	163.68	.00		
845	MOUNTAINLAND SUPPLY COMP	S104303669.0	Mueller Nozzles	09/14/2021	24.18	.00		
Total 845:					526.68	.00		
875								
875	OFFICE DEPOT	189461448001	Hanging Folders	09/01/2021	51.72	.00		
875	OFFICE DEPOT	191500592001	OFFICE SUPPLIES	09/06/2021	69.98	.00		
875	OFFICE DEPOT	192721140001	OFFICE SUPPLIES	09/01/2021	51.94	.00		
875	OFFICE DEPOT	192721140001	OFFICE SUPPLIES	09/01/2021	58.54	.00		
875	OFFICE DEPOT	192748231001	OFFICE SUPPLIES	09/01/2021	92.49	.00		
875	OFFICE DEPOT	192748231001	OFFICE SUPPLIES	09/01/2021	284.82	.00		
875	OFFICE DEPOT	192748231001	OFFICE SUPPLIES	09/01/2021	106.24	.00		
875	OFFICE DEPOT	192748231001	OFFICE SUPPLIES	09/01/2021	56.12	.00		
875	OFFICE DEPOT	192748231001	OFFICE SUPPLIES	09/01/2021	12.88	.00		
875	OFFICE DEPOT	192748233001	OFFICE SUPPLIES	09/01/2021	43.85	.00		
875	OFFICE DEPOT	192748234001	File Folder	09/01/2021	29.00	.00		
875	OFFICE DEPOT	192748236001	OFFICE SUPPLIES	09/01/2021	7.11	.00		
Total 875:					864.69	.00		
955								
955	REAMS	549287	L. Taylor Clothing Allowance	08/01/2021	212.98	.00		
955	REAMS	549291	E. Mecham Clothing Allowance	08/01/2021	160.00	.00		
Total 955:					372.98	.00		
1045								
1045	STANDARD PLUMBING SUPPLY	NDRR08	White Marking Paint	09/02/2021	25.28	.00		
1045	STANDARD PLUMBING SUPPLY	NFCF37	SUPPLIES	09/08/2021	62.48	.00		
Total 1045:					87.76	.00		
1150								
1150	HOME DEPOT Credit Services	22561	SUPPLIES	08/10/2021	470.14	.00		
1150	HOME DEPOT Credit Services	4211712	SUPPLIES	08/26/2021	117.75-	.00		
1150	HOME DEPOT Credit Services	4511900	SUPPLIES	08/26/2021	257.98	.00		
1150	HOME DEPOT Credit Services	6614728	SUPPLIES	08/24/2021	285.59	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
1150	HOME DEPOT Credit Services	7365960	SUPPLIES	08/13/2021	1,163.92	.00		
1150	HOME DEPOT Credit Services	8075259	SUPPLIES	08/12/2021	565.95	.00		
Total 1150:					2,625.83	.00		
1160								
1160	THE UPS STORE	00000048569	.50 Color Copies on Tabs @ .41	08/14/2021	20.50	.00		
Total 1160:					20.50	.00		
1170								
1170	TIMBERLINE ACE HARDWARE	145535	Supplies	09/03/2021	95.94	.00		
1170	TIMBERLINE ACE HARDWARE	145632	Supplies	09/08/2021	17.99	.00		
1170	TIMBERLINE ACE HARDWARE	145738	Supplies	09/13/2021	7.99	.00		
Total 1170:					121.92	.00		
1305								
1305	VERIZON WIRELESS	9887401671	PUBLIC WORK PHONES	09/01/2021	299.23	.00		
1305	VERIZON WIRELESS	9887401671	PLANNING	09/01/2021	84.52	.00		
1305	VERIZON WIRELESS	9887401671	BUILDING Department	09/01/2021	85.20	.00		
1305	VERIZON WIRELESS	9887401671	Midway City Jet Pack	09/01/2021	40.01	.00		
1305	VERIZON WIRELESS	9887401671	Ice Rink Jetpack	09/01/2021	45.19	.00		
Total 1305:					554.15	.00		
1310								
1310	WASATCH AUTO PARTS	232533	Supplies	09/13/2021	32.90	.00		
Total 1310:					32.90	.00		
1340								
1340	WASATCH COUNTY SHERIFFS	0821	Law Enforcement August 2021	08/01/2021	21,000.00	.00		
Total 1340:					21,000.00	.00		
1360								
1360	WASATCH COUNTY SOLID WAS	.80293 9/21	.80293 CENTENNIAL PARK	09/01/2021	64.00	.00		
1360	WASATCH COUNTY SOLID WAS	.80294 9/21	.80294 Hamlet Park	09/01/2021	75.00	.00		
1360	WASATCH COUNTY SOLID WAS	.90042 9/21	.90042 CC	09/01/2021	75.00	.00		
1360	WASATCH COUNTY SOLID WAS	.90291 9/21	.90291 PARK & OFFICES	09/01/2021	32.00	.00		
1360	WASATCH COUNTY SOLID WAS	.90292 9/21	.90292 CEMETARY	09/01/2021	160.00	.00		
1360	WASATCH COUNTY SOLID WAS	.90638 9/21	.90638 MICHIE LANE	09/01/2021	32.00	.00		
1360	WASATCH COUNTY SOLID WAS	.93287 9/21	.93287 SHOP	09/01/2021	75.00	.00		
1360	WASATCH COUNTY SOLID WAS	.93287 9/21	.93287 SHOP	09/01/2021	75.00	.00		
1360	WASATCH COUNTY SOLID WAS	.93287 9/21	.93287 SHOP	09/01/2021	75.00	.00		
Total 1360:					663.00	.00		
1365								
1365	WAVE PUBLISHING	L 17361	PUB. Notice Open Space	08/12/2021	27.76	.00		
1365	WAVE PUBLISHING	L 17367	Notice of Pub. Hearing	08/20/2021	143.38	.00		
1365	WAVE PUBLISHING	L 17378	PLANNING Meeting	08/27/2021	323.76	.00		
1365	WAVE PUBLISHING	L17377	ORD. Adoption, 2021-19, 2021-23	09/01/2021	64.76	.00		
Total 1365:					559.66	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
1421								
1421	HEBER LIGHT & POWER	18153001 8/21	18153001 1100 Snake Creek RD	08/31/2021	43.71	.00		
1421	HEBER LIGHT & POWER	18153002 8/21	18153002-75 N 100 W CITY OFFI	08/31/2021	447.31	.00		
1421	HEBER LIGHT & POWER	18153003 8/21	18153003 - 600 W 500 S CEMET	08/31/2021	66.37	.00		
1421	HEBER LIGHT & POWER	18153004 8/21	1210 N Warm Springs Dr Cottage	08/31/2021	3,253.43	.00		
1421	HEBER LIGHT & POWER	18153006 8/21	18153006-280 E 850 S MAINT S	08/31/2021	284.83	.00		
1421	HEBER LIGHT & POWER	18153007 8/21	18153007 - 850 E MAIN CITY PA	08/31/2021	21.08	.00		
1421	HEBER LIGHT & POWER	18153008 8/21	18153008-75 N 100 W TOWNHA	08/31/2021	329.78	.00		
1421	HEBER LIGHT & POWER	18153009 8/21	18153009 - 60 N 200 W ICE RINK	08/31/2021	21.35	.00		
1421	HEBER LIGHT & POWER	18153010 8/21	18153010--Ice Rink Chiller	08/31/2021	174.39	.00		
1421	HEBER LIGHT & POWER	18153012 8/21	18153012 - 1005 N RIVER ROAD	08/31/2021	22.23	.00		
1421	HEBER LIGHT & POWER	18153013 8/21	18153013-160 W MAIN ST-CC	08/31/2021	124.63	.00		
1421	HEBER LIGHT & POWER	18153014 8/21	18153014-VALAIS PARK	08/31/2021	14.13	.00		
1421	HEBER LIGHT & POWER	18153015 8/21	18153015 - 35 W 100 N CENTEN	08/31/2021	16.68	.00		
1421	HEBER LIGHT & POWER	18153016 8/21	18153016 - BALL PARK LIGHTS	08/31/2021	13.96	.00		
1421	HEBER LIGHT & POWER	18153017 8/21	18153017 75 N 100 W SWISS DA	08/31/2021	13.78	.00		
1421	HEBER LIGHT & POWER	18153018 8/21	18153018-ALPINHOF TANK	08/31/2021	13.75	.00		
1421	HEBER LIGHT & POWER	18153019 8/21	18153019 75 N 100 W Town Squa	08/31/2021	96.95	.00		
1421	HEBER LIGHT & POWER	18153021 8/21	18153021-RESTROOMS	08/31/2021	13.96	.00		
1421	HEBER LIGHT & POWER	18153022 8/21	18153022 1449 N PINE CANYOJ	08/31/2021	72.94	.00		
1421	HEBER LIGHT & POWER	18153033 8/21	18153033 Pedestal for Swiss Day	08/31/2021	18.09	.00		
1421	HEBER LIGHT & POWER	18153034 8/21	18153034 -ALPENHOF WELL HO	08/31/2021	1,425.92	.00		
1421	HEBER LIGHT & POWER	18153035 8/21	18153035-280 E 900 S	08/31/2021	186.33	.00		
1421	HEBER LIGHT & POWER	18153036 8/21	18153036-250 E MICHIE LANE P	08/31/2021	13.00	.00		
1421	HEBER LIGHT & POWER	18153040 8/21	18153040 - 300 S 300 E SPRINK	08/31/2021	14.75	.00		
1421	HEBER LIGHT & POWER	18153041 8/21	18153041 - 350 S 300 E -SPRINK	08/31/2021	14.75	.00		
Total 1421:					6,718.10	.00		
1479								
1479	BRAD WILSON	09012021	'Reimbursement for Recording Fe	09/01/2021	101.43	.00		
Total 1479:					101.43	.00		
1917								
1917	HOSE & RUBBER SUPPLY LLC	01578463	Supplies	09/09/2021	265.80	.00		
Total 1917:					265.80	.00		
1931								
1931	KW ROBINSON CONSTRUCTIO	2019-170	RIVER ROAD-PARTIAL PAYMEN	09/03/2021	3,523.47	.00		
1931	KW ROBINSON CONSTRUCTIO	2019-170	RIVER ROAD-PARTIAL PAYMEN	09/03/2021	99,725.94	.00		
1931	KW ROBINSON CONSTRUCTIO	2019-170	RIVER ROAD-PARTIAL PAYMEN	09/03/2021	157,459.95	.00		
1931	KW ROBINSON CONSTRUCTIO	2019-170	RIVER ROAD PARTIAL PAYMEN	09/03/2021	1,164.66	.00		
Total 1931:					261,874.02	.00		
1989								
1989	BANKCARD CENTER	5219 C.LOTT 9	Kamas	09/02/2021	14.16	.00		
1989	BANKCARD CENTER	5219 C.LOTT 9	Standard Plumbing	09/02/2021	12.12	.00		
1989	BANKCARD CENTER	B. GARDNER	Casablanca Resort	09/02/2021	237.21-	.00		
1989	BANKCARD CENTER	B. GARDNER	Casablanca Cafe	09/02/2021	97.70	.00		
1989	BANKCARD CENTER	C. COVINGTO	Adobe Acropro Subs	09/02/2021	14.99	.00		
1989	BANKCARD CENTER	C. COVINGTO	UT League of Cities	09/02/2021	475.00	.00		
1989	BANKCARD CENTER	C. COVINGTO	Smiths Food	09/02/2021	150.00	.00		
1989	BANKCARD CENTER	C. COVINGTO	Smiths Food	09/02/2021	10.76	.00		
1989	BANKCARD CENTER	C. COVINGTO	Smiths Food	09/02/2021	210.00	.00		

