

Midway City Council  
5 October 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>565</b>								
565	HORROCKS ENGINEERS INC	63841	Attend City Council Meeting	09/16/2021	636.00	.00		
565	HORROCKS ENGINEERS INC	63841	Midway General Engineering	09/16/2021	4,071.40	.00		
565	HORROCKS ENGINEERS INC	63841	Midway City Cut Permits	09/16/2021	802.60	.00		
565	HORROCKS ENGINEERS INC	63841	Attend Planning Commission	09/16/2021	636.00	.00		
565	HORROCKS ENGINEERS INC	63841	Update trail General Plan	09/16/2021	159.00	.00		
565	HORROCKS ENGINEERS INC	63841	2021 Traffic Tubes	09/16/2021	2,988.11	.00		
565	HORROCKS ENGINEERS INC	63841	Rising Ranch (Sam Castor): Plan	09/16/2021	930.50	.00		
565	HORROCKS ENGINEERS INC	63841	Remund Farms Phase 2 & 3: Con	09/16/2021	3,315.10	.00		
565	HORROCKS ENGINEERS INC	63841	2021 Homestead Improvements:	09/16/2021	2,337.85	.00		
565	HORROCKS ENGINEERS INC	63841	Scotch Fields Phases 3&4, Const.	09/16/2021	728.00	.00		
565	HORROCKS ENGINEERS INC	63841	The Reserve Phase 2: Planning	09/16/2021	1,120.00	.00		
565	HORROCKS ENGINEERS INC	63841	Edelweiss Meadows - Constructio	09/16/2021	220.55	.00		
565	HORROCKS ENGINEERS INC	63841	Burgi Hill Subdivision - Constructi	09/16/2021	891.40	.00		
565	HORROCKS ENGINEERS INC	63841	Saddle Creek Ph 1: Const	09/16/2021	1,404.85	.00		
565	HORROCKS ENGINEERS INC	63841	The Reserve Phase 2: (Const.)	09/16/2021	3,184.35	.00		
565	HORROCKS ENGINEERS INC	63841	Whitaker Farms - Const	09/16/2021	1,014.35	.00		
565	HORROCKS ENGINEERS INC	63841	Daybell Garage: Plannine	09/16/2021	420.00	.00		
565	HORROCKS ENGINEERS INC	63841	The Village: Planning	09/16/2021	364.00	.00		
565	HORROCKS ENGINEERS INC	63841	Huntleigh Woods Subdivision - Co	09/16/2021	270.40	.00		
565	HORROCKS ENGINEERS INC	63841	The Highlands at Soldier Hollow -	09/16/2021	2,457.00	.00		
565	HORROCKS ENGINEERS INC	63841	Saddle Creek Ranch Ph 2 & 3: Pl	09/16/2021	1,162.00	.00		
565	HORROCKS ENGINEERS INC	63841	The Reserve Phase 1: Constructi	09/16/2021	6,553.70	.00		
565	HORROCKS ENGINEERS INC	63841	Saddle Creek Phase 2 & 3 (Const	09/16/2021	1,937.00	.00		
565	HORROCKS ENGINEERS INC	63841	Eddington One Lot Sub: Planning	09/16/2021	336.00	.00		
565	HORROCKS ENGINEERS INC	63841	Saddle Creek Phase 4 - Planning	09/16/2021	952.00	.00		
565	HORROCKS ENGINEERS INC	63841	The Farm at Wilson Lane - Planni	09/16/2021	266.00	.00		
565	HORROCKS ENGINEERS INC	63841	Mt Spa Rural Preservation: Planni	09/16/2021	182.00	.00		
565	HORROCKS ENGINEERS INC	63841	2021 South Homestead Trail Desi	09/16/2021	180.00	.00		
565	HORROCKS ENGINEERS INC	63841	2021 Road Surface Treatment CO	09/16/2021	15,937.00	.00		
565	HORROCKS ENGINEERS INC	63841	2021 RIVER ROAD IMPROVEME	09/16/2021	4,376.55	.00		
565	HORROCKS ENGINEERS INC	63841	GERBER TANK WATER LINE - C	09/16/2021	1,149.10	.00		
565	HORROCKS ENGINEERS INC	63841	Water System Maintenance	09/16/2021	192.80	.00		
Total 565:					61,175.61	.00		
<b>845</b>								
845	MOUNTAINLAND SUPPLY COMP	S104300673.0	Supplies	09/13/2021	35.37	.00		
845	MOUNTAINLAND SUPPLY COMP	S104303669.0	Nozzle Lock	09/13/2021	2.53	.00		
845	MOUNTAINLAND SUPPLY COMP	S104303669.0	Hose Nozzle	09/13/2021	234.05	.00		
845	MOUNTAINLAND SUPPLY COMP	S104303669.0	Supplies	09/20/2021	298.98	.00		
845	MOUNTAINLAND SUPPLY COMP	S104309001.0	Supplies	09/14/2021	63.70	.00		
845	MOUNTAINLAND SUPPLY COMP	S104319820.0	Supplies	09/21/2021	1,022.53	.00		
845	MOUNTAINLAND SUPPLY COMP	S104320497.0	Supplies	09/23/2021	1,505.13	.00		
Total 845:					3,162.29	.00		
<b>930</b>								
930	Dominion Energy	2731063797 92	2731063797 Community Center	09/01/2021	19.40	.00		
930	Dominion Energy	5770020000 9/	5770020000 TOWN HALL	09/01/2021	38.44	.00		
930	Dominion Energy	6558550000 9/	6558550000 Maintenance Shop 2	09/01/2021	13.50	.00		
930	Dominion Energy	6801020000 9/	6801020000 Admin Office	09/01/2021	12.24	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 930:					83.58	.00		
<b>945</b>								
945	CENTURYLINK - 435-654-3227 2	4356543227 26	4356543227 269B	08/25/2021	356.08	.00		
Total 945:					356.08	.00		
<b>1045</b>								
1045	STANDARD PLUMBING SUPPLY	NGHF45	Super Roundup	09/21/2021	54.99	.00		
1045	STANDARD PLUMBING SUPPLY	NGJ594	Poplar Dowel	09/22/2021	4.99	.00		
1045	STANDARD PLUMBING SUPPLY	NGK900	SUPPLIES	09/22/2021	29.83	.00		
1045	STANDARD PLUMBING SUPPLY	NGT782	Blu Tape	09/27/2021	24.87	.00		
Total 1045:					114.68	.00		
<b>1170</b>								
1170	TIMBERLINE ACE HARDWARE	145939	Supplies	09/20/2021	15.99	.00		
1170	TIMBERLINE ACE HARDWARE	145973	Supplies	09/21/2021	110.87	.00		
1170	TIMBERLINE ACE HARDWARE	145979	Supplies	09/22/2021	29.76	.00		
1170	TIMBERLINE ACE HARDWARE	145981	Supplies	09/22/2021	21.97	.00		
1170	TIMBERLINE ACE HARDWARE	145992	Supplies	09/22/2021	51.94	.00		
Total 1170:					230.53	.00		
<b>1255</b>								
1255	UTAH LOCAL GOVERNMENTS T	1593514	WORKERS COMP Invoice	09/13/2021	1,887.71	.00		
Total 1255:					1,887.71	.00		
<b>1310</b>								
1310	WASATCH AUTO PARTS	233354	Auto Supplies	09/23/2021	114.53	.00		
Total 1310:					114.53	.00		
<b>1365</b>								
1365	WAVE PUBLISHING	L 17384	Notice for Open Space	09/15/2021	37.00	.00		
1365	WAVE PUBLISHING	L 17385	Notice of Public Hearing	09/15/2021	101.76	.00		
1365	WAVE PUBLISHING	L 17387	ORD. Adoptions	09/15/2021	55.50	.00		
Total 1365:					194.26	.00		
<b>1375</b>								
1375	WHEELER MACHINERY CO	PS001204833	PARTS	09/16/2021	48.39	.00		
Total 1375:					48.39	.00		
<b>1593</b>								
1593	TWIN D INC ENVIRONMENTAL S	21140	Supplies	09/20/2021	840.00	.00		
Total 1593:					840.00	.00		
<b>1603</b>								
1603	ROCKY MOUNTAIN POWER	52369498-002	Electric Service	09/21/2021	12.45	.00		
Total 1603:					12.45	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
<b>1917</b>								
1917	HOSE & RUBBER SUPPLY LLC	01579543	Moly Lube 3 oz	09/14/2021	36.84	.00		
1917	HOSE & RUBBER SUPPLY LLC	01582034	Supplies	09/21/2021	112.95	.00		
Total 1917:					149.79	.00		
<b>2377</b>								
2377	RIDLEY'S FAMILY MARKETS	0074	Candy	09/21/2021	25.99	.00		
Total 2377:					25.99	.00		
<b>2418</b>								
2418	FINAL COMPLETION DEPOSIT	20-111 FCD	20-111 FINAL COMPLETION DEP	09/29/2021	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	20-141 FCD	20-141 FINAL COMPLETION DE	09/23/2021	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	20-238 FCD	20-238 FINAL COMPLETION DE	09/23/2021	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	20-248 FCD	20-248 FINAL COMPLETION DE	09/23/2021	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	21-006 FCD	21-006 FINAL COMPLETION DE	09/23/2021	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	21-007 FCD	21-007 FINAL COMPLETION DE	09/23/2021	1,500.00	.00		
Total 2418:					9,000.00	.00		
<b>2421</b>								
