

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

**Wednesday, 25 April 2018, 6:00 p.m.  
Midway Community Center, City Council Chambers  
160 West Main Street, Midway, Utah**

**Note:** Notices/agendas were posted at 7-Eleven, Ridley's Express, 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 6:02 p.m.

**Members Present:**

Celeste Johnson, Mayor  
Lisa Christen, Council Member  
Jeff Drury, Council Member  
Bob Probst, Council Member  
JC Simonsen, Council Member  
Ken Van Wagoner, 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. Chris Clayson gave the prayer and/or inspirational message.

**2. Consent Calendar**

- a. Agenda for the 25 April 2018 City Council Regular Meeting.
- b. Warrants
- c. Minutes of the 11 April 2018 City Council Work Meeting
- d. Minutes of the 11 April 2018 City Council Closed Meeting
- e. Minutes of the 11 April 2018 City Council Regular Meeting
- f. Proclamation 2018-01 designating May as Building Safety Month
- g. A Temporary Use Permit for High Valley Arts to Exceed the Allowed Sound Levels for a Musical Production at 100 South and 400 East for the Months of June and July of 2018

**Note:** Copies of items 2a, 2b, 2c, 2e, 2f, and 2g are contained in the supplemental file.

**Motion:** Council Member Probst moved to approve the consent calendar with item “g” removed for further consideration.

**Second:** Council Member Van Wagoner seconded the motion.

**Discussion:** Council Member Drury asked about building safety month. Mayor Johnson explained it.

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

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

**2g. High Valley Arts / Temporary Use Permit** – A Temporary Use Permit for High Valley Arts to Exceed the Allowed Sound Levels for a Musical Production at 100 South and 400 East for the Months of June and July of 2018

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

- Special event temporary use permit for noise
- Noise limit chart
- Location of the production
- Sound levels by location and time of day

Mr. Henke also made the following comments:

- High Valley Arts had been granted a temporary use permit the previous seven years.
- There were now more homes in the area.
- In the work meeting that day the Council discussed granting a variance up to 10:00 p.m. each day.
- There had been no complaints in the past regarding the productions.

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

Council Member Drury asked that the sound levels be remeasured, during the production that year, because houses were less than 100 yards from the stage. Mr. Henke responded that he would remeasure during the production.

**Motion:** Council Member Drury moved to grant the temporary use permit, to exceed the allowed sound levels for a musical production at 100 South and 400 East for the months of June and July of 2018, with the following conditions:

- After 10:00 p.m. the sound levels could not be greater than 55 dBA.
- The applicant paid the \$100 permit fee.
- The sound levels next to Bowden Fields were re-measured.

**Second:** Council Member Christen seconded the motion.

**Discussion:** None

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

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

### 3. Announcements

There were no announcements.

### 4. Public Comment – Comments were taken for items not on the agenda.

Mayor Johnson asked if there were any comments from the public.

#### Bonding for Open Space

Clint Coleman made the following comments:

- Would be a supporter of an open space bond if the process was done properly.
- Wasatch County was going to bond for \$15 million for open space preservation. The City should support the County's efforts.
- Placing two open space bonds on the ballot at the same time would hurt both.
- Time was needed to clarify misinformation.
- The City was not more important than the County.

No further comments were offered.

### 5. Department Reports

#### Midway Business Alliance

Council Member Christen reported that the Midway Business Alliance was trying to get customers to all Midway businesses. She also reported on the new businesses in the City.

### Ice Rink

Council Member Drury reported on the ice rink including attendance for the 2017-2018 season.

### Parking / Cannery

Council Member Drury reported that the Midway Boosters had questions about allowing public parking at the cannery which they owned.

### Parking / Map

Council Member Drury reported that the Midway Boosters suggested a map showing available parking close to Main Street.

### Spring Clean-Up / Signs

Council Member Drury suggested that signs be put up advertising the spring clean-up.

### Midway Boosters / City Beautification

Council Member Drury reported that the city beautification, sponsored by the Midway Boosters, would be June 9<sup>th</sup>.

### Swiss Days / Additional Law Enforcement

Council Member Drury informed the Midway Boosters that the City would budget the same amount for additional law enforcement at Swiss Days.

### Open Space Committee / Public Forums

Council Member Drury noted that public forums would be held by the Open Space Committee on May 5<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, and 10<sup>th</sup>.

### Heber Light & Power Company / Transmission Line

Mayor Johnson reported that Heber Light & Power Company was continuing to study and get information on the proposed transmission line.

