

MINUTES OF THE MIDWAY CITY COUNCIL

(Regular Meeting)

Tuesday, 6 April 2021, 5:00 p.m.
Midway Community Center, Council Chambers
160 West Main Street, Midway, Utah

Note: Notices/agendas were posted at 7-Eleven, Ridley's Express, the United States Post Office, the Midway City Office Building, and the Midway Community Center. Notices/agendas were provided to the City Council, City Engineer, City Attorney, Planning Director, Public Works Assistant Crew Chief, and The Wasatch Wave. The public notice/agenda was published on the Utah State Public Notice Website and the City's website. A copy of the public notice/agenda is contained in the supplemental file.

1. Call to Order; Pledge of Allegiance; Prayer and/or Inspirational Message

Mayor Johnson called the meeting to order at 5:07 p.m.

Members Present:

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

Staff Present:

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

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

Mayor Johnson led the Council and meeting attendees in the pledge of allegiance. A short humorous video of the Council was shown.

2. Consent Calendar

- a. Agenda for the 6 April 2021 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 2 March 2021 City Council Regular Meeting
- d. Renew the lease with the Midway Art Association for space in the Midway Town Hall located at 120 West Main Street, Suite 120B
- e. Ordinance 2021-08 approving the Midway Crest Annexation containing 24.16 acres located at 600 South Fox Den Road
- f. Appoint Elizabeth Crittenden to a second term on the Midway City Board of Adjustment
- g. Appoint Elizabeth Crittenden to a second term on the Midway Vision Architectural Committee
- h. Appoint Rob Bouwhuis to a second term on the Midway Vision Architectural Committee

- i. Appoint Judith Griffen to a second term on the Midway City Board of Adjustment
- j. Appoint Amanda Peterson as a full member of the Midway City Parks, Trails, and Trees Committee
- k. Appoint Nicholas Cooke as an alternate member of the Midway City Parks, Trails, and Trees Committee
- l. Appoint Paulette Tillman as an alternate member of the Midway City Parks, Trails, and Trees Committee
- m. Appoint Jeff Nicholas to a second term on the Midway City Planning Commission
- n. Appoint William Ream to a second term on the Midway City Planning Commission
- o. Appoint Andy Garland as a full member of the Midway City Planning Commission to replace Michele Crawford.
- p. Appoint Laura Wardle as an alternate member of the Midway City Planning Commission

Note: Copies of items 2a, 2b, 2c, 2e, 2f, 2g, 2h, 2i, 2j, 2k, 2l, 2m, 2n, 2o, and 2p are contained in the supplemental file.

Council Member Orme asked the duration of the lease with the Art Association. Corbin Gordon responded that it was from year to year.

Brad Wilson explained that nothing had changed with the Midway Crest Annexation since it was previously approved.

Motion: Council Member Drury moved to approve the consent calendar including the minutes, warrants, Ordinance 2021-08, and all appointments and renewals as stated in the packet provided to the Council.

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

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

Community Center / Wind Damage

Council Member Simonsen noted that the wind damage to the roof of the Community Center still needed to be fixed.

2021 State Legislative Session / Review

State Representative Mike Kohler reviewed the recent legislative session and the following items:

- Accessory dwelling units
- Municipal annexation
- Government employees
- Urban farming
- Building review amendments
- Water
- Outdoor signs
- Imminent domain for trails

Streets / River Road and Main Street Intersection

Council Member Simonsen reported that the City was working with UDOT to improve the intersection of River Road and Main Street.

Streets / Summer Projects

Council Member Simonsen reviewed street projects planned for that summer.

Tree City USA / Application

Council Member Simonsen reported that the City's application to be a Tree City USA had been approved.

Alpenhof Park / Redesign

Council Member Simonsen reported that the redesign of the Alpenhof Park was progressing.

70 East Parking Lot

Council Member Simonsen recommended that the public parking lot at 70 East Main Street be beautified if it was going to be used long term.

Homestead Trail

Michael Henke reported on plans and funding for the final section of the Homestead Trail.

Trails / Maintenance

Michael Henke reported that the Public Works Department would be able to spend more time on trails because it had hired two additional employees.

River Road Project

Wes Johnson reviewed the resurfacing and water line replacement planned for River Road from 300 North to 100 South. Council Member Dougherty asked that a detour plan be prepared for the project and posted on the City's website. He also asked that conduit be put in the intersection with Main Street in preparation for signal lights. Council Member Drury asked that a time limit be put on how long the road could be closed.