2421	PUBLIC FACILITIES DEPOSIT	*20-084 PFD	20-084 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-094 PFD	20-094 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-099 PFD	20-099 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-108 PFD	20-108 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-141 PFD	20-141 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-142 PFD	20-142 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-145 PFD	20-145 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-146 PFD	20-146 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-148 PFD	20-148 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-152 PFD	20-152 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-166 PFD	20-166 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-180 PFD	20-180 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-185 PFD	20-185 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-186 PFD	20-186 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-190 PFD	20-190 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-197 PFD	20-197 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-204 PFD	20-204 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-206 PFD	20-206 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-207 PFD	20-207 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-210 PFD	20-210 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-218 PFD	20-218 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-238 PFD	20-238 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-246 PFD	20-246 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-250 PFD	20-250 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-251 PFD	20-251 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*20-252 PFD	20-252 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	*21-006 PFD	21-006 PUBLIC FACILITIES DEP	09/28/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-045 PFD	19-045 PUBLIC FACILITIES DEP	09/24/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-150 PFD	19-150 PUBLIC FACILITIES DEP	09/24/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-032 PFD	20-032 PUBLIC FACILITIES DEP	09/24/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-049 PFD	20-049 PUBLIC FACILITIES DEP	09/24/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-052 PFD	20-052 PUBLIC FACILITIES DEP	09/24/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-053 PFD	20-053 PUBLIC FACILITIES DEP	09/24/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-054 PFD	20-054 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-084 PFD	20-084 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
2421	PUBLIC FACILITIES DEPOSIT	20-094 PFD	20-094 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-099 PFD	20-099 PUBLIC FACILITES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-108 PFD	20-108 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-141 PFD	20-141 PUBLIC FACILITES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-142 PFD	20-142 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-145 PFD	20-145 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-146 PFD	20-146 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-148 PFD	20-148 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-152 PFD	20-152 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-166 PFD	20-166 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-180 PFD	20-180 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-185 PFD	20-185 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-186 PFD	20-186 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-190 PFD	20-190 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-197 PFD	20-197 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-204 PFD	20-204 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-207 PFD	20-207 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-209 PFD	20-206 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-210 PFD	20-210 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-218 PFD	20-218 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-238 PFD	20-238 PUBLIC FACILITES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-246 PFD	20-246 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-250 PFD	20-250 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-251 PFD	20-251PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	20-252 PFD	20-252 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	21-006 PFD	21-006 PUBLIC FACILITIES DEP	09/23/2021	1,750.00	.00		
Total 2421:					106,750.00	.00		
<b>2461</b>								
2461	HEBER VALLEY COWBOY POET	2021	Sponsorship 2021	09/28/2021	10,000.00	.00		
Total 2461:					10,000.00	.00		
<b>2479</b>								
2479	BUILDING RENTAL DEPOSIT RE	09282021	Building Rental Refund	09/28/2021	1,000.00	.00		
Total 2479:					1,000.00	.00		
<b>2509</b>								
2509	Building Permit Refund	REFUND	Over Payment - Refund per Buildi	09/29/2021	1,025.00	.00		
2509	Building Permit Refund	REFUND	Over Payment - Refund per Buildi	09/29/2021	25.00	.00		
2509	Building Permit Refund	REFUND	Over Payment - Refund per Buildi	09/29/2021	.04	.00		
2509	Building Permit Refund	REFUND	Over Payment - Refund per Buildi	09/29/2021	.21	.00		
2509	Building Permit Refund	REFUND 21-23	21-230 Refund Per T. Couch	09/29/2021	319.92	.00		
2509	Building Permit Refund	REFUND 21-23	21-230 Refund Per T. Couch	09/29/2021	207.95	.00		
2509	Building Permit Refund	REFUND 21-23	21-230 Refund Per T Couch	09/29/2021	2.72	.00		
2509	Building Permit Refund	REFUND 21-23	21-230 Refund Per T Couch	09/29/2021	.48	.00		
Total 2509:					1,581.32	.00		
<b>2525</b>								
2525	Kirk Neerings Construction, LLC	657	471 W 140 N Water Lateral Repai	08/07/2021	2,954.30	.00		
Total 2525:					2,954.30	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
<b>2559</b>								
2559	Midway Art Association	09232021	Cancelled Reservation	09/16/2021	75.00	.00		
Total 2559:					75.00	.00		
<b>2561</b>								
2561	CENTURYLINK -435-654-3924 45	9721	4356543924 453B	09/07/2021	174.63	.00		
Total 2561:					174.63	.00		
<b>2562</b>								
2562	CENTURYLINK 435-654-4204 77	9721	4356544204 775B	09/07/2021	57.28	.00		
Total 2562:					57.28	.00		
<b>2615</b>								
2615	Van Wagoner Meat Shop	138811	50 lbs Hot Dogs	09/23/2021	205.50	.00		
Total 2615:					205.50	.00		
<b>2636</b>								
2636	CenturyLink ACCT# 88239224	242826448	Phone Services	09/12/2021	1,024.42	.00		
Total 2636:					1,024.42	.00		
<b>2658</b>								
2658	SIGNARAMA	10033	Chest Logo	09/25/2021	60.00	.00		
2658	SIGNARAMA	9885	Banners	09/24/2021	210.00	.00		
Total 2658:					270.00	.00		
<b>2700</b>								
2700	Car Quest Auto Parts	15341-104613	Auto Supplies	09/21/2021	157.96	.00		
Total 2700:					157.96	.00		
<b>2799</b>								
2799	WILDE EMBROIDERY	2036	Embroidery - Clothing Allowance	09/27/2021	521.00	.00		
Total 2799:					521.00	.00		
<b>2824</b>								
2824	ASPHALT PRESERVATION	310	2021 Road Surface Treatments	08/26/2021	87,087.41	.00		
2824	ASPHALT PRESERVATION	310	2021Road Surface Treatments	08/26/2021	29,076.53	.00		
2824	ASPHALT PRESERVATION	310	2021 Road Surface Treatments	08/26/2021	48,051.17	.00		
Total 2824:					164,215.11	.00		
<b>2832</b>								
2832	TEX COUCH	09242021	Work Clothing - 4 UA Shirts	09/20/2021	92.81	.00		
2832	TEX COUCH	09242021	Work Clothing - 2 Carhart Hoodies	09/20/2021	107.23	.00		
Total 2832:					200.04	.00		
<b>2868</b>								
2868	SHERWIN WILLIAMS CO	3591-1	PAINT Supplies	09/15/2021	810.38	.00		
2868	SHERWIN WILLIAMS CO	3860-0	Supplies	09/22/2021	31.99	.00		