### Clean Power

Council Member Drury asked if the Council would be interested in the City purchasing clean power.

## Midway Sanitation District / Contract

Mayor Johnson reported that the revised contract between the City and the Midway Sanitation District was almost completed.

- 6. Resolution 2018-13 / Open Space Bonding** (City Recorder) – Discuss and possibly approve Resolution 2018-12 supporting the placement of a ballot proposition, regarding an open space bond, on the 2018 General Election ballot.

Corbin Gordon reviewed revisions to the proposed resolution. It now emphasized the timeline and information needed from the Open Space Committee. The Council, staff and meeting attendees discussed the following items and made the following comments related to the resolution:

- The City supported the County's open space bond.
- A survey would be done regarding bonding for open space in Midway.
- The Council supported the Committee's efforts.
- The Committee was seeking public input.
- The Committee should give its unbiased opinion.
- The Council needed time to discuss the information presented by the Committee.
- Because the County had such a broad population, the City's bond efforts would not impact the County's efforts.
- The cost to the City for services was less for open space than for residential development.
- The City still needed to sign the proposed memorandum of understanding with Wasatch County regarding open space.
- The City needed to determine the maximum property tax increase that residents would support.
- The individual tax burden for the bonds would decrease as the population increased.
- Were the surveys conducted in the past, regarding open space, accurate and representative of the population?
- Information from the Committee should be submitted before the Council's meeting on June 13<sup>th</sup>. The Committee should make a presentation to the Council at that meeting.
- Hiring a polling company to survey the residents would be more accurate but it would also be more expensive.

Steve Farrell, Wasatch County Council Member, reviewed the County's efforts to bond to preserve open space and made the following comments:

- Utah Open Lands would help the County promote its bond and obtain money from other sources.
- Did not want to overtax residents.
- Noted that other tax increases, such as for new schools and additional law enforcement, were being considered.
- The City could receive some of the County bond money if it had an open space committee and plan for open space.
- Questioned having two open space bonds on the ballot at the same time.

**Motion:** Council Member Simonsen moved to approve Resolution 2018-13 as amended by the City Attorney, and not as presented on the City’s website, with the following modifications:

- The requested information be received by June 13<sup>th</sup> so that it would be available for that night’s council meeting.
- The Open Space committee would present the requested information at the June 13<sup>th</sup> council meeting.
- An analysis of maintenance costs, involved with land acquisition, be completed by the Committee before June 13<sup>th</sup>.

**Second:** Council Member Drury seconded the motion.

**Discussion:** None

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

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

**7. Resolution 2018-12 / Budget Amendment** (Financial Officer) – Discuss and possibly approve Resolution 2018-12 amending the FY 2018 Midway City Budget regarding capital projects, parks maintenance and wages/benefits.

Brad Wilson gave a presentation regarding the amendment and reviewed the following items:

- Organization of the budget
- Proposed amendments to the General Fund
- Proposed amendments to the Capital Improvement Projects Fund
- Proposed amendments to the Water Fund

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

The Council, staff and meeting attendees discussed the following items and made the following comments related to the proposed amendment:

- The Public Works Department could quickly fix the trail bridges at the Valais Park.
- Shane Owens would check to see if boarders were required around playground equipment.
- Was a cheaper boarder available?
- Should the fall zones around the playground equipment be expanded?
- Were the Valais Park tennis courts in such bad condition that they could not be repaired?
- Did the area around the tennis courts have to be completely re-landscaped at that time?
- Should both courts be striped for pickleball?
- The Trails and Parks Committee should consider and make a recommendation on

pickleball courts. The Committee would not meet for another month.

Public Hearing

Mayor Johnson opened the public hearing.

Nancee Heckel

Ms. Heckel indicated that Eagle Scout projects could be used for a number of projects in the parks such as repairing the trail bridges and expanding the fall zones.

Mayor Johnson closed the hearing when no further public comment was offered.

**Motion:** Council Member Van Wagoner moved to approve Resolution 2018-12 with the changes discussed that day.

**Second:** Council Member Probst seconded the motion.

**Discussion:** None

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

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

**8. Adjournment**

**Motion:** Council Member Van Wagoner moved to adjourn the meeting. Council Member Christen seconded the motion. The motion passed unanimously.

The meeting was adjourned at 7:37 p.m.

  
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Celeste Johnson, Mayor

  
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Brad Wilson, Recorder