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1989	BANKCARD CENTER	C. COVINGTO	Adobe Acropro Subs	09/02/2021	16.11	.00		
1989	BANKCARD CENTER	J. SWEAT 601	USPS	09/02/2021	108.00	.00		
1989	BANKCARD CENTER	J. SWEAT 601	Cafe Galleria	09/02/2021	147.38	.00		
1989	BANKCARD CENTER	J. SWEAT 601	Costco	09/02/2021	57.94	.00		
1989	BANKCARD CENTER	J. SWEAT 601	Intuit Payroll	09/02/2021	720.25-	.00		
1989	BANKCARD CENTER	J. SWEAT 601	Adobe Acropro Subs	09/02/2021	26.86	.00		
1989	BANKCARD CENTER	J. SWEAT 601	SQ Midway Must Haves	09/02/2021	20.00	.00		
1989	BANKCARD CENTER	J. SWEAT 601	APT US&C	09/02/2021	159.00	.00		
1989	BANKCARD CENTER	J. SWEAT 601	Springhill Suites Log Logan	09/02/2021	330.96	.00		
1989	BANKCARD CENTER	J. SWEAT 601	Jimmy Johns	09/02/2021	131.89	.00		
1989	BANKCARD CENTER	J. SWEAT 601	Smiths Food	09/02/2021	27.06	.00		
1989	BANKCARD CENTER	J. SWEAT 601	BambooHR	09/02/2021	501.30	.00		
1989	BANKCARD CENTER	J. SWEAT 601	GODADDY	09/02/2021	19.99	.00		
1989	BANKCARD CENTER	J. SWEAT 601	Pitney Bowes	09/02/2021	80.74	.00		
1989	BANKCARD CENTER	J. SWEAT 601	Don Pedros	09/02/2021	128.36	.00		
1989	BANKCARD CENTER	J. SWEAT 601	Moxie Mats Faire	09/02/2021	1,515.63	.00		
1989	BANKCARD CENTER	RSO 8789 9/21	Smith & Edwards	09/02/2021	218.75	.00		
1989	BANKCARD CENTER	RSO 8789 9/21	ARCTOS	09/02/2021	278.36	.00		
1989	BANKCARD CENTER	RSO 8789 9/21	ARCTOS	09/02/2021	159.08	.00		
1989	BANKCARD CENTER	RSO 8789 9/21	Best Buy	09/02/2021	141.82	.00		
1989	BANKCARD CENTER	RSO 8789 9/21	Amazon	09/02/2021	483.71	.00		
1989	BANKCARD CENTER	RSO 8789 9/21	Amazon	09/02/2021	28.25	.00		
1989	BANKCARD CENTER	RSO 8789 9/21	Carhartt	09/02/2021	151.50	.00		
1989	BANKCARD CENTER	RSO 8789 9/21	Carhartt	09/02/2021	1,596.76	.00		
1989	BANKCARD CENTER	RSO 8789 9/21	Sams Club	09/02/2021	726.82	.00		
1989	BANKCARD CENTER	RSO 8789 9/21	Hach Company	09/02/2021	491.07	.00		
Total 1989:					7,574.61	.00		
2220								
2220	DITCH WITCH OF THE ROCKIE	P22253	Transmitter	07/30/2021	1,582.00	.00		
Total 2220:					1,582.00	.00		
2614								
2614	Executech Utah, Inc.	162181	IT Services	08/31/2021	686.75	.00		
2614	Executech Utah, Inc.	EXEC-101882	IT Services	09/01/2021	1,473.00	.00		
Total 2614:					2,159.75	.00		
2627								
2627	GORDON LAW GROUP, P.C.	10944	Monthly Flat Fee	09/02/2021	5,052.50	.00		
2627	GORDON LAW GROUP, P.C.	10944	Monthly Flat Fee	09/02/2021	322.50	.00		
2627	GORDON LAW GROUP, P.C.	10944	Monthly Flat Fee-Additional Hours	09/02/2021	5,057.64	.00		
2627	GORDON LAW GROUP, P.C.	10944	Monthly Flat Fee-Additional Hours	09/02/2021	322.83	.00		
2627	GORDON LAW GROUP, P.C.	10944	Hot Springs Annexation	09/02/2021	502.80	.00		
2627	GORDON LAW GROUP, P.C.	10944	Nelson Family Farm Subdivision	09/02/2021	83.80	.00		
2627	GORDON LAW GROUP, P.C.	10944	2020 Castor Development	09/02/2021	78.00	.00		
2627	GORDON LAW GROUP, P.C.	10944	THE Village	09/02/2021	718.78	.00		
2627	GORDON LAW GROUP, P.C.	10944	2020 Castor Development	09/02/2021	507.00	.00		
2627	GORDON LAW GROUP, P.C.	10944	Lower River Annexation	09/02/2021	921.80	.00		
2627	GORDON LAW GROUP, P.C.	10944	jomar subdivision	09/02/2021	251.40	.00		
2627	GORDON LAW GROUP, P.C.	10944	Mountain Spa Development	09/02/2021	5,216.55	.00		
2627	GORDON LAW GROUP, P.C.	10944	Doug Dance Annexation	09/02/2021	62.85	.00		
2627	GORDON LAW GROUP, P.C.	10944	Saddle Creek Subdivision	09/02/2021	390.00	.00		
2627	GORDON LAW GROUP, P.C.	10944	Saddle Creek Subdivision	09/02/2021	1,872.00	.00		
2627	GORDON LAW GROUP, P.C.	10944	Mountain Spa Development	09/02/2021	3,372.95	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
2627	GORDON LAW GROUP, P.C.	10944	RMP Petition for Review	09/02/2021	270.00	.00		
Total 2627:					25,003.40	.00		
2672								
2672	Child Richards	116741	Quarterly Accounting Services	08/31/2021	1,200.00	.00		
Total 2672:					1,200.00	.00		
2709								
2709	Celeste Johnson	09142021	Lunch/CC	09/14/2021	54.66	.00		
2709	Celeste Johnson	09142021	Lunch/CC	09/14/2021	67.24	.00		
Total 2709:					121.90	.00		
2783								
2783	VERIZON WIRELESS	9887420361	Cellular Services	09/01/2021	373.41	.00		
Total 2783:					373.41	.00		
2816								
2816	COMCAST	849544104030	Phone Service	09/06/2021	84.78	.00		
Total 2816:					84.78	.00		
2821								
2821	FUEL NETWORK	F2202E00884	Fuel Billing	09/03/2021	3,179.82	.00		
Total 2821:					3,179.82	.00		
2880								
2880	Bell Janitorial Supply	1016558	Janitorial Supplies	09/14/2021	1,043.68	.00		
Total 2880:					1,043.68	.00		
2890								
2890	INNOVATIVE CUSTOM JEWELR	3490	Jewelry	08/30/2021	383.00	.00		
Total 2890:					383.00	.00		
2891								
2891	RUBY JENSEN GALLERY	9142021	Scarves and other stuff for Midwa	09/14/2021	410.00	.00		
Total 2891:					410.00	.00		
2901								
2901	MARY WATERMAN PHOTOGRA	36	2022 Heber Valley Calendars	07/19/2021	325.00	.00		
2901	MARY WATERMAN PHOTOGRA	38	Postcards	09/13/2021	100.00	.00		
Total 2901:					425.00	.00		
2917								
2917	WASATCH BAKING COMPANY L	1094	Retail for Midway Must-Haves	09/02/2021	167.19	.00		
2917	WASATCH BAKING COMPANY L	1102	COG	09/14/2021	55.20	.00		
Total 2917:					222.39	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
2924								
2924	Americana Art Enterprises, LLC	135498	Ornament, Vinyl Sticker	09/07/2021	329.00	.00		
Total 2924:					329.00	.00		
2925								
2925	Charles V. Heath	09132021	Return excess recording fees	09/13/2021	98.57	.00		
Total 2925:					98.57	.00		
2926								
2926	Heber Valley Towing	23274	Zambony, Ice Rink	09/13/2021	150.00	.00		
Total 2926:					150.00	.00		
2927								
2927	Ignition Creative Group	6538	Heber Valley Magazine	09/08/2021	630.00	.00		
2927	Ignition Creative Group	6538	Creative design/setup	09/08/2021	125.00	.00		
Total 2927:					755.00	.00		
2928								
2928	Kesko Electric Solutions, LLC	109793	Services	09/02/2021	3,901.00	.00		
Total 2928:					3,901.00	.00		
2929								
2929	Pioneer Research Corporation	260391	4 GALS VACATE	09/01/2021	248.40	.00		
Total 2929:					248.40	.00		
Grand Totals:					346,108.97	.00		