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2868	SHERWIN WILLIAMS CO	3918-6	Supplies	09/23/2021	3.48	.00		
Total 2868:					845.85	.00		
<b>2880</b>								
2880	Bell Janitorial Supply	1016845	Janitorial Supplies	09/23/2021	251.90	.00		
Total 2880:					251.90	.00		
<b>2882</b>								
2882	Tonia Turner	09242021	Shade for Booth	09/15/2021	28.72	.00		
Total 2882:					28.72	.00		
<b>2891</b>								
2891	RUBY JENSEN GALLERY	105	Items for Midway Must Haves	09/02/2021	410.00	.00		
Total 2891:					410.00	.00		
<b>2912</b>								
2912	JUST BE RAD	101	Items for Midway Must Haves	09/27/2021	175.00	.00		
Total 2912:					175.00	.00		
<b>2918</b>								
2918	DRIVE MARKETING	179024	Midway Souvenir Shop	09/22/2021	4,593.58	.00		
Total 2918:					4,593.58	.00		
<b>2923</b>								
2923	RITA HALE	8186466	Items for Midway Must Haves	09/09/2021	87.50	.00		
Total 2923:					87.50	.00		
<b>2924</b>								
2924	Americana Art Enterprises, LLC	135480	Cityscape	09/22/2021	625.00	.00		
Total 2924:					625.00	.00		
<b>2930</b>								
2930	Kathy Dougherty	0001	Dog bandana, dog poop bag	09/01/2021	154.00	.00		
Total 2930:					154.00	.00		
<b>2931</b>								
2931	Mutt Mitt	436667	Mutt Mitt Singles/2000 per cs & S	09/21/2021	136.94	.00		
Total 2931:					136.94	.00		
<b>2932</b>								
2932	Hagen Candles & Creations	100	Items for Midway Must Haves	09/28/2021	347.50	.00		
Total 2932:					347.50	.00		
Grand Totals:					374,238.44	.00		

