

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

**Wednesday, 23 May 2018, 10:00 a.m.  
Midway City Office Building, Old City Council Chambers  
75 North 100 West, 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**

Mayor Johnson called the meeting to order at 10:06 a.m.

**Members Present:**

Celeste Johnson, Mayor  
Lisa Christen, Council Member  
Jeff Drury, Council Member  
Bob Probst, Council Member  
JC Simonsen, Council Member

**Staff Present:**

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

**Members Excused:**

Ken Van Wagoner, Council Member

**Others Present:**

Pete Zaccardi, TJ's Auto and Small Engine Repair

**2. TJ's Auto and Small Engine Repair / Non-Conforming Sign** (City Planner – Approximately 30 minutes) – Discuss if a non-conforming sign for TJ's Auto and Small Engine Repair (Formerly Midway Automotive), located at 565 East Main Street, is of historical significance.

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

- History
- Proposed replacement sign
- Current non-conforming sign
- Current sign code
- Definition of a historic sign
- Possible findings
- Possible conditions
- Other non-conforming signs
- Proposed sign for 7-Eleven

- Right-of-way widths for Main Street

Mr. Henke also made the following comments:

- The sign was non-conforming.
- The current sign regulations were adopted after the sign was installed in 1992.
- A non-conforming sign could remain if it uninterruptedly continued to advertise the same business name.
- The Council could exempt historic signs from the regulations.
- The proposed sign had been reviewed by the Vision Architecture Committee.
- Was the proposed sign of historical significance?
- The sign would have to be moved when that section of Main Street was widened.

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

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

- When would Main Street be widened?
- The City should help businesses on Main Street.
- The proposed sign would be better front lit rather than back lit.
- The proposed sign should be allowed, as a historic and non-conforming use, until Main Street was widened.

**3. Resolution 2018-15 / PTIF Authorizations** (City Treasurer – Approximately 10 minutes) – Discuss Resolution 2018-15 authorizing who can make changes to Public Treasurers' Investments Fund accounts on behalf of Midway City.

Brad Wilson made the following comments regarding the proposed resolution:

- The Utah State Treasurer was changing the system used to administer public treasurers' investment fund (PTIF) accounts.
- The State Treasurer required a resolution, approved by each governing body, specifying who could make changes to an organization's PTIF accounts.
- The City Treasurer and Mayor were recommended to make changes.
- The City Recorder/Financial Officer should not be able to make changes because he reviewed and reconciled the accounts each month.

**4. All West Communications / Franchise Agreements** (City Recorder – Approximately 5 Minutes) – Discuss proposed franchise agreements with All West Communications for cable television and telecommunications.

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

- Franchise agreements
- History of agreements with All West Communications
- Items to be considered by the Council

- Taxes vs. franchise fees

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

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

- All franchisees should follow the City's regulations for cutting and excavating in its rights-of-way.
- Franchisees should also relocate their infrastructure, at their own expense and within 30 days of notification, if the City needed to install its own infrastructure.
- Any new agreements should not jeopardize existing agreements.
- Many franchisees now provided the same services such as internet access.
- The City should receive a fee for all the services that a franchisee provided.
- The more options for residents, such as for internet access, the better.
- Franchisees should allow the City to co-locate infrastructure in its trenches when they were open.
- All infrastructure standards and locations should be approved by the City Engineer.

## 5. Department Reports

### Security Cameras

Mayor Johnson reported that a \$30,000 bid had been received to install security cameras around the Town Square. The Council thought that the cost was too high. A game camera was suggested as a short-term solution.

### Town Square / Landscaping

Mayor Johnson indicated that the City had high landscaping standards for new developments. She thought that it should have the same standards for the Town Square.

### Carbon Taxing / Letter of Support

Mayor Johnson reported that she attended a summit regarding climate change and carbon taxing. She recommended that the City send a letter of support for such a tax to the Federal Government. The Council agreed.

### RAP Tax

Mayor Johnson wanted the City to impose a recreation, arts and parks (RAP) tax. Brad Wilson reviewed a memo explaining the tax.

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

### Traffic Tickets

Council Member Probst heard that the City told the Sheriff's Department not to issue a ticket when it pulled someone over for breaking a traffic law. No one knew of such direction being given.

### Open Space / Bonding

Council Member Probst asked about the forums that had been held regarding bonding for open space. Mayor Johnson responded that around 30 people attended each forum. She said there were questions, some emotional, and most questioners supported putting the issue on the ballot.

The Council, staff and meeting attendees discussed the following items related to bonding for open space:

- Wasatch County spent three years considering an open space bond.
- The City needed to be prepared before putting such an issue on the ballot.
- Deciding which open space would be preserved would be very controversial.
- Wasatch County had more land and therefore more options for open space preservation.
- There needed to be a willing seller for open space to be preserved.
- A survey being done would show the priorities for preservation.
- The Open Space Advisory Committee was working on a list of potential properties for preservation.
- Conservation easements were the best way to preserve open space.
- An owner would raise the price of their property if they knew the City wanted to purchase it.
- The criteria for open space would be important.
- A property would need to meet all the qualifications before it was preserved.
- Would the City's bond proposition hurt the County's bond proposition?
- The City would need money to obtain other funds to preserve open space.
- The City had tried to work with the County regarding bonding.
- The Council was only deciding if the issue should be placed on the ballot.
- Bonding was the best option for preserving rural Midway.
- A fund could be established to help those who could not pay the additional property tax.
- Some eligible people would not use the fund.
- There was a record of eligible people and they could be encouraged to use the fund.
- The City made money on open space and lost money on residential development.

### Cemetery / Condition

Council Member Probst received several complaints about the condition of the City's cemetery just before Mother's Day. Mayor Johnson explained that the landscaping company did not mow it for two weeks because of a funeral and rain. She added that the City did not have the equipment to mow it. Council Member Simonsen said that the City was considering buying a mower.

## 6. Adjournment

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

The meeting was adjourned at 11:41 p.m.

  
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Celeste Johnson, Mayor

  
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Brad Wilson, Recorder