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

City Treasurer: _____

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
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Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Midway City Council
21 September 2021
Regular Meeting

Minutes of the
7 September 2021
Work Meeting



Memo

Date: 14 September 2021
To:
Cc:
From: Brad Wilson, City Recorder
RE: Minutes of the 7 September 2021 City Council Work Meeting

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, 7 September 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, 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 5:06 p.m.

Members Present:

Celeste Johnson, Mayor
Steve Dougherty, Council Member
Jeff Drury, Council Member (Participated
intermittently and electronically beginning
at 5:36 p.m.)
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.

2. Resolution 2021-26 / Fees for Public Buildings (Mayor Johnson – Approximately 45 minutes) – Discuss Resolution 2021-26 amending the Midway City Fee Schedule regarding fees for the use of public buildings.

Mayor Johnson presented the proposed fees.

Note: A copy of Mayor Johnson’s presentation is contained in the supplemental file.

Council Member Orme explained the fees for consecutive days. The fees would be per day for a total of two additional consecutive days. The fees would reset after the full amount for the first day and the lower amount for the following two days.

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

- There would no longer be a half day rate.
- Should the fees cover the costs of operating and maintaining the buildings? Should they at least cover the costs to clean the buildings? Should they cover maintenance but not capital costs?
- The Council could waive the fees.
- Groups that rented a building for multiple days could develop a sense of ownership.
- It had been discussed that the Community Center should be available to the community and have low rental fees.
- The fees should be low enough so that people would use the buildings.
- Organizations were using the buildings for storage. Should they be charged a fee? There were agreements with these organizations. They had historically not been charged because they were local entities.
- An organization could request that the fees be waived if it benefited the community.
- Who should approve waivers? The Mayor should not have to deal with all the requests. It would take a lot of the Council's time to consider them. The Mayor could consider all requests with the Council considering those for more than three consecutive days or six days in a year. The Council could consider waivers for storage and for rental amounts of \$500 or more. The Mayor could decide with appeals going to the Council.
- The quilters' group worried that they would not be able to rent a building on a regular basis if the fees were increased.
- Storage leases should be reconsidered each year. Should other leases also be reconsidered each year? These reviews should happen during the budget process.
- Care of the buildings would improve if a city employee checked a renter in and then out.
- Rental policies, waivers, and the concerns raised by non-profits should be considered at the same time as the fees.
- The City should be able to see an organization's finances if it requested a fee waiver.

Note: Council Member Drury began participating intermittently at 5:36 p.m. He did so electronically.

- Some renters felt they were not heard if just the Mayor considered their request.
- The Midway City Policies and Procedures would have to be amended to change any rental policies.
- The rental process should not be combative.
- Some organizations did not have any alternatives to renting the City's buildings.
- Any changes should be approved and become effective on 1 January 2022.

3. Ordinance 2021-31 / Gross Square Footage (Midway Heritage Development – Approximately 15 minutes) – Discuss Ordinance 2021-31 amending Section 16.5.3.i2c of the Midway City Municipal Code regarding gross square footages in structures. Recommended without conditions by the Midway City Planning Commission.

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

- Current code
- Proposed amendments
- Applicant's justifications for the change

Mr. Henke also made the following comments:

- The applicant for The Village development had requested the change.
- A third category had been suggested for large mixed-use developments on 25 or more acres.
- The density in The Village with the requested zone change was 146 units or 5.3 units per acre.
- A garage was not included in the square footage for a building permit, but it was included in several other instances.

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 current allowance of 20 units per acres in the commercial zones should be lowered. Developers could not get that many units because of other criteria.
- There was no distinction between covered and uncovered parking.

4. Adjournment

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

The meeting was adjourned at 6:01 p.m.

Celeste Johnson, Mayor

Brad Wilson, Recorder

Midway City Council
21 September 2021
Regular Meeting

Minutes of the
7 September 2021
Regular Meeting



Memo

Date: 17 September 2021
To:
Cc:
From: Brad Wilson, City Recorder
RE: Minutes of the 7 September 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, 7 September 2021, 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 6:01 p.m.

Members Present:

Celeste Johnson, Mayor
Steve Dougherty, Council Member
Jeff Drury, Council Member (Participated electronically).
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. She gave the prayer and/or inspirational message.

2. Consent Calendar

- a. Agenda for the 7 September 2021 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 17 August 2021 City Council Work Meeting
- d. Minutes of the 17 August 2021 City Council Regular Meeting

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

Motion: Council Member Dougherty moved to approve the consent calendar.

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

Cemetery / Moratorium

Council Member Orme was working with the City Sexton on the issues related to the cemetery moratorium.

State Legislature / Nicotine in Electronic Cigarettes

Mayor Johnson reported that the Utah State Legislature wanted to allow higher levels of nicotine in electronic cigarettes. She indicated that mayors and local health departments had convinced legislators to abandon the proposal.

Parks Committee / Volksmarch

Council Member Simonsen reported that the Midway City Parks, Trails, and Trees Advisory Committee would have a booth at the Volksmarch.

Albert Kohler Legacy Farm / Preservation

Council Member Orme reported that the preservation of open space at the Albert Kohler Legacy Farm had been completed. Grant Kohler, owner, and Wendy Fisher, Utah Open Lands Executive Director, were thanked for their work on the project.

Volksmarch / Support

Council Member Orme asked everyone to support the upcoming Volksmarch.

Parks Committee / Event

Council Member Simonsen reported that the Midway City Parks, Trails, and Trees Advisory Committee would hold an event on September 25th.

Roads / Surface Treatments

Wes Johnson reported that surface treatments had been completed on certain city roads.

Council Member Drury asked why Center Street was chip sealed when River Road was closed. Mr. Johnson responded that the contractors ran out of oil the month before and the rescheduled days was the only opportunity to do the work. He added that Center Street would be opened the following day.

River Road / Reconstruction

Wes Johnson reported that the reconstruction of River Road would be completed up to 200 North before winter. He said that the rest of the project to 300 North would have to be done the following year.

Grant / Arborist

Mayor Johnson reported that the City received a grant for an arborist to inventory and recommend a maintenance program for the trees in its parks.

HVRR / Legislature / Observation Car

Mayor Johnson reported that the Heber Valley Railroad (HVRR) was working with the State Legislature. She added that it had been outbid for the purchase of an observation car.

HVSSD / Rates and Fees

Mayor Johnson reported that the Heber Valley Special Service District (HVSSD) was completing a rate study and would increase its rates and fees.

- 5. Heber Valley Corridor Environmental Impact Statement** (UDOT – Approximately 15 minutes) – Received a presentation from the Utah Department of Transportation (UDOT) regarding the Heber Valley Corridor Environmental Impact Statement.

Craig Hancock, Andrea Clayton, and Jeff Dupaix, with the Utah Department of Transportation, gave a presentation on the environmental impact statement for the Heber Valley Corridor. They specifically reviewed the following items:

- What was an environmental study?
- Purpose and need
- Alternative concepts development
- Public meetings
- Public comment period
- Project timeline and process

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

6. Rising Ranch Subdivision / Revised Final Approval (City Planner – Approximately 10 minutes) – Discuss and possibly revised the final approval for the Rising Ranch Subdivision, located at 425 North Homestead Drive (Zoning is R-1-22), to combine two lots.

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

- Land use summary
- Location of the development
- Approved plat map
- Proposed plat map
- Access standards
- Access on Homestead Drive
- Approval findings and conditions
- Proposed findings for the revision

Mr. Henke also made the following comments:

- The request was a revision of the final approval granted by the City Council.
- The approved plat map had not yet been recorded.
- The applicant did not make any request regarding access to the combined lot.

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 combined lot should access Homestead Drive, instead of Swiss Alpine Road, to minimize vehicles crossing the trail.
- Trails throughout the City were riddled with driveway crossings.
- Access should be limited on Homestead Drive because of the speed of vehicles, etc.
- The trail was a path for school children because school buses would not use Swiss Alpine Road.
- Swiss Alpine Road was on a slope.
- The City could limit access on collector but not local roads.
- UDOT had approved the planned accesses on Homestead Drive. It would not allow the access for the new lot four to be further to the south.
- An access on Swiss Alpine Road would not make the trail dramatically less safe. Eliminating the access would make the trail safer.

- The combined lot could be modified to exclude the access for lot four.
- Access on Homestead Drive should be limited by the City. It had restricted access on Stringtown Road.
- Choosing one access did not substantially change what was already approved.