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Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
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Dated: \_\_\_\_\_

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

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

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

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

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Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

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Midway City Council  
5 October 2021  
Regular Meeting

Minutes of the  
21 September 2021  
Work Meeting



# Memo

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**Date:** 28 September 2021  
**To:**  
**Cc:**  
**From:** Brad Wilson, City Recorder  
**RE:** Minutes of the 21 September 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, 21 September 2021, 5:00 p.m.  
Midway Community Center, City 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 5:04 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:**

Michael Henke, Planning Director  
Wes Johnson, Engineer  
McKay Murdock, Attorney's Office  
Brad Wilson, Recorder/Financial Officer

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

**2. Development Moratorium / Goals and Planning** (City Planner – Approximately 60 minutes) – Set goals and plan for the development moratorium adopted on 17 August 2021.

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

- General plan vs. zoning/land use code
- General Plan
- Requirements for general plans
- Vision Statement
- General plan chapters
- History of the General Plan
- Potential timeline for the revisions
- Potential code text amendments

Mr. Henke also made the following comments:

- Would like each council member to serve on at least two general plan committees.
- Code text amendments should be supported by the General Plan.
- The maximum number of units and allowed uses, in the commercial zones, could be considered early in the moratorium.
- A fee-in-leu for affordable housing had been removed from the Municipal Code because it was challenged legally in other communities.

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

Mayor Johnson indicated that Mr. Henke would email to the Council a list of the general plan committees and possible code text amendments. Each council member could then rank the committees, based on their interests, and the amendments. The Council agreed to copy each other on their rankings. The amendments would be categorized into land use and non-land use items.

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

- Code text amendments that simply cleaned up the Municipal Code should be done immediately. More extensive changes could be done after the General Plan was revised.
- Council members could attend the meetings of committees on which they were not members.
- Should any chapters be added to the General Plan?
- The most important amendments should be done first, or the general plan revised and then the moratorium extended to then consider the amendments.
- The City Attorney indicated that the moratorium could be extended.
- The general plan chapter on Main Street should be reviewed first.
- Permitted uses with requirements or conditional uses with requirements could be added to the Municipal Code.
- Some previous general plan changes had not been implemented in the Municipal Code.
- A fee-in-leu for affordable housing could now be charged in a community that had a sufficient plan for its use.
- The owner of the Mountain Spa property wanted to submit a resort application for the property. He was informed of the moratorium.
- Basic information about the significant code text amendments should be provided to the Council well before the meeting packet was posted.
- The Council's time during the moratorium should be used effectively.
- When was a project vested? Did a code text amendment have to be completed before it applied to new applications? A pending code change would have to be adopted for an amendment to apply before its completion. The State Code would have to be reviewed to determine if there were any exceptions.

### 3. 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 5:59 p.m.

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Celeste Johnson, Mayor

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Brad Wilson, Recorder

DRAFT

Midway City Council  
5 October 2021  
Regular Meeting

Minutes of the  
21 September 2021  
Regular Meeting



# Memo

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**Date:** 30 September 2021

**To:**

**Cc:**

**From:** Brad Wilson, City Recorder

**RE:** Minutes of the 21 September 2021 City Council Regular 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  
(Regular Meeting)**

**Tuesday, 21 September 2021, 6:00 p.m.  
Midway Community Center, City 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 6:03 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:**

Michael Henke, Planning Director  
Wes Johnson, Engineer  
McKay Murdock, Attorney's Office  
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 Payne gave the prayer and/or inspirational message.

**2. Consent Calendar**

- a. Agenda for the 21 September 2021 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 7 September 2021 City Council Work Meeting
- d. Minutes of the 7 September 2021 City Council Regular Meeting
- e. Deny the dormant Dutch Draw Annexation located on the northeast corner of Dutch Canyon Road and River Road.

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



Mayor Johnson asked Brad Wilson to explain the Dutch Draw Annexation. Mr. Wilson explained that the annexation had been dormant for several years and the petitioner no longer owned the property. He recommended that it be denied to officially end the annexation process.

Council Member Drury asked about the warrant for KW Robinson Construction. Wes Johnson explained the warrant.

**Motion:** Council Member Orme moved to approve the consent calendar as presented.

**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

**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.

#### Town Square / Improvements

Josh Wright made the following comments:

- Was a member of the Swiss Days Executive Committee.
- Overall, the concepts to improve the Town Square looked good.
- What was the timing for the improvements?
- The people preparing the concepts should attend Swiss Days, which used the Town Square, and see how the event operated.
- Members of the Swiss Days Committee should be included in the process. The Committee President had been involved but her opinions had been disregarded.
- One of the concepts would prevent Swiss Days from happening.

Council Member Simonsen responded that the concepts were exploratory, and the work might be done in ten to 15 years. He wanted Swiss Days to continue because the community benefited from working together during the event.

Mayor Johnson responded that she told the Committee President that there was not time for her comments to affect the concept plans before the public meeting.

Mayor Johnson indicated that she would hire someone to administer Swiss Days if The Church of Jesus Christ of Latter-day Saints no longer participated.