HVRR / Track Replacement

Mayor Johnson reported that the Heber Valley Railroad (HVRR) had some bad track that needed to be replaced.

HVSSD / Additional Land

Mayor Johnson reported that the Heber Valley Special Service District (HVSSD) wanted to acquire more farmland.

COVID-19 Pandemic

Mayor Johnson reported on the mask mandate, vaccinations, and a clinic to administer the Johnson & Johnson vaccine.

- 5. Farmers Market / Waive Fees** (Athina Koumarela and Chris Pyper – Approximately 10 minutes) – Discuss and possibly waive the fees for the Midway Farmers Market to use the southwest corner of Town Square on Saturdays.

Athina Koumarela and Chris Pyper gave a presentation on the farmers market and covered the following items:

- Vendors
- Diversity of products
- Community support
- Adjustments for the pandemic
- Updates for the 2021 season
- Vendor insurance

They asked that the fees to use the Town Square be waived for the event and they have access

to electricity.

Council Member Simonsen indicated that the market benefited local businesses, farming, and residents.

Motion: Council Member Dougherty moved to waive the fees.

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

6. Wasatch All Road / Sponsorship (Barrett Brandon – Approximately 15 minutes) – Discuss and possibly sponsor the Wasatch All Road bike race.

Barrett Brandon gave a presentation regarding the race and requested a \$2,500 sponsorship. He reviewed how it would benefit the City and indicated that a race event could be held in Midway. He added that he also received a grant from Heber Valley Tourism and Economic Development.

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

Council Member Drury indicated that the racers from out of town would stay at the local resorts.

Council Member Simonsen noted that the City had limited parking at the Town Square for a large event.

Motion: Council Member Payne moved to approve the grant request for \$2,500 for the Wasatch All Road.

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

- 7. Ranked Choice Voting** (Mayor Johnson – Approximately 15 minutes) – Discuss and possibly decide if ranked choice voting will be used for the 2021 Midway City municipal election.

Mayor Johnson made the following comments:

- Ranked choice voting had been discussed by the Council several times.
- Public comment had been solicited but none was received.
- Heber City would use ranked choice voting that year.
- Ranked choice voting could eliminate a primary and reduce costs.
- It would reduce the timeframe for the election.
- It would reduce animosity.
- The State Legislature allowed other entities to administer a ranked choice election if the applicable county would not.
- Wasatch County might consider ranked choice voting if it was successful for the municipalities.
- The Utah County Clerk, who had administered ranked choice elections, had offered to help the Wasatch County Clerk.
- The Council could rescind a decision to use ranked choice voting.

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

- Elections would become confusing if different voting methods were used.
- A shorter election cycle and less negativity were advantages.
- A voting method should produce a winner that received a majority of the votes.
- Ranked choice voting helped minority parties.
- It could create a scenario where someone's vote would not count.
- An election with eventually two candidates for the same seat could be contentious but also help differentiate between the two.

Motion: Council Member Dougherty moved that Midway City adopt ranked choice voting for the position of mayor only beginning in 2021.

Discussion: Council Member Simonsen wanted ranked choice voting for all open positions or none.

Second: The motion died for lack of a second.

Motion: Council Member Simonsen moved that Midway City use ranked choice voting for just the 2021 election cycle to see how it went with the following conditions:

- The City immediately determine if the County would support the voting method and determine what the cost would be.
- This information would be brought back to a council meeting before the deadline to rescind participation.

- If the Council did not like the answer, then it would rescind using the voting method.
- It would be used for both the mayor and city council.

Second: Council Member Dougherty seconded the motion.

Discussion: None

Vote: The motion was not approved with the Council voting as follows:

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

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

Brad Wilson gave a presentation regarding the proposed policy. He reviewed the following items:

- Current policy
- Purpose for the new policy
- Dollar amounts to determine who would direct the disposal of surplus property
- Disposal methods
- Preferential treatment for employees

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

- The option called “no value” should be renamed “give away or discard”.
- Giving an employee assigned to a piece of equipment the first right to bid on it could be problematic. Employees could become possessive of equipment. Would this be considered as compensation for tax purposes?
- The value of property that the Council had to oversee should be significantly higher. Having the Mayor oversee the disposal of more property would be more efficient because the Council only met twice a month. \$20,000 to \$25,000 was suggested.
- The Mayor and another person should oversee the disposal of property under a certain value. If they disagreed, then the issue could be considered by the Council. A department head or the treasurer could be the other person.
- Surplus property could be sold on eBay.
- The Treasurer should take care of the paperwork, etc. for the disposal of surplus property.

