

# MINUTES OF THE MIDWAY CITY COUNCIL

## (Work Meeting)

Tuesday, 10 November 2020, 1:00 p.m.  
Midway City Office Building, Upstairs Conference Room  
75 North 100 West, 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 Attorney, 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 1:10 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

#### Others Present:

Jared Rigby, Wasatch County Sheriff (Left at 2:49 p.m.)  
Josh Probst, Lieutenant (Patrol), Wasatch County Sheriff's Department (Left at 2.49 p.m.)

#### Staff Present:

Brad Wilson, Recorder/Financial Officer

### 2. Law Enforcement / Agreement (City Attorney – Approximately 75 minutes) – Discuss a revised agreement for law enforcement.

Mayor Johnson explained a miscommunication between the City and the Wasatch County Sheriff's Department regarding an invoice for September 2020 and the time officers spent in Midway.

Sheriff Rigby made the following comments:

- Did not have a presentation.
- Could get information that the Council requested.
- The current agreement between the City and the Sheriff's Department was for 60 hours a week or 240 hours per month. These hours were mostly patrol and traffic enforcement.
- The City Attorney, not having all the relevant information, previously indicated to the Council that the City was receiving only 20 to 30 hours of additional service for

September. The City actually received 260 hours of additional service and 132 hours of base service. Wanted to maintain trust and could provide reports supporting that number of hours.

- All hours counted in Midway were spent in Midway. They did not include any hours spent in other areas of Wasatch County including for emergencies.
- It would be difficult to have a particular officer dedicated just to Midway.
- If the Council wanted comprehensive control over law enforcement, then it should have its own department.
- Wanted to be helpful and would accept whatever the Council decided.
- Used a new service called Verizon Connect which tracked the location of officers. It would better determine the hours spent in Midway.
- Municipalities like Interlaken were receiving the basic level of service but were not paying for or receiving additional services.
- The cost for dispatch service also needed to be addressed.
- Dispatch required a high level of communication and participated in traffic stops and all other functions of an officer.
- The Sheriff's office also had administrative costs.
- The current monthly fee would have to be increased slightly to cover the hours being provided.
- The current budget for the County covered the dispatch costs for base service but not for additional services.
- It was difficult to determine exactly what was base and additional service.
- Would commit to charging all entities the same rate for services.
- 67 hours a week of additional service would cost \$45,000 a year in dispatch fees.
- Could implement the dispatch costs over two to three years.
- An agreement could be based on the City's fiscal year.
- Would only charge the City for the number of hours spent in Midway up to the agreed upon amount. Would not charge for hours more than that amount.
- Any agreement also had to be approved by the County which would need to be done before the end of the year.

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

- The Council needed to decide how many hours it wanted of additional service.
- The City was currently updating all its contracts and agreements.
- The current agreement with the Sheriff's Department was out of date and needed to be updated.
- The City should not have its own department and should use the resources available.
- It was difficult to measure a level of service.
- The City should not pay twice for the same service.
- It needed more service because of growth.
- It benefited from the presence of law enforcement in Midway.
- The current agreement had worked for many years, but the area was growing.
- It was a win-win for the Sheriff's Department to partner with municipalities under a certain size.
- The City's budget would need to be amended to reflect any increase in law enforcement costs.
- The City could commit to a multi-year contract so that the Sheriff's Department could justify hiring another officer.
- The City did not need the same officer operating in Midway.

- The Council should be focused on residents' concerns and not details like the color of uniforms.
- The City only wanted to pay what was fair and the rate that other municipalities were charged.
- Why did Heber City have its own police department?
- How do you put a cap on a service like law enforcement?
- The City needed more additional service to cover speeding, code enforcement, etc.
- It had its own officers in the past and that did not work well.
- It should not try to recreate the wheel.
- It should not go to an agency other than the Sheriff's Department for law enforcement.
- The cost for more additional service needed to be determined.
- The City would have to hire a prosecutor and pay for other services if it had its own police department.
- It had been paying \$14,000 a month for law enforcement. That might have to be increase to \$24,000.
- Wasatch County should pay for all dispatch costs.
- The State covered the cost for dispatch equipment and software. It was then \$800,000 for personnel and \$25,000 for supplies.
- The County should pay for dispatch related to the base level of service. The individual entities should pay for dispatch related to the additional services that they received.
- Any costs would be easier to understand if they included dispatch service.
- The current system was the fairest without creating an administrative burden.
- The City did not control the County Council and how it budgeted it money.
- Dispatch was not an incremental cost.
- \$87.50 per hour for law enforcement had been discussed. The Council needed to know if this amount was low.
- The Sheriff should tell the City what the hourly cost would be. The City would then budget and request additional service base on that rate.
- The Sheriff's Department should request more money from the County.
- A breakdown for the \$87.50 had been provided. A similar breakdown for dispatch was needed.
- All payments for law enforcement went to the Sheriff's Department and not the County.
- Who would review the invoices to ensure that the City was only paying for the hours that it received? Staff was already reviewing the invoices.

**Note:** Sheriff Rigby and Lieutenant Probst left at 2:49 p.m.

### **3. FY 2021 Budget / Amendment**

Mayor Johnson reported that she reviewed the current year budget and made the following comments:

- Wanted to hire an additional planner.
- Taxpayers' money should be used for big picture planning and not to process developments.
- The Council had budgeted for two additional public works employees. The City would hire one additional employee in March and the remainder should be used for another planner.

- The City Planner was paid an hourly wage. He attended a lot of evening meetings and was accumulating a lot of overtime. He worked only the hours necessary.
- The City Planner was preparing the job description for the additional planner.
- The City would not participate in the renovation of the trail along River Road and the Dutch Fields PUD. The \$50,000 budgeted for this work should be used for master planning the Town Square, Alpenhof Park and starting a souvenir shop.
- The Council and public would be included in the master planning processes.


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

- Management was usually paid a salary.
- Residents were concerned about altering the Town Square. They could participate in the design process.

#### 4. Adjournment

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

The meeting was adjourned at 3:20 p.m.

  
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Celeste Johnson, Mayor

  
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Brad Wilson, Recorder