## High Valley Arts / Performing Arts Center

Mindy McMaster made the following comments:

- Was involved with High Valley Arts.
- The group was hugely valuable with 70,000 people having attended its performances.
- It needed a place to perform.
- Had a petition in favor of building a performing arts center in Midway.
- The arts were important.

Randon Wilson made the following comments:

- Served on the Midway Boosters which held Swiss Days.
- Supported an arts center in Midway.
- Attended many of High Valley Arts' performances.
- Was on a committee trying to build an arts center.
- An arts center would be an economic benefit to Midway and would be better than more houses. It would be close to Park City, Utah County, and Salt Lake City.

Peter Rancie made the following comments:

- Was the retired general manager for the Zermatt Resort.
- Was an advocate for an arts center.
- An arts center would be good for the local economy and benefit the area resorts which struggled.
- Midway lacked destination amenities.
- The original settlers and the current residents wanted cultural arts.

Jack Zenger made the following comments:

- Appreciated the Council.
- Supported an arts center.
- Our legacy was what we supported and elevated.
- Some cities were known for their arts and gardens.
- The location of the arts center had not been decided. That should happen later.
- His children benefited from participating in the performing arts.

Mayor Johnson made the following comments:

- The performing arts were wonderful.
- High Valley Arts needed to propose a location, plan, etc. for the arts center.

Council Member Drury made the following comments:

- The arts center could be in the resort zone.
- Supported arts in Midway.
- The City did not have the budget to build an arts center especially for a single organization.
- Would support funding an arts center that benefited more than one organization.

- No proposal for an arts center had been submitted to the City.
- The City could not make a proposal happen.
- The City had codified procedures that it had to follow.

Council Member Orme was not against an arts center in Midway but wanted to see a plan before she made any decisions.

Council Member Dougherty made the following comments:

- Liked the group's performances.
- Wanted to be a supporter and not a regulator.
- The Council would have a chance to review building plans and land use.
- Supported Swiss Days and the City's ice rink.
- Supported an arts center in Midway.
- Questioned the City sending a letter supporting an arts center at the Utah Valley University Heber Campus.
- An arts center had been discussed while considering The Village project.

Council Member Payne invited everyone to attend High Valley Arts' performances which benefited the community and especially its children. He noted that an arts center would have to go through an approval process like a new subdivision.

Council Member Simonsen made the following comments:

- There was a time and place for everything.
- Loved the theater and High Valley Arts had good productions.
- Wanted to look at the details of any proposal.
- There were options for an arts center.
- Wanted to see a proposal for a zone change before he made any decisions.

Michael Henke made the following comments:

- Theaters were a conditional use and only allowed in the resort zone.
- A zone map amendment would be required for an arts center in another zone.

**Note:** Council Member Orme left at 6:40 p.m.

No further comments were offered.

#### **4. Department Reports**

##### Town Square / Dogs

Council Member Drury made the following comments:

- The Midway Boosters requested that the City enforce its law, prohibiting dogs on the

Town Square, during the next Swiss Days.

- A dog sitter should be allowed so that dogs were not left in hot vehicles.
- Animal Control did not have the resources to police Swiss Days.
- Swiss Days volunteers should not have to enforce the law.
- Asked that an enforcement plan be considered at a council work meeting.

### New Zamboni

Council Member Drury reported that the new Zamboni had arrived. He recommended that the old Zamboni be stored out of the elements as a back-up.

### Pressurized Irrigation System / Restrictions

Council Member Dougherty reported that a notice had been mailed increasing restrictions on the use of the pressurized irrigation system. He indicated that lawns could only be watered once a week. He added irrigating agriculture had also been limited. He cautioned residents against installing new landscaping.

### 970 South Transmission Line / Update

Council Member Dougherty reported that work on the 970 South transmission line was continuing. He indicated that rights-of-way were being purchased and a utilities conflict had been resolved with a corner pole.

- 5. Resolution 2021-26 / Fees and Policies for Public Buildings** (Mayor Johnson – Approximately 30 minutes) – Discuss and possibly approve Resolution 2021-26 amending the Midway City Fee Schedule and the Midway City Policies and Procedures regarding fees, fee waivers, and policies for the use of public buildings.

Mayor Johnson gave a presentation on the resolution and made the following comments:

- It had been continued from the previous council meeting.
- Was receiving information on the issue.
- Was working on rental procedures.
- Wanted the Council to vote on the proposed fees that evening.

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

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

- The waiver process should be in the Policies and Procedures.
- The wording regarding consecutive days was confusing.
- Rental fees should be lower for residents.
- Other venues were more expensive.
- There was a lot of deferred maintenance on the City's buildings.

- The fees needed to be realistic to cover some of the maintenance costs.
- The rental forms now asked if the person completing it was the person who would use the building. This would reduce the number of residents renting for non-residents. This should not be a formal policy.
- Certain uses should not be subsidized.
- Certain users should not be prohibited from renting because of increased fees.
- The fees could be waived.
- It was uncertain how previous fees had been waived or reduced.
- The rental policy was contained in the Policies and Procedures. This manual would have to be amended to change the policy.

**Motion:** Council Member Payne moved to approve Resolution 2021-26, amending the Midway City Fee Schedule and the Midway City Policies and Procedures regarding fees, fee waivers, and policies for the use of public buildings, with the following changes:

- The current procedures and forms would be removed from the Policies and Procedures.
- The proposed fee schedule was adopted.
- The forms and policies could be revised administratively by the Mayor and City Council.

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

**Discussion:** Council Member Simonsen wanted to review the rental policies.

Brad Wilson wondered if the procedures would have as much force if they were removed from the Policies and Procedures.

Council Member Dougherty thought that what was being considered was incomplete. He noted that a policy for waiving fees had not been completed. He recommended that the fees not be adopted until the policies and procedures were approved.