Nathan Morris, representing the applicant, made the following comments:

- He represented the developer and not the buyers for the combined lot.
- Access to the combined lot was not on the agenda. Council Member Dougherty responded that he raised the issue at the last council meeting. Michael Henke added that his staff report included the issue.
- The applicant preferred not to have the access for the new lot four to go through the combined lot. The access required a strange approach from the road.
- The buyers for the combined lot wanted a more private entrance. They bought the lot with access to Swiss Alpine Road.
- Did not know if the buyers would abandon the access to Homestead Drive in exchange for access to Swiss Alpine Road.
- A driveway on Homestead Drive would be more problematic.
- The developer agreed to a wider trail and could limit trees to improve the sight view.
- Combining the lots would reduce the traffic created by the project. Council Member Dougherty responded that a large house could be built on the combined lot which would have just as much traffic as two smaller houses. Mr. Morris indicated that a plan for a large house had not been submitted.

Motion: Council Member Dougherty moved to modify the prior approval to eliminate lots three and four and to combine them into lot three with the following findings and conditions:

- The new lot three would only be accessed from Homestead Drive.
- 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 as part of the subdivision that would benefit members of the community.
- 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.
- The duration of final approval would be for one year from the date of final approval of the development by the City Council. Should a final plat not be recorded by the County Recorder within the one-year period of time, the development's approval would be voided, and both preliminary and final approvals would have to be re-obtained, unless, on a showing of extenuating circumstances, the City Council extended the time limit for plat recording, with or without conditions.
- A plat note would be included that precluded access to lot three from Homestead Drive.
- Funds to build the five-foot bike lane along Homestead Drive adjacent to this project would be 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 and development agreement would 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 the need for additional planning approval, 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.

- The trail easement along Swiss Alpine Road would be a minimum of 15 feet wide.
- A different name would be used on the plat map for the area shown as open space.

Second: The motion did not receive a second.

Motion: Council Member Payne moved to approve the consolidation of lots three and four into one single lot with the following findings and conditions:

- The new lot would only be accessed from either Homestead Drive or Swiss Alpine Road.
- 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 as part of the subdivision that would benefit members of the community.
- 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.
- The duration of final approval would be for one year from the date of final approval of the development by the City Council. Should a final plat not be recorded by the County Recorder within the one-year period of time, the development's approval would be voided, and both preliminary and final approvals would have to be re-obtained, unless, on a showing of extenuating circumstances, the City Council extended the time limit for plat recording, with or without conditions.
- A plat note would be included that precluded access to lot three from Homestead Drive.
- Funds to build the five-foot bike lane along Homestead Drive adjacent to this project would be 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 and development agreement would 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 the need for additional planning approval, 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.
- The trail easement along Swiss Alpine Road would be a minimum of 15 feet wide.
- A different name would be used on the plat map for the area shown as open space.

Second: Council Member Drury seconded the motion.

Discussion: Council Member Simonsen noted that the access requirement would not be easy to monitor or enforce. Council Member Dougherty asked if the plat map should include a note to facilitate enforcement.

Council Member Simonsen asked what would happen if the corner of the combined lot was sold to the owner of the lot to the south. Council Member Dougherty responded that would require a plat map amendment. Council Member Simonsen wanted to resolve that issue that night. Council Member Payne indicated that the interest in the easement could be quit claimed. Council Member Dougherty disagreed. He recommended that such a change come back to the

Council as an amendment. Council Member Orme questioned why the Council wanted it to come back.

Council Member Dougherty asked how the access conditions would be enforced especially after several owners. Council Member Payne responded that a similar condition was placed on Ryan Davis' subdivision.

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

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

7. Resolution 2021-19 / Rising Ranch Development Agreement Revision (City Attorney – Approximately 5 minutes) – Discuss and possibly amend the approval for Resolution 2021-19 to revise the development agreement for the Rising Ranch Subdivision located at 425 North Homestead Drive (Zoning is R-1-22).

Corbin Gordon explained that he would revise the development agreement to reflect the new approval.

Motion: Council Member Payne moved to approve the development agreement as drafted with the additional corrections, related to the added condition of approval, and the subdivision being reduced to six lots.

Second: Council Member Drury seconded the motion.

Discussion: None

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

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

8. Ordinance 2021-31 / Gross Square Footage (Midway Heritage Development – Approximately 30 minutes) – Discuss and possibly adopt Ordinance 2021-31 amending Section 16.5.3.i2c of the Midway City Municipal Code regarding gross square footage in structures. Recommended without conditions by the Midway City Planning Commission.
Public Hearing

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

- Current code
- Proposed amendment
- Impact
- Applicant's justifications for the amendment
- Proposed language.

Mr. Henke also made the following comments:

- Midway Heritage Development applied for the change.
- The proposal would adjust gross square footage for mixed-use developments.
- A change to the proposal had been suggested for developments over 25 acres. The change would probably apply only to the applicant's development.
- 25 acres was equivalent to three and a half of the City's blocks.
- The City would not loose out on any commercial development.
- Suggested ten units per acre in the commercial zones but a previous council raised that to 20. It was difficult to fit that many units on an acre.
- The General Plan recommended mixed use in the commercial zones.
- Special noticing would be required to change the number of units per acre.
- The change would not apply to the resort zone. It would only apply to new applications, but the applicant could use it for his existing development.

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 should not be new residential development in the commercial zones.
- The focus should be on commercial zoning as a whole.
- Three story apartments would be required to get 20 units per acre.
- Midway should not be like Heber City with big box businesses.
- Midway's commercial areas should be quaint and eclectic.
- Two story commercial developments were not successful.
- Main Street was too long to have nothing but commercial development.
- Residential development was driving the market.
- Both residential and commercial development should be reduced along Main Street.
- The change should be restricted just to the applicant's development.
- The issue before the Council did not include the amount of development per acre.
- The proposal should be considered with other changes to the commercial zones.
- It addressed an ambiguity in the Municipal Code.
- It reduced the overall requirement for commercial while maximizing residential which did not benefit the City or its taxpayers.

Dan Luster, applicant, reviewed the purpose for the proposal and made the following comments:

- The requirement for commercial development increased as a project included more open space. Not counting garages would resolve this issue.
- Questions regarding all the commercial zones should be considered at another time.
- Was trying to increase open space along Main Street.
- His current development could work under the current code, but it would have more two

- story and blocky buildings.
- The proposal decreased parking on the streets.
- More open space rather than commercial development should be encouraged along Main Street.

Public Hearing

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

Paul Berg, Berg Engineering Resource Group

Mr. Berg indicated that some municipalities counted gross square footage while others did not include mechanical rooms, hallways, etc.

Athina Koumarela

Ms. Koumarela indicated that property taxes were based on the square footage of a house. Council Member Orme responded that garages were not included in the property tax calculation.

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

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

- The result but not the approach was good.
- Should the proposal exclude the frontage and number of units per acre requirements? This would reduce the required amount of commercial development.
- Less commercial and more open space increased the rural feel.
- The amount of commercial in a mixed-use project could be reduced by having less residential.
- No one liked the applicant's approved development.
- The proposal would effectively apply only to the applicant's project.

Motion: Council Member Dougherty moved to approve Ordinance 2021-31 as presented by staff.

Second: Council Member Orme seconded the motion.

Discussion: Council Member Simonsen asked the reasons for the frontage and units per acre requirements. Michael Henke responded that they were needed to determine setbacks and limit density.

Council Member Drury disagreed with making decisions based on a specific project. He also disagreed with making a decision based on the applicant's approved development.

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

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

Motion: Without objection, Mayor Johnson recessed the meeting at 8:15 p.m. She reconvened the meeting at 8:24 p.m.

- 9. Resolution 2021-27 / Watts Remund Farms Master Plan Agreement Second Amendment** (Berg Engineering – Approximately 30 minutes) – Discuss and possibly approve Resolution 2021-27 adopting a second amendment of the master plan agreement for the Watts Remund Farms PUD located at 200 East 600 North. Recommended without conditions by the Midway City Planning Commission.

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

- Land use summary
- Location of the development
- Master plan approval
- Proposed amendments
- Existing 2019 master plan
- Proposed master plan
- Possible findings
- Proposed conditions
- Pictures of the trail and fencing going to 250 North

Mr. Henke also made the following comments:

- The request amended the master plan for the project.
- Some units would encroach into the wetlands buffer with the amendment.
- Phases four and five would be affected.
- The existing master plan allowed other units to encroach into the buffer.
- The Council could grant encroachments into the buffer.
- Phase four had received preliminary approval but phase five had not.
- The amendment met the open space requirements.
- The changes to the water requirements were insignificant.
- The closest structure to the property line would be an outbuilding.
- The applicant could pave a gravel trail on 300 North and connect it to a sidewalk in the project in exchange for the request. This trail would also be a hard surface emergency access.
- The applicant could also build a trail connecting to 200 East on 600 North.
- Partial results had been received from the water studies.
- The project setbacks were grandfathered from a previous code.

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 Municipal Code indicated that the City Engineer recommended an encroachment into the open space buffer. What was his criteria for a recommendation? The City Engineer looked at council approval, amenities, the type of development, etc. This information was not included on the proposed plat map.
- Decks had to be in the building envelope unless otherwise noted.
- The request could allow a 35-foot-high structure next to wetlands.
- The City Engineer had granted encroachments, without council approval, for driveways and sports courts.
- Phase five could be affected by ongoing water studies.

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

- Building envelopes had been increased in the first three phases to include roof overhangs.
- The houses would not be any larger.
- The envelopes were also being increased for decks.

Public Hearing

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

Steve Ritland

Mr. Ritland asked if the height of the units would change. Michael Henke responded that they would not change.