Motion: Council Member Drury moved to direct the City Recorder to rewrite the policy and bring it back to the next council meeting with the changes for expeditious approval.

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: Without objection, Mayor Johnson recessed the meeting at 7:29 p.m. She reconvened the meeting at 7:38 p.m.

9. Farm Meadows Subdivision / Preliminary and Final Approval (Berg Engineering – Approximately 30 minutes) – Discuss and possibly grant preliminary and final approval for the Farm Meadows Subdivision located at 550 North Pine Canyon Road (Zoning is R-1-15 and R-1-22). Recommended with conditions by the Midway City Planning Commission.

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

- Land use summary
- Development agreement restrictions
- Location of the proposed development
- Existing utilities
- Old proposal
- New proposal
- Utility plan
- Water board recommendation
- Possible findings
- Proposed conditions
- Memo regarding the existing water line

Mr. Henke also made the following comments:

- The item was continued from the previous council meeting. The application had been modified since that meeting.
- The request showed two lots, but the applicant wanted to be able to create a third in the future.
- An easement had been reserved for lot three through lot one.
- The water for lot three would be turned in before the proposed plat map was recorded.

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

Wes Johnson reviewed the memo regarding the water line and made the following comments:

- There was an active transite water line through the property.

- The Utah Department of Environmental Quality approved using or abandoning in the ground a transite pipe. There was a process for disturbing it.
- A new water line would be at least four feet from the transite line and in a separate trench.
- The location of the transite pipe and its disposal should be noted on the plat map.
- Recommended leaving the transite pipe in the ground.
- It would cost around \$30 per foot to remove it.
- It looped a section of the City's water system.
- If it was going to be replaced now was the time.
- An easement would be needed to put in a new line.

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

- Every four years the City had to do expensive water tests because it used transite pipe.
- The transite pipe could be left in service but several laterals for the proposed project would have to be connected to it.
- The City should not replace the line at that time. This was a cost that should be borne by the developer.
- The City and the developer could each pay half of the replacement cost.
- Replacing the line was a cost of normal maintenance and should be paid by the City.
- A transite line in the Huntleigh Woods Subdivision would be replaced by that developer.
- If the transite line was going to be removed, then it should be done at that time.
- The development agreement should allow the third lot so that the project would not have to come back to the Planning Commission and Council.
- The street plan still needed to be amended to show Farm Springs Road not connecting to Pine Canyon Road.
- It should be clear that the applicant did not need to dedicate property for a trail or bike lane on Pine Canyon Road.
- Property should be obtained on both sides of Pine Canyon Road for a trail or bike lane.
- The third lot should be accessed from Farm Springs Road and not Pine Canyon Road. The number of lots on Farm Springs Road already violated the Municipal Code. Farm Springs Road also included all the needed utilities.
- Two wrongs did not make a right.
- The issue of access could be addressed when lot three was created.
- An amendment would be needed to create the third lot because density could not be increased for a nonconforming use.
- The laws regarding the lot could change in the future.
- Private easements, like the access to lot three, should not be shown on the plat map.

Ryan Davis, applicant, made the following comments:

- Removing the water line would also require removing several rare types of apple trees.
- The line had never been blue staked.
- The area was wet so the pipe would not dry out if the line were abandoned.
- Would grant a 20-foot easement for a new line.
- Other property would have to be condemned for a trail or bike lane on the east side of Pine Canyon Road.
- Residents on Farm Springs Road were glad that it was not a through road and would not oppose it accessing another lot.
- Was willing to reduce the density on the property if he could get three lots. Did not want

to rely on a future council for approval of the additional lot.

- Requested that lot one be smaller so that lot three would qualify for urban farming.

Motion: Council Member Drury moved to grant preliminary and final approval for the Farm Meadows Subdivision, located at 550 North Pine Canyon Road (Zoning is R-1-15 and R-1-22), with the following findings and conditions:

- The proposed lots met the minimum requirements for the R-1-15 and R-1-22 zoning districts.
- The proposal met the intent of the General Plan for the R-1-15 and R-1-22 zoning districts.
- The proposal complied with the requirements for the Density Reduction Subdivision code.
- The subdivision helped comply with the vision stated in the General Plan to preserve open space and a rural atmosphere.
- The lots would be deed restricted so they could never be further subdivided.
- Two lots would be created initially with the option of creating a third lot in the future.
- The deed restrictions that would be recorded towards the lots would be submitted to the City for review and recorded immediately after the plat was recorded.
- A note on the plat map would be included with language that clearly stated that subdividing the lots was prohibited except as outlined in the development agreement.
- The funds to build the bike lane were added to the general trails fund and that the bike lane was completed in the future as part of a larger improvement project that would complete the bike lanes along the entirety of Pine Canyon Road.
- Lot one would be reduced in size so long as it complied with the R-1-15 zone.
- The plat map would be resubmitted or resizing lot one would meet the approval being granted.
- There would be a plat note regarding the water line being removed.
- The City would install a new water line and negotiate its location with the applicant.