Council Member Payne suggested that the fees and forms, presented that evening, be approved without adopting the resolution and amending the associated documents. Those items could then be formally adopted when the policies and procedures were finished.

**Note:** Council Member Orme returned at 7:25 p.m.

Council Member Dougherty said that he received a lot of emails opposing the new fees. He added that some residents did not want just the mayor to decide waivers.

Mayor Johnson recommended that the item be tabled and reconsidered when the policies and procedures were completed.

**Withdrawal:** Council Member Payne withdrew his motion.

**Motion:** Council Member Payne moved to table the item until all the paperwork was provided to the Council.

**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

## **Department Reports (Continued)**

### Affordable Housing

Council Member Orme reported that good things were happening with affordable housing. She indicated that Moulton Meadows had been approved.

### Albert Kohler Legacy Farm / Open Space

Council Member Orme reported that the easements, conserving open space in the Albert Kohler Legacy Farm, had been completed. She indicated that Grant and Carolee Kohler had sacrificed to make that happen.

### Mountain Spa Subdivision / Open Space

Council Member Orme reported that the easements, conserving open space in the Mountain Spa Subdivision, had been completed.

## **6. Cemetery / Update** (City Attorney's Office – Approximately 15 minutes) – Receive an update regarding various issues with the Midway City Cemetery.

McKay Murdock reviewed a memo, regarding issues with the City's cemetery, and made the following comments:

- The City needed to decide how burial spaces would be sold and recorded in the future.
- The City Sexton could record a plat map of the cemetery. The plat map could then be updated and recorded again every six months.
- The City needed to decide what to do with abandoned spaces sold more than 60 years prior and then abandoned spaces sold since then.
- The period of 60 years was established by the State Code.
- Service could be attempted on all descendants of the last known owner. If no one was identified or came forward, then the space could be resold after 30 days.
- New certificates would be issued to the descendants that had rightful title to the spaces.

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

- The number of descendants would be enormous.
- 326 spaces were left in the developed sections of the cemetery.
- There was another section left to be developed.
- Stacking could increase the number of burial spots.
- The City charged \$550 per space while other cemeteries charged from \$800 to \$1,500. This did not include the cost for interment.
- The City should double what it charged.
- Nonresidents wanted to be buried in the City's cemetery.
- Burial spaces should be saved for residents.
- Nonresidents should not be prohibited from buying spaces.
- Should the price increase for more than two spaces?
- It would be difficult to increase the space cost, to include interment, when a lot of spaces had already been purchased without including interment.
- All data would be entered into the new cemetery software by that October.

**Note:** Council Member Orme left at 7:52 p.m.

**7. Vern Dickman Property / Open Space** (City Planner – Approximately 30 minutes) – Discuss and possibly approve using bond funds to preserve open space on property owned by Vern Dickman on the slope north of the Midway City Cemetery at approximately 800 West and 300 South. **Public Comment**

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

- Location
- Land use summary
- Current trail
- Gardner property
- Rural preservation subdivisions in the area
- Views from the property
- Open space committee recommendation and conditions

Mr. Henke also made the following comments:

- The proposal was called Cemetery Ridge.
- Open space funds would be used to purchase development rights.
- Preserving the land would reopen a popular equestrian trail.
- There could probably be five building lots on the property if there was one access.
- The number of building lots could increase with the number of accesses.
- Doubted that a PUD could be built on the property.
- The development potential of the property could change if the land use laws were revised.
- A slope analysis would be needed.
- The City had already spent or committed \$3.5 million of its \$5 million in open space funds.
- The City would have input on who owned the land after it was purchased.

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

**Note:** Council Member Orme returned at 7:56 p.m.

Wendy Fisher, Utah Open Lands Executive Director, made the following comments:

- The property was in a prominent location.
- \$1.5 million to \$2 million had been offered for the property.
- An appraisal would be required.
- The property would be purchased.
- Utah Open Lands would hold the easement but preferred that someone else own the property.
- There was an urgency to the proposal because of other interested buyers.
- Wanted to have as many funding sources as possible to reduce how much the City needed to contribute.
- Would submit for grant money the following day.
- The amount of undevelopable sensitive lands had been considered.
- Could not complete the purchase in less than 90 days. Preferred six months.
- The sellers would require some funders in place for surety.
- Needed to do due diligence on the title, water rights, etc.
- Needed time to raise funds.
- A private citizen was willing to donate \$1 million toward the project.
- The City did not have to donate additional money for the Albert Kohler Legacy Farm.
- The tentative purchase price was \$1.5 million which was based on other offers. This would be renegotiated if the appraised value was less.

Courtland Nelson, Midway City Open Space Advisory Committee Chair, reviewed the reasons for preserving the property and made the following comments:

- Financial support was needed from the City and others to preserve the property.
- The Open Space Committee recommended the request with six conditions.
- Time was of the essence.
- The property would be an extension of Wasatch Mountain State Park.
- It would be next to the Gardner property which was planned for preservation.

Woody Woodruff, a member of the Midway City Open Space Advisory Committee, reviewed concerns with not preserving the land.

### **Public Comments**

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

Josh Wright



Mr. Wright asked if the property was in the city limits. Mr. Henke responded that it had been for many decades.

Lori Stone

Ms. Stone made the following comments:

- Was familiar with the property and had ridden horses on it many times.
- Preserving it would be a gift that would allow access and horse riding for years to come.
- It would connect other open space parcels.
- Thanked the Dickman family.
- Asked the Council to support the request.

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

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

- A trail could go through the property, then through the Kem Gardner property, and then finally connect to Snake Creek.
- Part of the property could be served by the City's culinary water system. Pumps would be needed for other parts of the property.
- The last condition of the Open Space Committee should be reworded. It should clarify that the City's contribution could decrease if the purchase price also decreased.

