

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

**Tuesday, 16 October 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 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; Pledge of Allegiance; Prayer and/or Inspirational Message

Mayor Johnson called the meeting to order at 6:00 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. Mike Orme gave the prayer and/or inspirational message.

2. Consent Calendar

- a. Agenda for the 16 October 2018 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 2 October 2018 City Council Regular Meeting
- d. Minutes of the 2 October 2018 City Council Closed Meeting
- e. Rob Bouwhuis as a Full Member of the Midway City Planning Commission

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

Mayor Johnson read the consent calendar.

Council Member Simonsen asked about the warrants for Remote Control Systems and Applied Diving Services. Wes Johnson responded that Remote Control Systems upgraded the City's SCADA system and Applied Diving Services cleaned its water tanks.

Motion: Council Member Christen moved to approve the consent calendar.

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

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

Mayor Johnson asked if there were any comments from the public. No comments were offered.

4. Department Reports

Cemetery / Old Maintenance Building

Council Member Probst reported that the City was acquiring a permit from Wasatch County to demolish the old maintenance building at the cemetery.

Community Center / Brick Repair

Council Member Probst reported that the brick on the west side of the Community Center had been repaired. He indicated that the cause of the damage needed to be determined.

Public Works Vehicle Building

Council Member Van Wagoner reported on the construction of the vehicle building at the public works maintenance yard.

Sidewalks / Repair Trip Hazards

Council Member Simonsen reported that trip hazards in the sidewalks, at Alpenhof Park and near the Midway Elementary School, had been repaired.

Michie Lane Park

Council Member Simonsen reported that a contract was awarded to the lowest bidder for the design of the Michie Lane Park. He said that the playground equipment needed to be purchased before the end of the year to maintain current pricing.

Trails Planning / Trails and Parks Committee

Council Member Simonsen reported that the Midway City Trails and Parks Advisory Committee was doing an analysis of the City's trails. He said that a planning survey would be done that spring. He added that the Committee's objective was to increase connectivity between trail sections.

Safety Committee

Mayor Johnson reported that she formed an ad hoc safety committee to address speeding and road safety.

- 5. Proclamation 2018-02 / Diabetes Awareness Month** (Mayor Johnson – Approximately 10 minutes) – Discuss and possibly approve Proclamation 2018-02 designating November as Diabetes Awareness Month in Midway City.

Megan Miller, People's Health Clinic, explained diabetes and Diabetes Awareness Month. She indicated that the Clinic would host a diabetes awareness event on November 14th.

Motion: Council Member Van Wagoner moved to approve Proclamation 2018-02 designating November as Diabetes Awareness Month in Midway City.

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

- 6. Health Department / Annual Report** (Gerald Hayward – Approximately 20 minutes) – Receive an annual report from the Wasatch County Health Department.

Gerald Hayward, a member of the Wasatch County Board of Health, and Randall Probst, Wasatch County Health Department Health Officer, gave the annual report for the Department and reviewed the following items:

- Budget
- Algae in local reservoirs
- Air quality monitoring
- Certified water lab
- Maintaining pristine water quality
- Valley wide water analysis
- Reviewing septic tank requirements
- Common diseases
- Food supply
- Inspecting food trucks
- County health rankings
- Diabetes
- Available vaccines

Note: A copy of the Annual Report is contained in the supplemental file.

7. Farm Springs Subdivision / Amendment (City Planner – Approximately 10 minutes) – Discuss and possibly approve an amendment to the Farm Springs Subdivision located at 550 North Center Street (Zoning is R-1-15). **Public Hearing**

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

- Land use summary
- Location of the subdivision
- Wetlands
- Recorded plat map
- Proposed plat map
- Possible findings

Mr. Henke also made the following comments:

- There was only one home on both lots.
- An outbuilding would be allowed on the combined lot.
- There were no recommended conditions.
- Everyone within the subdivision and 600 feet had been notified of the proposal. No one contacted him about it.
- The wetlands on the lots could not be filled in or altered but the vegetation could be cut.
- Rotary excavating and monitoring had been required in the Subdivision because of springs in the area.

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

Public Hearing

Mayor Johnson opened the public hearing.

Randall Probst

Mr. Probst indicated that he owned property next to the subdivision. He also indicated that he received a notice, the applicant was a good neighbor, and supported the amendment.

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

Motion: Council Member Van Wagoner moved to approve the plat map amendment for lots seven and eight of the Farm Springs Subdivision with the following findings:

- Potential trips per day generated from the two lots would be reduced.
- Density in the subdivision would be reduced.
- The area would feel more open because of the reduction of one lot.
- No public street, right-of-way, or easement would be vacated or altered.

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

8. Ordinance 2018-23 / General Plan Amendment (City Planner – Approximately 20 minutes)
– Discuss and possibly adopt Ordinance 2018-23 amending the Midway City General Plan regarding open space. Recommended by the Midway City Planning Commission. **Public Hearing**

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

- Why add another chapter to the General Plan?
- Sections of the proposed chapter.

Mr. Henke also made the following comments:

- The chapter was prepared by Woody Woodruff and the rest of the Midway City Open Space Advisory Committee.
- It was considered by the Midway City Planning Commission which also held a public hearing. They suggested some minor changes.
- Had not received any negative comments regarding the chapter.