Athina Koumarela

Ms. Koumarela read the section of the Municipal Code regarding wetlands and surface grading. She made the following comments:

- The original setback should be honored.
- The request would set precedence.
- Roof overhangs should not be so close to wetlands.
- The setbacks had been discussed in many meetings and now the developer wanted to change them.
- The larger setbacks were a concession to the neighbors.
- Work along her fence line needed to be completed.
- The water data had fluctuated significantly.

Note: Ms. Koumarela also submitted written comments which are contained in the supplemental file.

Cathy Philpot

Ms. Philpot made the following comments:

- The development caused significant water problems on her property.
- Reed grass and mud had increased on her property.
- The humidity was 90% underneath her house.
- There was more water in the pasture to the south of her house.
- The increased water was happening during a drought.
- The life of her house would be reduced.
- Gave an easement for infrastructure for the property.
- Water from the east side of the project was flowing down to her property.
- Water was coming out of the ground and going into the ditch along 250 North.
- The setbacks should not be reduced.
- She was being taken advantage of.
- Was told there would be no further approvals if the problems continued.
- Her property taxes had significantly increased.
- Did not want the open space to be lost.
- French drains eventually plugged off.

Ron Meek

Mr. Meek made the following comments:

- Put in a drain on his property.
- Had to also install a sump pump.
- Water was coming up in his lawn.
- The value of his property was being reduced.
- He was on a fixed income.

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

Russ Watts, applicant, made the following comments:

- Was working on the water issues and wanted them resolved before approval was granted for the two phases.
- Cleaned the ditch as a service but removed clay in the process which effected the flow of water.
- Was dedicating 50% open space.
- Would use the same house plans as the other phases.
- The rest of the development had dried up except for the fifth phase.
- The majority of the water and sewer had been installed at the request of the City.

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

- Property owners could protest their tax bills with the Board of Equalization.

- The City Engineer, project developer, and project hydrologist had met but a plan had not yet been submitted to mitigate the flow of the water.
- The HOA for the project could continue to monitor the piezometers.
- Did the bond for the project cover the water issues?
- Pipes and French drains could be cleaned by the HOA in conjunction with the cleaning of the sewer lines.
- A rock saw had been used and discharged on a narrow area of Ms. Koumarela's fence line.
- The developer had voluntarily increased the setbacks up to 100 feet in some areas.
- The setbacks should not be reduced.
- Units had been removed from one side of a road, in the project, and other units allowed to go into the wetlands buffer. This helped increase the setbacks.
- The City should do all that it could to mitigate the water issues.
- The request should be tabled to improve the location of Unit 96 and address other issues.
- The wetlands buffer could be violated more easily than people thought.
- An approval was meaningless if the project could not be built because of the groundwater.
- Clay dams had been installed to prevent ground water from flowing along the buried infrastructure. The clay could be forcing the water to neighboring properties.
- Should piezometers be placed on the neighboring properties?
- The ditch along 250 West now included watercress which indicated that it had fresh water.
- The utilities had already been installed in the cul-de-sac so the location of the units could not be moved. The floorplan for Unit 96 might have to be changed.

Motion: Council Member Simonsen moved to table Resolution 2021-27, and that it be reviewed by the applicant and the City Council to be brought back to the next council meeting if the following issues had been resolved:

- Unit 96 fixed by keeping the setback at 42 feet.
- The water issues reviewed to determine if they should be dealt with now or later and how they would be monitored and prevented over time.

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

Motion: Council Member Drury moved to continue the meeting to consider the next item on the agenda.

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

10. The Farm at Wilson Lane / Final Approval (Berg Engineering – Approximately 10 minutes)
– Discuss and possibly grant final approval for The Farm at Wilson Lane located at 1500 North Canyon View Road. Recommended without conditions by the Midway City Planning Commission.

Michael Henke indicated that no significant changes had been made since preliminary approval was granted.

Motion: Council Member Dougherty moved to grant final approval for The Farm at Wilson Lane.

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	Nay
Council Member Simonsen	Aye

Council Member Payne indicated that he voted against the motion because he wanted the open space to be along Canyon View Road.

Motion: Council Member Dougherty moved to continue the meeting to consider the next item on the agenda.

Second: Council Member Simonsen seconded the motion.

Discussion: None

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

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

11. Resolution 2021-28 / The Farm at Wilson Lane Development Agreement (City Attorney – Approximately 5 minutes) – Discuss and possibly approve Resolution 2021-28 adopting a development agreement for The Farm at Wilson Lane located at 1500 North Canyon View Road.

Paul Berg, representing the applicants, indicated that he was not the signer on the agreement.

Motion: Council Member Orme moved to approve Resolution 2021-28 adopting the development agreement for The Farm at Wilson Lane with no changes.

Second: Council Member Dougherty 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	Nay
Council Member Simonsen	Aye

Council Member Payne indicated that he voted against the motion because he wanted the open space to be along Canyon View Road.

Motion: Council Member Dougherty moved to continue the meeting to consider Item 12.

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

12. Haynie Subdivision / Preliminary & Final Approval (Berg Engineering – Approximately 30 minutes) – Discuss and possibly grant preliminary and final approval for the Haynie Density Reduction Subdivision located at 151 East 600 North (Zoning is R-1-22). Recommended

with conditions by the Midway City Planning Commission. **Public Hearing**

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

- Land use summary
- Density determination
- Location of the development
- Pictures of the property
- Proposed plat map
- Site plan
- Water board recommendation
- Planning commission recommendation
- Possible findings
- Proposed conditions

Mr. Henke also made the following comments:

- A house was already being built on the property which was a lot of record.
- The density was within 1/100th of the amount required. Was comfortable rounding up to the require amount.
- There could be five to six lots on the property.
- All the lots would be accessed from a shared driveway.
- A section of 600 North, which was recently paved, would have to be removed and repaved to install the utilities.
- The developer was required to install a bike lane on the north side of 600 North along the project.
- There were not corner lots in the project because of the shared driveway.
- The Municipal Code was not clear on what would be the rear setback. Usually considered it the setback opposite the front door of the house.

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 bike lane on the south side of 600 North could be widened to be a connection.
- It should be clear how any money paid to the City would be used.

Public Hearing

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

Glenn Lent

Mr. Lent, representing the applicant, did not understand why a bike lane was needed on the north side of 600 North when one already existed on the south side. He thought that the City was treating the requirement like an impact fee. Mr. Henke responded that both bike lanes were

shown on the City's trails plan.

Mr. Lent asked if the north lane would be built immediately? Mr. Henke did not know when it would be built. He noted that the trail plan could change in the future.

Mr. Lent stated that the City was double dipping by requiring money for the bike lane and a trails impact fee. Wes Johnson responded that the City required the same thing with the Cozens Subdivision which Mr. Lent was involved with. Mr. Henke added that all developments were treated the same.

Mr. Lent wanted the money to be used only for the north bike lane. Mr. Johnson responded that it would go into a fund and could be used somewhere else.

Council Member Payne indicated that the Council could not tie a future council's hands regarding trails, etc.

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

Motion: Council Member Dougherty moved to table the application for the City Attorney to consider the position the City wanted to take to be on firm legal ground.

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

Motion: Council Member Orme moved to continue the meeting to consider the next item on the agenda.

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

13. Resolution 2021-30 / Haynie Subdivision Development Agreement (City Attorney –

Approximately 5 minutes) – Discuss and possibly approve Resolution 2021-30 adopting a development agreement for the Haynie Density Reduction Subdivision located at 151 East 600 North.

Motion: Council Member Simonsen moved to table Resolution 2021-30 because it was tied to the previous item.

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

Motion: Council Member Drury moved to not continue the meeting to consider Item #14.

Second: Council Member Dougherty 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

14. Resolution 2021-26 / Fees for Public Buildings (Mayor Johnson – Approximately 15 minutes) – Discuss and possibly approve Resolution 2021-26 amending the Midway City Fee Schedule regarding fees for the use of public buildings.

The item was not considered.

Motion: Council Member Dougherty moved to continue the meeting to consider Item #15.

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

15. Mountain Spa Property / Letter of Commitment Second Revision (City Attorney – Approximately 5 minutes) – Discuss and possibly approve a second revision to a letter of commitment for the reduction of density on the Mountain Spa Property on the west side of River Road and south side of Burgi Lane. The revision would increase Midway City’s commitment from \$1.4 million to \$1.5 million.

Corbin Gordon made the following comments:

- The Council originally approved providing \$1.5 million to reduce density in the project.
- The applicant then returned and requested that the amount be reduced to \$1.4 million. The Council revised the letter of commitment to the reduced amount.
- The applicant now requested that the amount be raised back to \$1.5 million.

Motion: Council Member Dougherty moved to approve the second revision of the letter of commitment and authorized the Mayor to sign it.

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

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

The meeting was adjourned at 10:31 p.m.

Celeste Johnson, Mayor

Brad Wilson, Recorder

Midway City Council
21 September 2021
Regular Meeting

Dutch Draw Annexation /
Denial



Memo

Date: 17 September 2021
To: Mayor, City Council and Staff
Cc: File
From: Brad Wilson, City Recorder
RE: Dutch Draw Annexation

The petition for the Dutch Draw Annexation was submitted on 3 December 2018 (Petition and plat map attached). Most of the approval process was completed and approval was recommended by the Planning Commission on 9 April 2019. No action has been taken since and the petitioner has sold the property (Email from the petitioner attached). There are no deadlines at this point in the process and the petition has been dormant. I recommend that the petition be denied. This will officially conclude the process and avoid any future confusion or potential issues with the property.