**Motion:** Council Member Simonsen moved to commit funds towards the project, before the Council that evening and called Cemetery Ridge, with the following findings and conditions:

- The proposal was consistent with the vision of the Open Space Element of the General Plan.
- Preservation of Cemetery Ridge met the goals of the Midway Open Space element of the General Plan by preserving scenic viewsheds, providing public access along the foothills, conserving open space, and providing a potential trailhead.
- In addition, preservation of the 67 acres would extinguish all potential development of the property.
- The Midway City Open Space Committee had recommended that the Midway City Council allocate up to \$500,000 to the project.
- Kem Gardner had agreed to donate up to \$1,000,000 towards the conservation easement.
- The City's contribution would be "the last dollars" used to complete the purchase with its obligation possibly being less than \$500,000.
- Title to the land would be held by Utah Open Lands but could be deeded to the City or another entity once the conservation easement was recorded.
- The transfer of ownership from Utah Open Lands was subject to the City's review and approval of the new owner.
- The conservation easement would be held by Utah Open Lands.
- Public access was guaranteed perpetually to allow the public to control the property and utilize the property to access other adjacent properties.

- Midway City's contribution would be the lesser of 33.33% of the appraised value of the property or up to a maximum of \$500,000.

**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

**Motion:** Without objection, Mayor Johnson recessed the meeting at 8:41 p.m. She reconvened the meeting at 8:48 p.m.

**8. Ordinance 2021-27 / Open Space Requirements** (City Planner – Approximately 60 minutes) – Discuss and possibly adopt Ordinance 2021-27 amending the Midway City Municipal Code regarding open space requirements. **Public Hearing**

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

- General Plan
- 2017 General Plan update
- Current open space requirements
- Proposed code
- Required versus voluntary open space
- Discussion items

Mr. Henke also made the following comments:

- Should sensitive lands continue to be included in the required open space for a development? A previous council decided that it should still be included.
- 80% to 90% of the development potential could be removed from a property before it was a taking.
- The gross acreage was for the entire property.
- Only usable open space should count towards the requirement.
- The proposal would just affect the required open space and not the calculation for density.

**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 question was not about sensitive lands but about what percentage of property should be developed.
- With the current code the same density could be allowed for a parcel with sensitive lands and one without.
- The City's job was to protect sensitive lands.
- The City should not subsidize someone who purchased property with sensitive lands.
- The current code did not treat all open space equally.
- Could someone transfer development rights to another parcel that did not have sensitive lands?

Council Member Simonsen opposed sensitive lands counting toward the required open space. He said if it could not be built on then it should not count.

Council Member Payne agreed that sensitive lands should not count but said a percentage could qualify to avoid a taking.

Council Member Dougherty indicated that it was the owner's problem if they purchased property with sensitive lands.

Council Member Drury agreed that sensitive lands should not count.

Council Member Orme questioned sensitive lands not being worth anything when determining the required open space.

### **Public Hearing**

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

### **Paul Berg**

Mr. Berg made the following comments:

- The proposal addressed PUDs.
- The City had the Homestead Golf Course with its revenue and open space because of its existing regulations.
- The regulations allowed for clustering of houses which created open space.
- Parks had also been donated to the City because of the regulations.
- The regulations had been changed so that HOAs were responsible for the open space.
- Recommended that the regulations return to their original form which provided parks, etc.
- PUDs could be encouraged to leave open space as agricultural land. A plan could be required to ensure that the land was appropriately maintained. The land could also be leased as pasture for horses, etc.
- Zoning, tax credits, bonding, clustering, transferring development rights (TDRs), etc. were tools that could preserve open space.
- Some municipalities required 60% to 80% open space.
- TDRs would only work if the City reduced its density in the receiving zones.
- Rarely did developers ask for the entire density in Midway.

- The Village development only had half the allowed density.
- Had seen four moratoriums in Midway in 20 years, but its zoning map had change very little.
- A performance code could be adopted that allowed a certain density with density bonuses for doing specific things.
- The density of developments was only partially driven by the market.
- Sensitive lands were protected by including it in the required open space.
- Density should be controlled by regulating density.
- Watts Remund Farms would have been a mixed subdivision and PUD if the sensitive lands had not counted as required open space.

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

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

- The market might change, and developers might start requesting the maximum density.
- All market conditions should be anticipated.
- Where there was no land there was no demand.
- Midway was surrounded by mountains which limited development.
- Construction and infrastructure costs effected density and lot sizes.
- Performance codes were subjective and had to be tailored correctly.
- Watts Remund Farms, Phase 5 had units right next to the wetlands.
- The current regulations prevented the large usable open space in PUDs.
- Density would decrease if sensitive lands were not counted as required open space.
- The City should reduce the allowed density if it wanted less density.
- The City Attorney indicated that removing 50% of the development rights was not a taking. He also indicated that excluding sensitive lands from required open space was not a taking.
- The ordinance should be tabled.
- The amount of sensitive lands, that counted for required open space, should not be more than 10% which was the percentage used for wetlands.

**Motion:** Council Member Drury moved to approve Ordinance 2021-27 with the following findings and modifications:

- Land with less than 50% sensitive lands would not have any of the sensitive lands count toward the required open space.
- Land with more than 50% sensitive lands would have 10% of the amount, that exceeded the 50%, that would count towards the required open space.
- The issue would be reviewed and possibly brought back to the Council to eliminate counting any sensitive lands.
- Preserving open space was a goal of the community.
- Allowing only a percentage of sensitive lands to be counted as open space would assure that some non-sensitive land was counted as open space.
- Density would not reduce because of the change but it would require more clustering.

**Discussion:** Council Member Simonsen asked if sensitive lands and open space needed to be shown on plat maps. Michael Henke responded that it was already shown.

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

**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

**9. House Size / Guidance to Planning Commission** – (City Planner – Approximately 60 minutes) Discuss and possibly provide additional guidance to the Midway City Planning Commission regarding a proposal to limit the size of houses in Midway City.

