

# MINUTES OF THE MIDWAY CITY COUNCIL

## (Work Meeting)

**Tuesday, 1 March 2022, 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, 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 Pro Tempore Drury called the meeting to order at 5:00 p.m. He excused Mayor Johnson.

#### Members Present:

Jeff Drury, Mayor Pro Tempore  
Steve Dougherty, 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  
Shane Owens, Public Works Assistant Crew  
Chief/Cemetery Sexton  
Brad Wilson, Recorder/Financial Officer

#### Members Excused:

Celeste Johnson, Mayor

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

2. **Ordinance 2022-07 / Cemetery Regulations** (City Attorney – Approximately 30 minutes) – Discuss Ordinance 2022-07 amending Chapter 2.16 (Cemetery) of the Midway City Municipal Code regarding cemetery regulations.
3. **Resolution 2022-06 / Cemetery Fees and Policies** (City Attorney – Approximately 30 minutes) – Discuss Resolution 2022-06 amending the Midway City Fee Schedule regarding cemetery fees and the Midway City Policies and Procedures regarding cemetery policies.

Corbin Gordon gave a presentation regarding the proposed ordinance and reviewed the following items:

- Overview

- Statute edits
- Adjudication
- Transferability
- Process to update certificates

Mr. Gordon also made the following comments:

- A burial right should only be transferred if there was only one living heir, or a court of law determined ownership.
- The City should work to not overwhelm the court.
- The descendants would have to do the work to prove who had a right to a burial space.

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

Shane Owens reviewed the following items:

- Summary
- Rates and fees
- Headstones

Mr. Owens indicated that the removal fee also covered setting the headstone.

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

- Households should be able to purchase more than four burial spaces.
- Should each burial space be assigned to a person when the burial right was purchased?
- Some people could not decide at purchase who should be buried on each space.
- Increasing the price would limit the number of spaces that a person would buy.
- Midway's prices were lower than those for other area cemeteries. They should be equal to or a little more.
- The City's cemetery should not be a profit center.
- A person who was a Midway taxpayer for many years should be able to purchase a cemetery space.
- A burial space should cost at least \$1,000. It should be the same or more than other cemeteries.
- Midway taxpayers should not subsidize the cost for nonresidents to buy a burial space.
- All the costs to be buried should be considered.
- The Council should see a comparison of area cemetery fees.
- The fees should cover all cemetery costs to keep taxes low.
- The discontinued perpetual care fund did not cover maintenance costs.

#### **4. Adjournment**

**Motion:** Council Member Simonsen moved to adjourn the meeting. Mayor Pro Temp Drury seconded the motion. The motion passed unanimously.

The meeting was adjourned at 5:58 p.m.



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Jeff Drury, Mayor Pro Tempore



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Brad Wilson, Recorder