Please contact me if you have any questions.

RECEIVED

DEC 03 2018

BY: Bruce Wilson

PETITION FOR ANNEXATION INTO MIDWAY CITY

We, the undersigned owners of certain real property lying contiguous to the present municipal limits of Midway, hereby submit this Petition for Annexation and respectfully represent the following:

1. This petition is made pursuant to the requirements of Section 10-2-403, Utah Code Annotated;
2. The property subject to this petition is an unincorporated area contiguous to the boundaries of Midway, and the annexation thereof will not leave or create an unincorporated island or peninsula;
3. The signatures affixed hereto are those of the owners of private real property that:
 - a. is located within the area proposed for annexation;
 - b. covers a majority of the private land area within the area proposed for annexation;
 - c. is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation; and
 - d. lies contiguous to the present boundary of Midway' corporate limits and is described in the attached Exhibit A, and is particularly located:

at the northeast of the intersection of Dutch Canyon Road and River Road

4. Title to the property by those signing this petition is as shown in the deeds or title report attached hereto as Exhibit B. (Copies of the deed accompanies this petition.)
5. The manner in which it was established that at least 1/3 of the value of all the private property sought to be annexed is owned by the signers of this petition is shown in the attached Exhibit C.
6. The total acres of private land and total assessed value of all private lands sought to be annexed are **6.63 acres** and **\$494119 assessed value**. The ownership interests and assessed values of the privately-owned lands included in this annexation petition are shown in Exhibit C. *The total acreage of the entire annexation may contain more acreage due to the inclusion of public roads, public lands, or minor deed and title issues.*
7. The petitioners have caused an accurate map of the above-described property to be prepared by Bing Christensen, P.L.S. a licensed surveyor, and Summit Engineering Group, Inc., which plat or map is attached herewith as Exhibit D.
8. This petition does not propose annexation of all or a part of an area proposed for


annexation in a previously filed petition that has not been denied, rejected, or granted;

9. This petition does not propose annexation of all or a part of an area proposed to be incorporated in a request for a feasibility study under Section 10-2-103 U.C.A. or a petition under Section 10-2-125, U.C.A. if:
 - a. the request or petition was filed before the filing of the annexation petition, and
 - b. the request, a petition under Section 10-2-109 based on that request, or a petition under Section 10-2-125 is still pending on the date the annexation petition is filed;
10. The petitioners request the property, if annexed, be zoned RA-1-43 as per the Midway City Zoning Map

WHEREFORE, the Petitioners hereby request that this Petition be considered by the Midway City Council at its next regular meeting, that a resolution be adopted as required by law accepting this Petition for Annexation for further consideration, and that the governing body take such steps as required by law to complete the annexation herein petitioned.

Dated this 3 day of December 2018.

PETITIONERS


Wellness Properties LLC,
a Utah limited partnership

Contact Sponsor/Petitioner

P.O. Box 1415, Midway, UT 84049

Phone No. 435-654-9229

Email lactyut@gmail.com

EXHIBIT 'A'

ANNEXATION BOUNDARY

BEGINNING NORTH 79°00'12" EAST 61.32 FEET FROM THE WASATCH COUNTY MONUMENT AT THE NORTHEAST CORNER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ON THE BOUNDARY OF THE KAM KOHLER ANNEXATION (ENTRY NO. 235608);

THENCE RUNNING NORTH 88°49'38" EAST 720.31 FEET ALONG THE NORTH BOUNDARY OF THE FRANCIS PROBST DUTCH CANYON SUBDIVISION TO THE RIGHT-OF-WAY FOR RIVER ROAD;

THENCE FOLLOWING SAID RIGHT-OF-WAY FOR THE FOLLOWING THREE COURSES: 1) SOUTH 26°09'24" WEST 57.88 FEET, 2) SOUTH 22°33'38" WEST 152.90 FEET, 3) SOUTH 21°24'08" WEST 464.14 FEET;

THENCE SOUTH 22°39'58" WEST 169.31 FEET ALONG THE RIGHT-OF-WAY OF RIVER ROAD TO THE CURRENT MIDWAY BOUNDARY PER THE KAM KOHLER ANNEXATION;

THENCE ALONG THE BOUNDARY OF SAID ANNEXATION THE FOLLOWING TWO COURSES: 1) NORTH 29°33'26" WEST 669.64 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 670.00 FEET, TO WHICH A RADIAL LINE BEARS SOUTH 60°26'34" WEST, 2) ALONG SAID CURVE 198.22 FEET THROUGH A CENTRAL ANGLE OF 16°57'05" (CHORD BEARING OF NORTH 21°04'53" WEST 197.50 FEET) TO THE POINT OF BEGINNING.

HAVING AN AREA OF 6.62 ACRES.

EXHIBIT 'B'

DEEDS OF PETITIONERS

ATLAS TITLE
FILE# 33128

Warranty Deed

Grantor: Randall K. Probst, Successor Trustee of the Kay Probst Family Living Trust

hereby **CONVEY AND WARRANT** to:

Grantee: Wellness Properties, LLC
Of: *PO BOX 1415, Midway, UT 84049*

FOR THE SUM OF TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION
the following described tract of land within Wasatch County, State of **UTAH** to wit:

Lot 2 and 2A, Francis Probst Dutch Canyon Subdivision, according to the official plat on file and of record
in the office of the Wasatch County Recorder located in Heber Utah.
Tax ID Nos. 0FZ-0002 and 0FZ-0002-A

Together with all appurtenances thereunto belonging.

This deed is hereby made expressly subject to all existing and recorded restrictions, exceptions, reservations,
easements, rights-of-way, conditions, and covenants of whatever nature, if any, and is expressly subject to all regulations,
and restrictions, including statutes and other laws of municipal, county, or other governmental authorities applicable to
and enforceable against the premises described herein.

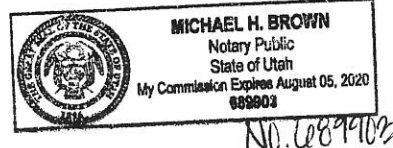
WITNESS THE HAND OF SAID GRANTOR THIS 25 DAY OF JULY, 2018

) *Randall K Probst TEE*
) Randall K. Probst, Successor Trustee

State of Utah)
County of Wasatch) ss

On the 25 day of July 2018, personally appeared before me, Randall K. Probst, Successor
Trustee of the Kay Probst Family Living Trust, the signer of the within instrument, who
duly acknowledged to me that he executed the same.

MB
NOTARY PUBLIC



ATLAS TITLE
FILE# 33221

Ent 455703 Bk 1232 Pg 1652-1652
Date: 10-SEP-2018 12:19:55PM
Fee: \$10.00 Check Filed By: TC
PEGGY FOY SULSER, Recorder
WASATCH COUNTY CORPORATION
For: ATLAS TITLE INSURANCE HEBER

Warranty Deed

Grantor: JoAnn C. Abegglen, as Trustee of The JoAnn Abegglen Revocable Family Trust, dated the 11th day of April, 2014

hereby

CONVEY AND WARRANT

to:

Grantee: Wellness Properties, LLC
Of:

FOR THE SUM OF TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION
the following described tract of land within WASATCH County, State of UTAH to wit:

Beginning at a point of bearing change on the eastern boundary of Lot 2 of the Francis Probst Dutch Canyon Subdivision, said point being North 10.52 feet and East 2.69 feet and North 88°49'38" East 851.29 feet and South 39° 00'00" West 250.47 feet from the aluminum monument for the Northeast Corner of Section 26, Township 3 South, Range 4 East, Salt Lake Base and Meridian, and running thence South 21°24'07" West 464.14 feet along the apparent prescriptive right-of-way line for River Road; thence East 180.57 feet along the boundary of Lot 2a of said subdivision; thence North 39°00'00" East 556.05 feet along the boundary of Lot 2 of said subdivision to the point of beginning.

Tax ID No.: OWC-0259 - *partial*

Together with all appurtenances thereunto belonging.

This deed is hereby made expressly subject to all existing and recorded restrictions, exceptions, reservations, easements, rights-of-way, conditions, and covenants of whatever nature, if any, and is expressly subject to all regulations, and restrictions, including statutes and other laws of municipal, county, or other governmental authorities applicable to and enforceable against the premises described herein.

WITNESS THE HAND OF SAID GRANTOR THIS 6 DAY OF SEPTEMBER, 2018

) *JoAnn C. Abegglen* TEE
) JoAnn C. Abegglen, Trustee
)

State of Utah)

County of Wasatch) ss

EXHIBIT 'C'

PROPERTY VALUATION & ACREAGE

EXHIBIT 'C'

ACREAGE WITHIN PROPOSED PROBST DUTCH CANYON ANNEXATION

Annexation requires the "majority of the private land area" and "equal in value to at least 1/3 of the value of all private real property" within the area proposed for annexation.

