

**MINUTES OF THE  
MIDWAY CITY COUNCIL  
(Work Meeting)**

**Tuesday, 6 April 2021, 4:00 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**

Mayor Johnson called the meeting to order at 4:01 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

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

**Others Present:**

Paul Berg, Berg Engineering Resource Group

**Staff Present:**

Corbin Gordon, Attorney

**2. Lower River Annexation / Further Consideration (New Petition) (Berg Engineering) –**  
Discuss approving for further consideration a new petition for the Lower River Annexation containing 354.61 acres located at approximately 225 East 850 South.

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

- Location of the proposal
- Area in the previous annexation petition
- Area in the new annexation petition
- Land use map
- Zoning
- Sensitive lands
- Annexation plat map
- Items for consideration

- Transient Rental Overlay District (TROD)
- Concept plan
- Resort tax
- Resort area
- Trails
- Density
- Heber Valley Special Service District (HVSSD) winter water storage ponds
- Nonconforming uses

Mr. Henke also made the following comments:

- The only property being force into the City with the annexation, which was A-20 and not C or RA-1 in the County, was owned by Chip Wright.
- Suggested that part of the property be resort zone and the other part be RA-1-43 if it was annexed.
- The wetlands information for the property needed to be updated.
- A portion of the property should include the TROD when annexed.
- A portion of the project would be a rural preservation subdivision.
- The petitioner had proposed a new road standard.
- A document had been provided indicating that there was a 30-foot easement for the south access.
- It would be best for any nonconforming uses to expand before they were annexed.
- The RA-1-43 zone would have to be amended to expand the public works yard which was in the annexation.
- Recommended against annexing any property as the resort zone unless it included a development plan.

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

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

- The City had allowed a 26-foot private road standard in PUDs.
- The property owned by the State did not have any tax value.
- The original petition was withdrawn, and a new petition submitted at the request of the City Council. Could have developed the property under the original petition.
- Did not want to decrease the potential density for the properties being forced in.
- This was the first of many steps in the annexation process.

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

- The Council could create a zone with less density, in the annexation area, if it amended the Land Use Map.
- If one of the accesses was private, then an access easement would have to be granted for all the properties.
- An area would need to be dedicated for the intersection with State Highway 113.
- Did the Municipal Code prohibit forcing in property owned by the State? The State had

not formally objected to its property being annexed. Corbin Gordon would research the issue.

- The issue of water needed to be addressed.
- Was the City's water system stretched?
- The project would be considered by the Water Advisory Board.

Corbin Gordon explained the annexation process including a boundary commission.

**3. Buildings / Fees** (Mayor Johnson) – Discuss changing the fees for the use of city buildings.

**4. Town Hall / Former DUP Space** (Mayor Johnson) – Discuss uses for the space in the Town Hall, located at 140 West Main Street, formerly used by the Daughters of the Utah Pioneers.

Mayor Johnson indicated that work on the interiors of the Town Hall and Community Center had been completed. She indicated that the public would now be able to use the buildings.

Mayor Johnson also indicated that the Council needed to address fees for building use and if any discounts would be given for using them multiple days. Council Member Simonsen responded that someone should not be able to use a building indefinitely or have unrestrained access. Council Member Dougherty suggested that the Community Center be used by the public while the Town Hall be used for businesses.

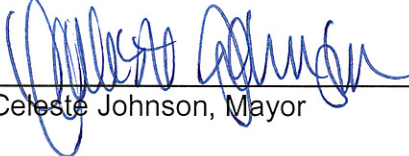
Council Member Simonsen requested that the Council discussed the souvenir shop that would be in the Town Hall.

**5. Founders Day** (Mayor Johnson) – Discuss holding a founders' day.

Mayor Johnson suggested that the City hold a founders' day celebration to honor 130 years since its incorporation and include trails, beautification events, etc.

## **6. Adjournment**

The meeting was adjourned at 5:02 p.m.

  
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Celeste Johnson, Mayor

  
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Brad Wilson, Recorder