

MINUTES OF THE MIDWAY CITY COUNCIL

(Work Meeting)

Tuesday, 23 April 2018, 9:00 a.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, 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 9:00 a.m. She indicated that Council Member Drury might arrive or call later in the meeting.

Members Present:

Celeste Johnson, Mayor
Jeff Drury, Council Member (Arrived at 1:17 p.m.)
Lisa Orme, Council Member
Bob Probst, Council Member
JC Simonsen, Council Member
Ken Van Wagoner, Council Member

Michael Henke, Planning Director (Left at approximately 11:15 a.m.)
Wes Johnson, Engineer
Shane Owens, Public Works Assistant Crew Chief (Arrived at approximately 11:15 a.m.)
Brad Wilson, Recorder/Financial Officer

Staff Present:

Corbin Gordon, Attorney (Arrived at 9:10 a.m.)

Others Present:

Paul Berg, Berg Engineering
Brad Pelo

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

2. **Pelo Subdivision / Culinary Water Service** (Brad Pelo – Approximately 30 minutes) – Discuss and possibly agree to provide culinary water service to the Pelo Subdivision located at 520 South 500 East.

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

- Development summary
- Proposed location for the development.
- Concept plan

- Discussion items
- Road from Michie Lane to 850 South
- Trail plan
- Out-of-pocket expenses

Mr. Henke also made the following comments:

- Brad Pelo, the applicant, was finalizing the purchase of the property.
- Because of timing issues, Mr. Pelo requested to develop the land in Wasatch County and then annex the property into Midway City.
- The County needed a will serve letter for culinary water, from Midway City, before it would consider the project.
- Should the County or the City receive the water rights?
- Johnathan Hughes, who owned the property to the west, was illegally accessing his land through Deer Creek Estates.
- The City's trails plan recommended a paved trail on the east side of the project.
- The project was less density than the maximum allowed in the City or County.
- The lots would be deed restricted and could not be subdivided.
- The applicant requested that the annexation fee be waived because of the project's low density and significant open space.

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

Brad Pelo, applicant, made the following comments:

- Had tried to contact Mr. Hughes but was unsuccessful.

Paul Berg, representing the applicant, made the following comments:

- Suggested that the annexation process be streamlined for small projects.
- The County's construction standards were comparable to the City's.
- The proposed development met the County's standards for irrigated area around houses.
- It would be most logical for the road, from Michie Lane to 850 South, to go through the land owned by The Church of Jesus Christ of Latter-day Saints. This property might be purchased for a new public school.
- The applicant wanted to use the existing road for agricultural access. The trail could follow this road.
- A trail easement could be conveyed to the City as part of the will serve letter.

Council Member Van Wagoner indicated that he had run cattle on the property.

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

- The City had added significant additional requirements to the annexation process.
- A concrete ribbon curb should be used.
- The City was considering soft trails to reduce maintenance.
- Should the Midway Irrigation Company hold the water rights for the project?

- There should be language noting that the project was near a sewer treatment facility which could smell. Was this saying that some properties were less valuable than other properties? How close to the facility should a property be to require this language? Should properties developed only after the facility was built include such language?
- The trail could follow the proposed cul-de-sac.

3. Hamlet PUD / Deed Open Space (City Planner – Approximately 10 minutes) – Discuss the Hamlet PUD HOA deeding open space, on the south side of Michie Lane at approximately 875 East, to Midway City.

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

- Location of the open space
- Land use summary

Mr. Henke also made the following comments:

- The Hamlet HOA did not know that it owned the open space.
- The open space was approximately 10 acres, not landscaped, over the old garbage dump for the City, and did not include any water rights. It would be a good location for a trail head.
- Deeding the property to the City would decrease taxes, maintenance and liability for the HOA.
- The open space could be used as a safer access to the Heber Valley Special Service District's sewage treatment facility.

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

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

- The open space would be good for bike trails.
- The soil should be tested, because it was over a garbage dump, before the City agreed to accept the open space.
- There was a problem with people dumping debris on the property.

The City Council agreed to further consider accepting the open space.

4. Closed Meeting to Discuss Pending or Reasonably Imminent Litigation

Motion: Council Member Van Wagoner moved to go into a closed meeting.

Second: Council Member Simonsen seconded the motion.

Discussion: None

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

Council Member Drury	Excused from the Meeting
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

Note: Closed meeting minutes are sealed and strictly confidential. Access to such minutes must be obtained through a court of law.

Motion: Council Member Van Wagoner moved to go out of the closed meeting.

Second: Council Member Probst seconded the motion.

Discussion: None

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

Council Member Drury	Excused from the Meeting
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

Motion: Without objection, Mayor Johnson recessed the meeting at 10:45 a.m. She reconvened the meeting at 10:54 a.m.

5. Dutch Fields/River Road Trail / Reconstruction Cost – Discuss the cost to reconstruct the Dutch Fields/River Road trail.

Wes Johnson reviewed the cost to reconstruct the Dutch Fields/River Road trail. He indicated that the Dutch Fields HOA was responsible for its maintenance. He reviewed the HOA's proposals to pay for the work and the possibility of the City participating.

6. FY 2020 Budget (Financial Officer – Approximately 2.5 hours) – Discuss the proposed FY 2020 budget for Midway City.

Michael Henke presented his budget recommendations for the Planning and Zoning Department.

Note: Mr. Henke left at approximately 11:15 a.m.

Shane Owens presented his budget recommendations for the various departments overseen by the Public Works Department.

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

- A parking lot between the Town Hall and the Community Center. A meeting with the Utah Department of Transportation would be held on May 9th at 1:30 p.m. regarding the parking lot and other parking issues along Main Street.
- General trails maintenance should be increased to \$50,000.
- \$25,000 should be budgeted for the Dutch Fields/River Road trail.
- Adopting a policy for regular cost of living adjustments for the mayor and city council.
- Budget \$75,000 to add a reception area to the City Office Building.
- Increasing wages for several public works employees.
- Hiring two seasonal public works employees.
- A general amount for donations in the budget instead of donations to specific organizations. Organizations would have to apply for a donation from this amount.
- Review the billings and payments for the Class "B" water share assessment.
- Review the amount budgeted for water related claims.

Note: Council Member Drury arrived at 1:17 p.m.

- A greater share of road reconstruction could be paid from the Water Fund when the project included water infrastructure.
- More money should be set aside for future ice rink capital improvements.

The Council, staff and meeting attendees reviewed the proposed expenditures in the Ice Rink Fund.

7. Closed Meeting to Discuss the Character, Professional Competence, or Physical or Mental Health of an Individual.

Motion: Council Member Van Wagoner moved to go into a closed meeting.

Second: Council Member Orme seconded the motion.

Discussion: None

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

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

Note: Pursuant to Section 52-4-206, Utah Code Annotated 1953, the closed meeting was not recorded nor was written minutes kept. An affidavit affirming the purpose of the meeting is contained in the supplemental file.

Motion: Council Member Van Wagoner moved to go out of the closed meeting.

Second: Council Member Simonsen seconded the motion.

Discussion: None

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

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

8. Adjournment

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

The meeting was adjourned at 2:38 p.m.



Celeste Johnson, Mayor



Brad Wilson, Recorder