Private Property Owned by Petitioners

Property Owner	Parcel No.	Acreage	Market Value
Abegglen	00-0007-4349	0.9	\$ 50,976
Wellness Properties	00-0020-9645	4.48	\$ 224,000
Wellness Properties	00-0020-9646	0.25	\$ 12,500
TOTALS		5.63 acres	\$ 287,476

Other Private Properties Included in Annexation Petition

Property Owner	Property Serial No.	Acreage	Market Value
Probst	00-0020-9644	1.00	\$ 206,643
TOTALS		1.00 acres	\$ 206,643

Total acres of Private Property of Annexation Petition= 6.63

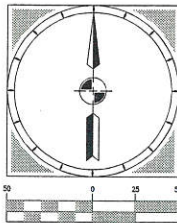
Total Value of Private Property Annexation Petition = \$494,119

Percentage of Annexation Land Owned by Petitioners = 85%

Percentage of Property Value owned by Petitioners = 58%

EXHIBIT 'D'

PROPOSED ANNEXATION PLAT



1 INCH = 50 FT
(SCALE IN FEET)

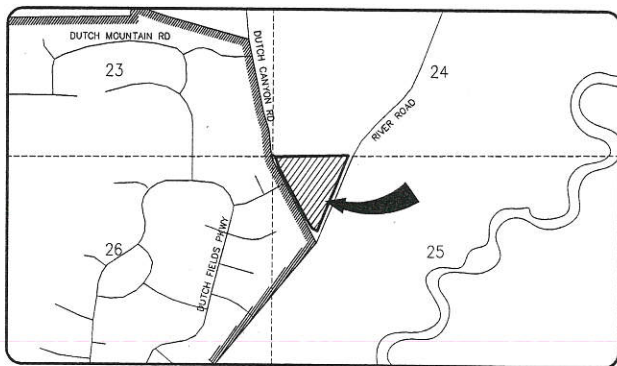
NORTH CORNER SECTION 26, T3S, R4E (FOUND MONUMENT)

S89°39'47"W 2662.38'
BASIS OF BEARINGS

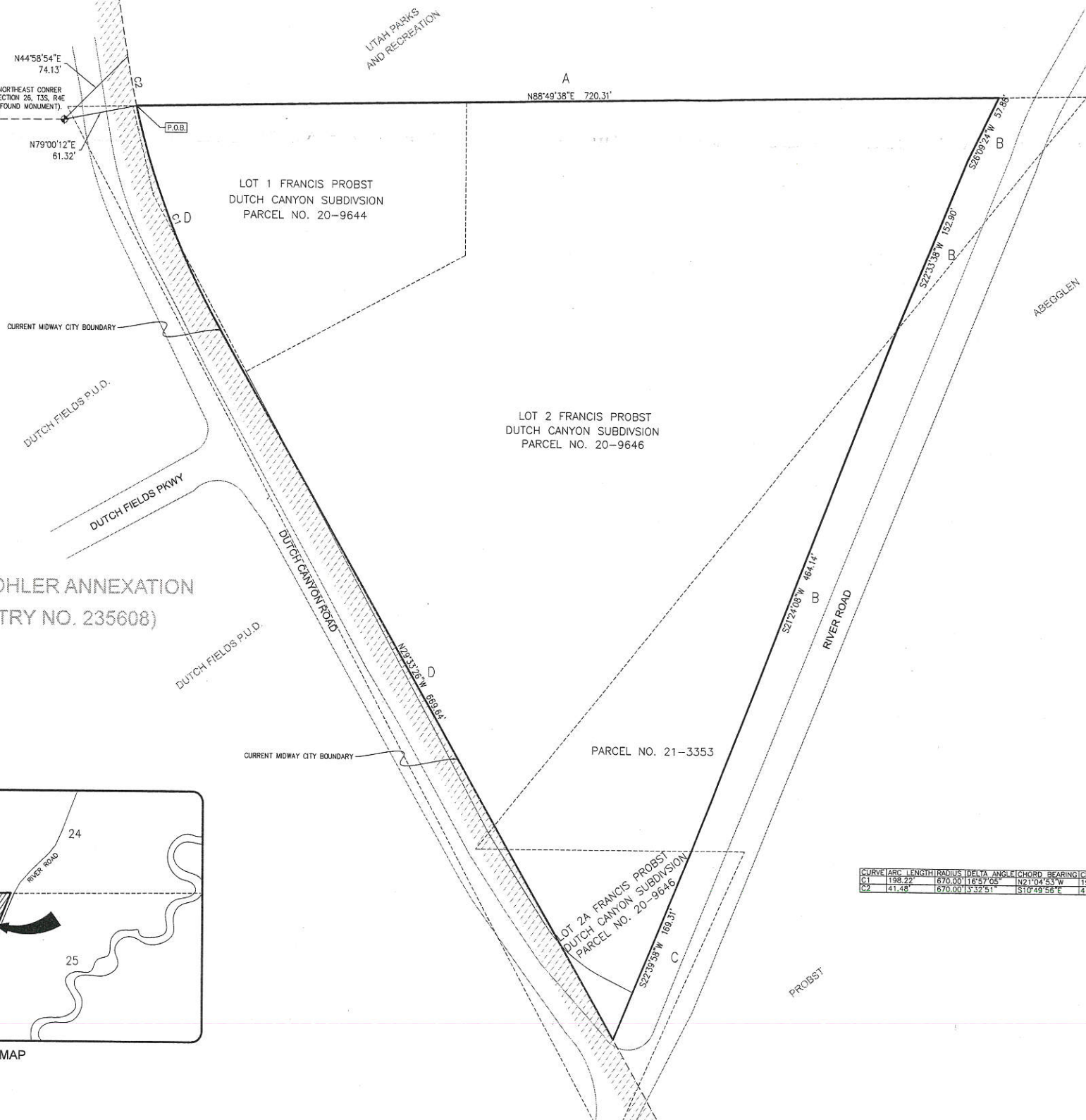
N44°58'54"E 74.13'

N79°00'12"E 61.32'

KAM KOHLER ANNEXATION
(ENTRY NO. 235608)



VICINITY MAP



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	198.22'	670.00'	116°57'05"	N21°04'53" W	197.50'
C2	141.48'	670.00'	133°52'51"	S10°49'56" E	141.48'

SURVEYOR'S CERTIFICATE

I, BING CHRISTENSEN, CERTIFY THAT I AM LICENSED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH (REF. NO. 145796) IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT:

I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAN IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED INTO MIDWAY CITY, UTAH.

BING CHRISTENSEN
PROFESSIONAL LAND SURVEYOR

DATE

SURVEYOR'S SEAL

BOUNDARY DESCRIPTION

BEGINNING NORTH 79°00'12" EAST 61.32 FEET FROM THE WASATCH COUNTY MONUMENT AT THE NORTHEAST CORNER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ON THE BOUNDARY OF THE KAM KOHLER ANNEXATION (ENTRY NO. 235608);

THENCE RUNNING NORTH 88°49'38" EAST 720.31 FEET ALONG THE NORTH BOUNDARY OF THE FRANCIS PROBST DUTCH CANYON SUBDIVISION TO THE RIGHT-OF-WAY FOR RIVER ROAD; THENCE FOLLOWING SAID RIGHT-OF-WAY FOR THE FOLLOWING THREE (3) COURSES: 1) SOUTH 26°09'24" WEST 57.88 FEET, 2) SOUTH 22°33'38" WEST 152.90 FEET, 3) SOUTH 21°24'08" WEST 464.14 FEET; THENCE SOUTH 22°39'58" WEST 169.31 FEET ALONG THE RIGHT-OF-WAY AND RIGHT-OF-WAY EXTENDED OF RIVER ROAD TO THE CURRENT MIDWAY BOUNDARY PER THE KAM KOHLER ANNEXATION; THENCE ALONG THE BOUNDARY OF SAID ANNEXATION THE FOLLOWING TWO (2) COURSES: 1) NORTH 29°33'26" WEST 669.64 FEET TO THE BEGINNING OF A CURVE CONVEX TO THE NORTHEAST HAVING A RADIUS OF 670.00 FEET, TO WHICH A RADIAL LINE BEARS SOUTH 60°26'34" WEST, 2) ALONG SAID CURVE 198.22 FEET THROUGH A CENTRAL ANGLE OF 165°7'05" (CHORD BEARING OF NORTH 21°04'53" WEST 197.50 FEET) TO THE POINT OF BEGINNING.

HAVING AN AREA OF 6.62 ACRES.

BASIS OF BEARINGS

THE BASIS OF BEARINGS IS SOUTH 89°39'47" WEST 2662.38 FEET FROM THE NORTHEAST CORNER TO THE NORTH 1/4 CORNER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, IN CONFORMANCE WITH UTAH STATE PLANE COORDINATE SYSTEM 1983 CENTRAL ZONE BEARINGS.

SURVEY NARRATIVE

CURRENT UTAH CODE REQUIRES THAT ANNEXATION PETITIONS BE ACCOMPANIED BY "AN ACCURATE AND RECORDABLE MAP, PREPARED BY A LICENSED SURVEYOR, OF THE AREA PROPOSED FOR ANNEXATION" (SEE 10-2-403-3-c-1). FOR THIS ANNEXATION PETITION MAP, AN "ACCURATE" MAP WAS INTERPRETED AS BEING PREPARED IN CONFORMANCE WITH UTAH CODE 17-23-17 AS PERTAINING TO MAPS OF BOUNDARY SURVEYS. EXISTING SECTION CORNER SURVEY MONUMENTS WERE USED TO IDENTIFY DEED LINES; HOWEVER, SAID SECTION CORNER SURVEY MONUMENTS MAY NOT REPRESENT THE ORIGINAL LOCATION OF THE SECTION CORNERS ESTABLISHED BY THE ORIGINAL GLO SURVEY IN THIS AREA. SPECIFIC NOTES PERTAINING TO THE DERIVATION OF EACH COURSE ALONG THE ANNEXATION BOUNDARY ARE AS FOLLOWS:

- A- FOLLOWS THE NORTH BOUNDARY OF RECORD OF FRANCIS PROBST DUTCH CANYON SUBDIVISION (ENTRY NO. 380193)
- B- FOLLOWS THE RIGHT-OF-WAY FOR RIVER ROAD
- C- FOLLOWS THE RIGHT-OF-WAY AND RIGHT-OF-WAY EXTENDED FOR RIVER ROAD
- D- FOLLOWS THE BOUNDARY OF KAM KOHLER ANNEXATION (ENTRY NO. 235608)

ACCEPTANCE BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT WE, THE MIDWAY CITY COUNCIL, HAVE RECEIVED A PETITION SIGNED BY THE MAJORITY OF THE OWNERS OF THE TRACT OF LAND SHOWN HEREON REQUESTING THAT SAID TRACT OF LAND BE ANNEXED BY THE CITY OF MIDWAY CITY; AND THAT A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR FILING HERewith, ALL IN ACCORDANCE WITH THE UTAH CODE ANNOTATED (1953) 10-2-401 TO 10-2-408 AS REVISED; AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT OF LAND AS SHOWN AS PART OF THE CITY OF MIDWAY CITY; AND THAT SAID TRACT OF LAND BE KNOWN HEREAFTER AS THE JOHNSON MILL ROAD ANNEXATION.