Second: Council Member Payne seconded the motion.

Discussion: None

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

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

10. Resolution 2021-04 / Farm Meadows Subdivision Development Agreement (City Attorney – Approximately 10 minutes) – Discuss and possibly approve Resolution 2021-04 adopting a development agreement for the Farm Meadows Subdivision located at 550 North Pine Canyon Road (Zoning is R-1-15 and R-1-22).

Corbin Gordon reviewed the agreement including proposed changes. Ryan Davis asked that the agreement state the water being turned in was for three lots not two.

Motion: Council Member Dougherty moved to approve Resolution 2021-04 with the modifications and edits by the City Attorney and authorized the Mayor to sign it.

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

11. Lower River Annexation / Further Consideration (New Petition) (Berg Engineering – Approximately 90 minutes) – Discuss and possibly approve for further consideration a new petition for the Lower River Annexation containing 354.61 acres located at 225 East 850 South.

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

- History
- Location
- Previous area proposed for annexation
- Sensitive lands maps
- Proposed plat map
- Items for consideration
- Concept plan
- Access
- Economic development
- Trails
- The north area proposed for annexation
- Winter water storage ponds
- Properties being forced into the City
- Nonconforming uses
- Zoning
- Culinary water
- Roads
- Possible findings
- Public noticing

Mr. Henke also made the following comments:

- The previous petition was withdrawn.
- The sensitive lands map needed to include all the new areas proposed for annexation.

- Information was needed for the wetlands.
- The fees for the annexation needed to be determined.
- Some fees would be required during the development approval process.

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

Brad Wilson reviewed the approved fees for annexations. He indicated that some fees had been paid with the withdrawn petition and not yet returned.

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

- The petitioners thought that the first petition was adequate.
- The City Council wanted additional property included in the annexation. The Council discussed waiving the fees for this property, which was the fair thing to do.
- The certification process only dealt with state requirements.
- The proposal being considered that evening was a new petition based on the recommendations of the City Council.
- Had the wetlands information but was trying match it with his survey information.
- Ryan Davis was under contract to buy the property from Ken Probst.
- Was trying to address the concerns of the City.
- Admitted that the petition was submitted by the applicant and not the City.

Corbin Gordon made the following comments:

- Approving for further consideration did not grant any rights to the petitioners.
- Nothing with the annexation had been certified by the City Recorder.
- The City could require additional information at any time in the process.
- A list of potential protestors was not needed at that time.

Council Member Drury said that the proposal was appealing because it reduced density and provided open space. However, some other things needed work.

Motion: Council Member Drury moved to grant for further consideration for the annexation process and require all fees for the land within the potential development. He further moved that at that time not to require the fees for land being brought in that was outside of the development and that would be assess as part of the annexation process.

Second: Council Member Dougherty seconded the motion.

Discussion: Council Member Simonsen indicated that the annexation had positives, negatives, and things that were not known. He could not support it at that time but noted that the proposal could be adjusted.

Council Member Simonsen asked if the boundary could be changed. Mr. Gordon responded that the boundary could be decreased but not increased.

Council Member Payne asked for clarification if the petitioners needed to pay the fees for the

properties being brought in involuntarily. Council Member Drury responded that they did not have to pay the fees at that time.

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. Dutch Canyon Subdivision, Plat “A” / Second Amendment (Berg Engineering – Approximately 20 minutes) – Discuss and possibly grant a second amendment for Plat “A” of the Dutch Canyon Subdivision located at 600 East Saddle Drive (Zoning is RA-1-43). **Public Hearing**

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

- Location of the development
- Original plat map
- First amendment
- Requirements for lot line adjustments in the Utah Code
- Possible findings

Mr. Henke also made the following comments:

- The lot line between lots three and five was being adjusted.
- Did not receive any public comment regarding the proposal.