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

- Proposal background
- Limiting the maximum square footage of a house
- Limiting the house size as a percentage of the lot size
- Additional considerations
- Examples

Mr. Henke also made the following comments:

- What was the Council trying to limit? Big houses on large lots? Big houses on small lots?
- Limiting a house by its size was the most common approach and worked well with small lots.
- Limiting a house by its percentage of the lot worked well for large lots.
- Sometimes two duplexes could be on a property where a large house was built instead.

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

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

- Should not penalize owners for combining lots.
- The object should be limiting the size of the house in comparison to the size of the lot.
- Size could be limited by percentage of the lot and also have a maximum square footage.
- Large homes sent a message of wealth and exclusivity. It indicated that smaller houses were not welcome.
- The volume of the house was the concern.
- Reducing volume saved energy and water.
- Midway should be rural.
- Nonresidential buildings were not an issue.
- Larger houses increased property values.
- Midway should include a variety of houses.
- Houses should have some space around them.

- Outbuildings could block views.
- Setbacks could help with the issue.
- Increasing setbacks was difficult with houses of different shapes and sizes. It was also unfair if surrounding houses had been built to shorter setbacks.
- The issue was the transitions from zones to zones.
- Large houses on large lots were not a concern.
- Second floors could be locked off to save energy and water and opened to accommodate guests.
- Site obscuring fences reduced the rural feel.
- Second stories could be stepped back in size.
- The area of a lot could be maximized with outbuildings.
- Large houses on small lots were addressed with setbacks.
- A large house on a large lot was better than a lot of smaller houses on the same property.
- Why would the City allow a lot to be filled up with a house when it was bonding to preserve open space?
- Open space was required in PUDs.
- Limitations should focus on 0.5 to 5 acre lots.
- An owner should have flexibility on where they put their house on a lot.
- Outbuildings should not be allowed on property lines.
- High density housing needed shared open space.
- High fences were a problem in the City.
- How would you inform a lot owner of any size restrictions before they designed their house?
- The issue should be tabled until after the General Plan was revised.
- Should there be a committee for house design?
- How did house size effect water usage? Water rights were turned in before any house designs were submitted.
- The City's residents were not pretentious.
- Larger houses effected property values and taxes.
- What would be the unintended consequences of the ordinance?
- Supply and demand, not the City's restrictions, would determine what was built.
- Someone would go somewhere else if they wanted a large house and could not build it in Midway.

**Motion:** Council Member Orme moved to table the issue until after the General Plan was revised and direction could be given to the Planning Commission at that time.

**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

## 10. Adjournment

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

The meeting was adjourned at 10:59 p.m.

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Celeste Johnson, Mayor

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Brad Wilson, Recorder

DRAFT

Midway City Council  
5 October 2021  
Regular Meeting

Howland Subdivision /  
Extension of Final Approval





## **CITY COUNCIL MEETING STAFF REPORT**

**AGENDA ITEM:** Final Approval extension request for Howland Subdivision

**DATE OF MEETING:** October 5, 2021

**APPLICANT:** Berg Engineering, agent for Point 11, LLC

**LOCATION:** 600 West 200 North

### **Staff Summary**

Berg Engineering, agent for Pointe 11, LLC, has submitted a final approval plat extension application request for the Howland Small Scale Subdivision, a one-lot subdivision proposal on 2.49 acres located at 600 West 200 North. Final approval from the City Council was granted on November 3, 2020. The applicant indicated in their application for the extension that the additional time is needed for them to resolve boundary line conflicts with adjacent property owners. If granted, this would be the first of three possible one-year extensions. This project does not have any outstanding fees to be paid. Staff has not found that any of the following items are of concern for this project.

If the following criteria are met then the City Council may grant an extension:

1. Construction must be conducted according to any new City standards in effect at the time the plat is ultimately recorded;
2. The property must be maintained in a clean, dust-free, and weed-free condition at all times;
3. Each extension will be for a one-year period only, after which time an annual review must be requested by the applicant and presented before the City Council; and/or
4. No more than three one-year extensions will be allowed. The granting or denying of any extension, with or without conditions, is within the sole discretion of the City Council, and an applicant has no right to receive such an extension.

Please contact Michael with any question that you have: 435-654-3223 ext. 105

Midway City Council  
5 October 2021  
Regular Meeting

Rob Bouwhuis /  
Midway City Parks, Trails, and  
Trees Advisory Committee

# Memo



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Date: October 5, 2021  
To: Midway City Council  
From: Michael Henke  
Re: Reappointment of Rob Bouwhuis and Clint Coleman as a regular member of the Trails, Parks, and Trees Committee

---

Rob Bouwhuis and Clint Coleman have completed their first of a possible two terms on the Parks, Trails and Trees Committee. Both have requested that they be reappointed for a second term. Mayor Johnson is recommending that both are reappointed as regular members of the Trails, Parks, and Trees Committee.

Below is a list of the of the Parks, Trails, and Trees Committee with updated term limits (assuming Mr. Bouwhuis and Coleman are reappointed):

Name	Terms	Appointed	Term Ends
Sheila Siggard	1	11/15/2017	11/15/2021
Jeremy Pope	1	11/15/2017	11/15/2021
Ken Mickelsen	1	07/02/2019	07/02/2023
Amanda Peterson	1	04-06-2021	04/6/2025
Rob Bouwhuis (Chairman)	1	7/26/2021	7/26/2025
Clint Coleman (Vice-Chair)	1	7/26/2021	7/26/2025
Nicholas Cooke	Alt	04-06-2021	04/6/2025
Paulette Tillman	Alt	04-06-2121	04/6/2025

Midway City Council  
5 October 2021  
Regular Meeting

Clint Coleman /  
Midway City Parks, Trails, and  
Trees Advisory Committee

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