DATED THIS _____ DAY OF _____, 2016

SIGNATURE: MIDWAY CITY MAYOR _____ DATE _____

ATTEST: MIDWAY CITY RECORDER _____ DATE _____

SIGNATURE: MIDWAY CITY ATTORNEY _____ DATE _____

SIGNATURE: MIDWAY CITY ENGINEER _____ DATE _____

CITY RECORDER'S SEAL

COUNTY SURVEYOR

DATE

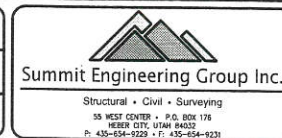
COUNTY RECORDER

PROJECT L18-197	PREPARED FOR WELLNESS PROPERTIES LLC
SHEET 1 OF 1	PROJECT DUTCH DRAW ANNEXATION

DUTCH DRAW ANNEXATION MAP

LOCATED IN THE NORTHWEST 1/4 OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SLB&M
WASATCH COUNTY, UTAH

DRAWN BY: BRM
REVIEWED BY: MPJ
SCALE: 1" = 50'
ISSUE DATE: 11-28-2018



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SUMMIT ENGINEERING GROUP, INC.

IT IS A VIOLATION OF LAW FOR ANY PERSON UNLESS ACTING UNDER THE DIRECTION OF THE PROFESSIONAL LAND SURVEYOR TO ALTER ANY ITEM ON THIS DOCUMENT IN ANY WAY. ANY LICENSEE WHO ALTERS THIS DOCUMENT IS SUBJECT TO LAW ENFORCEMENT ACTION AND WILL BE HELD LIABLE FOR DAMAGES. THIS DOCUMENT IS VOID IF NOT SIGNED BY BOTH SIGNATURES AND SPECIFIC RECEPTION OF THE ALTERNATIVE.

December 3, 2018

**PROPOSED DUTCH DRAW ANNEXATION
INTO MIDWAY, UTAH**

Submitted December 3, 2018

Wellness Properties, LLC is hereby submitting the attached Annexation Petition to Midway City requesting annexation of 6.62 acres, located at the northeast corner of the intersection of River Road and Dutch Canyon Road.

As requested by the city Annexation Approval Checklist, a concept development plat is also submitted that shows the owner/applicant's desire to develop three new lots on the property.

The property owner has 5.5 shares of Midway Irrigation Company, which is adequate for the intended development of three homes on the 5.62 acres to be developed. It is intended that the new lots will be connected to the Midway culinary water system, and the Midway Sewer District system. It is also intended that all access to the new lots will be from the adjacent Dutch Canyon Road, and not from River Road.

There are no sensitive land areas on this property – no wetlands, no slopes steeper than 20%, no geothermal areas or hot pots, no landslides, no shallow ground water, no swamps, no jungles, no tundra, no endangered flora or fauna.

The anticipated timetable for development of the new lots is summer of 2019.

As requested by the city Annexation Approval Checklist, the property owners within the proposed annexation and within 300 feet of the proposed annexation (as per the current county records) have been mailed a Notice of Intent to Annex, along with a copy of the annexation map. The attached list shows the property owners who were notified, and also the letter they received.

ABEGGLEN JOANN C TR
1211 N 1220 W
PROVO, UT 84604-6016

UTAH PARKS & RECREATION
1596 W NORTH TEMPLE
SALT LAKE CITY, UT 84116-0000

BERG PAUL
BERG TRACI L
1465 DUTCH CANYON CT
MIDWAY, UT 84049-6728

BADGER STEVEN L
BADGER CHERICE R
1455 DUTCH CANYON CT
MIDWAY, UT 84049-6728

WESTRA G TODD
890 DUTCH VIEW CT
MIDWAY, UT 84049-6967

S B MARIPOSA CAPITAL LLC
910 DUTCH VIEW CT
MIDWAY, UT 84049-6968

S B MARIPOSA CAPITAL LLC
910 DUTCH VIEW CT
MIDWAY, UT 84049-6968

MARQUIS MATT D
MARQUIS ANN R
1 HASTINGS
LAGUNA NIGUEL CA 92677-2938

BRYAN BRADLEY J TR
BRYAN JANELL R TR
903 DUTCH VIEW CT
MIDWAY, UT 84049-6968

MILLER DONNIE
MILLER TAMARA
881 DUTCH VIEW CT
MIDWAY, UT 84049-6967

SABELS MARTIN C TR
1446 DUTCH CANYON CT
MIDWAY, UT 84049-6728

MCCOMB THEODORA SPICER TR
MCCOMB STEPHEN MICHAEL TR
1390 N DUCTH FIELDS TKWY

COOPMAN MICHAEL
1416 DUTCH FIELDS PKWY
MIDWAY, UT 84049-6954

MORKEN DAVID STANLEY
MORKEN CANDACE V
1430 DUTCH FIELDS PKWY
MIDWAY, UT 84049-6954

SWAINSTON DARIN
SWAINSTON ROBIN
8908 STANFORD SPRINGS DR
LAS VEGAS, NV 89134-0338

BRIGHT ERIC
BRIGHT CICELY
1471 DUTCH VIEW CT
MIDWAY, UT 84049-6728

HARRIS KIRK
HARRIS ERIN
915 DUTCH VIEW CT
MIDWAY, UT 84049-6968

KARCHER RAYMOND E
KARCHER BEVERLY J
845 DUCTH VIEW CT
MIDWAY, UT 84049-6967

MIDWAY CITY
75 N 100 W
MIDWAY, UT 84049-6807

PETERMANN CORNELIA L
1535 DUTCH CANYON RD
MIDWAY UT 84049-6906

PETERMANN CORNELIA L
1535 DUTCH CANYON RD
MIDWAY UT 84049-6906

VEAZIE DARRELL
VEAZIE JANINE
1240 N RIVER RD
MIDWAY, UT 84049-6906

PROBST LINDSAY
1444 DUTCH CANYON CT
MIDWAY, UT 84049-6728

WELLNESS PROPERTIES LLC
PO BOX 1415
MIDWAY, UT 84049-1415

WELLNESS PROPERTIES LLC
PO BOX 1415
MIDWAY, UT 84049-1415

SWEET MANGO LANE LLC
PO BOX 1415
MIDWAY, UT 84049-1415

SWEET MANGO LANE LLC
PO BOX 1415
MIDWAY, UT 84049-1415

RIVER BOTTOMS RANCH MIDWAY LLC
1115 KINGS CT
KAYSVILLE, UT 84037-9549

PROBST KAY F
PO BOX 72
MIDWAY, UT 84049-0072

WELLNESS PROPERTIES LLC
PO BOX 1415
MIDWAY, UT 84049-1415



Summit Engineering Group Inc.

Structural • Civil • Surveying

P.O. Box 176
55 West Center
Heber City, Utah 84032
Phone: 435.654.9229
Fax: 435.654.9231
www.summiteg.com

December 3, 2018

Dear Neighbor,

The property shown on the attached exhibit is proposed to be annexed into Midway City. It is 6.62-ac located at the northeast corner of River Road and Dutch Canyon Drive (across the road from Dutch Fields Subd.) There is currently one house on the property. The requested zoning is R-1-43 which is residential one-acre zoning.

Because your property lies within 300 ft. of the project, you are being notified as requested by Midway City. Should you have any questions about public meetings, please direct them to the Midway City Planning Department, at the following number: (435) 654-3223 ext. 105. You may also contact Mike Johnston at Summit Engineering Group 435-654-9229 with questions about the property.

Sincerely,

Michael Johnston
President and Principal Engineer
Summit Engineering Group, Inc
Heber City, UT

Brad Wilson

From: Jeremy P <leftyut@gmail.com>
Sent: Thursday, September 2, 2021 10:08 AM
To: Brad Wilson
Cc: Michael P. Johnston (mike@summiteg.com)
Subject: Re: Dutch Draw Annexation

Hi Brad,

I no longer own that piece, and the new owner is Brandon Cope. Here is his email if you need it.

Brandoncope@gmail.com

Thank you.
Jeremy

On Sep 2, 2021, at 9:50 AM, Brad Wilson <bwilson@midwaycityut.org> wrote:

Petitioner,

I am trying to resolve any dormant annexation petitions with Midway City. The last action taken on your Dutch Draw Annexation was on 19 April 2019. I also understand that you no longer own the applicable property. I am recommending that the Midway City Council deny the petition at its meeting on 21 September 2021. This denial will conclude the petition process. You can also submit a signed withdrawal of the annexation.

Please contact me if you have any questions.

<image001.png>

Brad Wilson

Recorder

H: Mon-Thurs 7:30-5:30

P: 435-654-3223 ext 118

E: bwilson@midwaycityut.org

75 N 100 W – P.O. Box 277
Midway, UT 84049

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