

# MINUTES OF THE MIDWAY CITY COUNCIL

## (Work Meeting)

Tuesday, 5 January 2021, 5:00 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 Engineer, 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 5:16 p.m.

#### Members Present:

Celeste Johnson, Mayor  
Steve Dougherty, Council Member  
Jeff Drury, Council Member  
Lisa Orme, Council Member  
Kevin Payne, Council Member

Kay Rust, Midway Village Arts Center  
Foundation  
Marvin Rust, Midway Village Arts Center  
Foundation  
Mindy McMaster, Midway Village Arts  
Center Foundation  
Stu Waldrip, Midway Village Arts Center  
Foundation  
Sue Waldrip, Midway Village Arts Center  
Foundation  
Laura Wardle, Midway Village Arts Center  
Foundation  
Randon Wilson, Midway Village Arts Center  
Foundation

#### Staff Present:

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

#### Others Present:

Dan Luster, Luster Development

### 2. Performing Arts Center (Sue Waldrip – Approximately 1.5 hours) – Receive a presentation and discuss a potential performing arts center in Midway City.

Dan Luster, Luster Development, made the following comments:

- Was a businessman and idealist.
- Liked the view corridor protected with his Whitaker Farm Subdivision.
- Needed to protect his investment.
- The meeting was not to approve his project where the theater was proposed. The purpose was to decide if a theater should be in Midway and should it be at the proposed location.

- What kind of retail did the City want on Main Street? Malls were being replaced with online shopping and experiential retail.
- The theater was a good idea that needed the cooperation of the City.
- The second phase of his project would require allowing some commercial development in a residential zone. The first phase met all the requirements of the Municipal Code.
- Owned all the applicable property except the vehicle repair shop. Wanted to acquire and move the shop to preserve the view corridor.
- The proposal would include high end townhouses, nightly rentals and second homes in the front, and prime real estate in the back.
- Did not want to have an access on 400 East.
- All parking would be above ground.

Members of the Midway Village Arts Center Foundation gave a presentation regarding the request and reviewed the following items:

- What a theater would offer
- Project timeline
- Feasibility and economic impact studies
- Traffic study

They also made the following comments:

- Would not participate in the plan for a theater at the Utah Valley University (UVU) Heber Campus. The plan would not allow High Valley Arts to grow and would be a lateral move. Did not want to compete with other organizations for the use of a facility.
- The proposal had been presented to the Open Space Advisory Committee. The Committee was receptive.
- Wanted to use open space bond money to create more open space. The repair shop would be moved as part of the proposal.
- Liked Midway.
- The owners of the repair shop were receptive to the proposal.
- It would be impossible for them to fundraise if the City supported the theater at UVU.
- Taxpayer funding of a theater would be difficult, although theaters along the Wasatch Front received significant government funding.
- A founder's circle had been formed.
- Had already approached donors including prominent foundations and families. There was a favorable response, but they wanted more detail.
- The community could use the theater. 30% of the stage time would be available.
- The Shalleck Collaborative, Greystone Strategies, and Victus Advisors had been hired to assist with the proposal.
- The traffic study was only for the highest use hours.
- Use of venues would not be stacked.
- An endowment would be set up for maintenance.
- Rent would be collected for use of the facility.
- Wanted the theater to be successful.
- There was already a good cash reserve for the project.
- High Valley Arts (HVA) would be the resident theater company.
- There would not be any debt to service.
- The theater would have an LED screen instead of a fly. This would reduce the building height.

- Based its projections on the CenterPoint Legacy Theater which was self-sustaining.
- The proposers had a history of raising money.
- Would increase the number of tickets sold by having a nice theater with stadium seating.
- There would be a rehearsal studio.
- HVA's attendance had been increasing significantly.
- A theater would allow a full season.
- There would be adult and children's programs which would bring in revenue.
- Not all revenue came from ticket sales.
- The per ticket cost could increase from \$17 to \$20 plus.
- The area could not sustain two theaters. They might compete for donors.
- The proposal would retain the spirit of Midway and have a European feel.
- The Midway Town Hall had metal chairs and poor viewing.
- Marvin Rust would manage the theater as a volunteer.
- HVA had been successful for twelve years.
- At the very least the City should support both theaters.

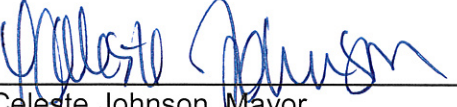
The Council, staff and meeting attendees discussed the following items:

- A decrease in the size of the project would lower revenue projections for the theater.
- The Municipal Code and Zone Map would have to be amended to allow the theater and the commercial development in the residential zone.
- The letter of support, signed by the Mayor, was just for an initial study of the location at UVU.
- The study, for the Foundation's proposal, only included traffic for the main stage.
- Traffic to the theater would be at the same time as traffic coming from work. The Foundation responded that peak hours for the theater would be just before the work traffic.
- The intersection of Main Street and 400 East would have to be improved to accommodate the proposal.
- The theater property should be deed restricted so that it did not become something undesirable in the future.
- The attendance and revenue projections were optimistic.
- The City did not want to see the proposal fail but normally did not choose winners or losers.
- There was a limited market that could not sustain two theaters.
- The facility planned for UVU was a true community arts center.
- The City should not financially support the UVU theater.
- The letter of support for the UVU theater, from the City, could be used for fundraising even though it only endorsed a feasibility study.
- Would the University help maintain the theater at its Heber Campus? The Foundation responded that it was just donating the land.
- HVA did not want to be part of the UVU theater because it would have limited control.
- The City had supported HVA with limited rent for the use of its buildings.
- The Foundation's proposal was better for Midway.
- The City should only consider land use and not the feasibility of a business.
- The City should ask the same questions of the proponents of the UVU theater.
- The City should get a sense of what the community wanted.
- The meeting was just the beginning of a process.

### 3. 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 7:08 p.m.

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

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