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

Council Member Dougherty indicated that he liked plat map amendments for lot line adjustments, but they were not required. Mr. Henke added that plat map amendments were helpful.

Public Hearing

Mayor Johnson opened the hearing and asked if there were any comments from the public. She closed the hearing when no public comment was offered.

Paul Berg, Berg Engineering Resource Group and representing the applicants, indicated that Weston Whitman owned both lots.

Motion: Council Member Payne moved to approve the second amendment for Plat “A” of the

Dutch Canyon Subdivision with no conditions and the following findings:

- Both lot 3 and 5A would continue to conform to the requirements for lots in the RA-1-43 zone if the plat amendment were approved.
- State law required a land use authority to approve a lot line adjustment if the exchange would not result in a violation of any land use ordinance and no violations have been identified.
- State law stated that a plat amendment may be considered by the land use authority at a public meeting.
- No public street, right-of-way, or easement would be vacated or altered.

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

13. Ordinance 2021-09 / Saddle Creek Ranch PUD Vacation (Matt Watkins – Approximately 20 minutes) – Discuss and possibly adopt Ordinance 2021-09 vacating the plat map for the Saddle Creek Ranch PUD located at approximately 970 South 250 West (Street Lane) (Zoning is R-1-22). **Public Hearing**

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

- Location
- Existing plat map
- Approved master plan
- Possible findings
- Proposed conditions

Mr. Henke also made the following comments:

- The Council had already approved a master plan amendment and the first phase for the project.
- The existing plat map now needed to be vacated.
- A rectangle piece of property on the north would be removed from the development and combined with another legal parcel to the north. Water had already been dedicated for this property and would have to be kept with it and tracked.
- The City Attorney suggested leasing the water to the owner of the legal parcel.
- The Council did not have any discretion with the item because it already agreed to a master plan for the current proposal.

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

Paul Berg, Berg Engineering Resource Group and representing the applicants, indicated that the owner of the parcel to the north was the original developer for the project. He added that she originally owned the rectangle property.

Public Hearing

Mayor Johnson opened the hearing and asked if there were any comments from the public. She closed the hearing when no public comment was offered.

Motion: Council Member Drury moved to approve Ordinance 2021-09 vacating the plat map for the Saddle Creek Ranch PUD, located at approximately 970 south 250 West (Street Lane) with the following findings and condition:

- A master plan amendment for Saddle Creek was approved on 7 May 2019.
- The existing plat had to be vacated for any of the new plats to be recorded for that approved plan,
- Density and traffic would decrease if the existing plat were vacated, and the proposed plat was recorded.
- Public streets, rights-of-way, and easements would be vacated or altered as part of this amendment and would need to be rededicated as part of the future plat recording.
- The 2.36-acre remanent piece needed to be combined with an adjacent parcel before the phase 2 plat of the revised master plan was recorded or within 90 days of the plat being vacated, whichever occurred first.

Second: Council Member Orme 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

Council Member Dougherty indicated that he voted against the item because it sacrificed affordable housing for lower density. Mayor Johnson responded that the previous proposal would not have been affordable. Council Member Dougherty said it would have been more affordable than the current proposal.

14. Resolution 2021-06 / Vacate Saddle Creek Ranch Development Agreement (City Attorney – Approximately 5 minutes) – Discuss and possibly approve Resolution 2021-06 vacating the development agreement for the Saddle Creek Ranch PUD located at

approximately 970 South 250 West (Street Lane) (Zoning is R-1-22).

- 15. Saddle Creek Ranch PUD / Release of Recording Agreement** (City Attorney – Approximately 5 minutes) – Discuss and possibly approve a release of a recording agreement for the Saddle Creek Ranch PUD located at approximately 970 South 250 West (Street Lane) (Zoning is R-1-22).

Corbin Gordon indicated that he was unable to prepare the resolution and release agreement. Brad Wilson added that they would be considered at the next council meeting.

16. Closed Meeting to Discuss Pending or Reasonably Imminent Litigation

A closed meeting was not held.


17. Gerber Water Line Project / Change Order

Wes Johnson indicated that some pipe, for the water laterals in the Aspen Hollow PUD, was bad and needed to be replaced. He recommended that the work be done as a change order to the current Gerber Water Line project. The Council did not raise any objections. Brad Wilson recommended that the change order be approved as an item on the next consent calendar.

18. Adjournment

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

The meeting was adjourned at 9:35 p.m.



Celeste Johnson, Mayor



Brad Wilson, Recorder