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

Public Hearing

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

Council Member Probst recommended that the chapter not be adopted that night because it was too close to the election, more time was needed to review it and results of the election should be seen first. Mayor Johnson responded that the chapter dealt more with open space in general than with the open space bond on the ballot.

Motion: Council Member Probst moved to table consideration of the ordinance until after the election.

Second: Council Member Christen seconded the motion.

Discussion: Council Member Christen liked the proposed chapter but felt that it promoted the bond. She wanted it reconsidered after the election.

Council Member Simonsen made the following comments:

- Was concerned if the chapter promoted the bond.
- The Open Space Committee had been working on it for a year.
- It needed to be adopted regardless of the outcome of the bond.
- It clarified the City's view on open space.
- The timing but not the content could have been a problem.

Council Member Drury asked how long the Open Space Committee had been working on the chapter. Michael Henke responded that the Committee had been discussing it for a year and started writing it five months ago.

Council Member Van Wagoner was concerned that the Committee had been working on it for five month and that was the first time that he saw it. Mayor Johnson indicated that's typical on all these types of resolutions.

Council Member Simonsen noted that it was considered by the Planning Commission.

Council Member Drury said that it should be added to the General Plan even if it was after the election.

Council Member Van Wagoner did not want it to influence the election. He also wanted more time to review it.

Mayor Johnson expressed appreciation to the Open Space Committee for its work.

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	Nay
Council Member Van Wagoner	Aye

The Council decided to reconsider the ordinance and chapter at its first meeting in December.

9. Resolution 2018-30 / Statement of Intent (Council Member Simonsen – Approximately 15 minutes) – Discuss and possibly adopt Resolution 2018-30 adopting a statement of intent regarding the proposed use of open space bond proceeds, and related matters.

Council Member Simonsen made the following comments:

- The statement of intent was a response to citizens' concerns.
- It gave more guidance about the Council's intentions.
- It was not for or against the bond.
- The proposed chapter to the General Plan might cover the same items.
- Maybe it should be tabled.

Council Member Probst like the statement but recommended that it be tabled especially since the proposed chapter was also tabled.

Motion: Council Member Christen moved to table consideration of the statement of intent.

Second: Council Member Simonsen seconded the motion.

Discussion: Council Member Simonsen noted some minor changes were suggested at that day's work meeting but no significant issues were raised.

Mayor Johnson thanked Council Member Simonsen for his work and indicated that the statement would be reconsidered at the Council's first meeting in December.

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

10. Public Works Site Grading / Change Order (Council Member Van Wagoner – Approximately 10 minutes) – Discuss and possibly approve a change order, to the contract for site grading at Midway City's maintenance yard, for the removal of fill and the laying of asphalt.

Council Member Van Wagoner reported that there was a sink hole at the public works maintenance yard created by an old sewer treatment clarifier. He indicated that the sink hole had to be fixed. He suggested that the money, which would have treated the Town Hall roof, be used for the change order.

Wes Johnson made the following comments:

- Wanted the work to be done right.
- The requested change order would pave the whole maintenance yard.
- It also increased the depth of the asphalt from three inches to three and a half inches.
- The cost of paving would be increased from \$98,000 to \$138,700.
- The contractor had replaced the old clarifier with engineered fill but did not know what that cost would be. It might be \$25,000.

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

- Did all the paving have to be done?
- The costs of site grading and the associated vehicle building had increased dramatically.
- The paving had to be done before the temperature decreased.
- The cost would not be excessive to pave some areas later.
- The current price for the paving was a good one but the cost for asphalt would increase.
- The entire project should be completed and not left unfinished.
- The sink hole had to be fixed before any paving could be done.
- The Public Works Department needed to properly maintain the yard.
- Originally the asphalt was going to be four inches thick. Should less paving be done, and the thickness increased?
- The cost of a project should not increase by two times through change orders.
- The City needed to learn from the cost increases.
- Should an outside consultant be hired to properly plan for these types of projects?
- Part of the remaining fill had been put on Council Member Van Wagoner's property.

Council Member Van Wagoner asked that the change order be approved for up to \$40,000. He noted that amount did not include repairing the sink hole. He also noted that he already told the contractor to repair the hole.

Motion: Council Member Drury moved to approve the change order for an amount not to exceed \$40,000 with that money coming from the treatment of the Town Hall roof.

Second: Council Member Simonsen 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

11. 2017 Road and Utility Improvements / Change Order (City Engineer – Approximately 10 minutes) – Discuss and possibly approve a change order, to the contract for the 2017 road and utility improvements, for modifications to Michie Lane and the new sidewalk on the west side of Center Street.

Wes Johnson reviewed the requested change order and made the following comments:

- The improvements were originally contracted for \$1.8 million.
- The actual cost was a \$200,000 savings.
- Asked that the final pay request be approved that night.
- The change order was for \$110,000.
- Told the contractor that quality and cost was more important than time. That was why the project had taken so long.
- Quality work had been done.

Motion: Council Member Van Wagoner moved to authorize the change order and pay the final pay request.

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

12. 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 8:03 p.m.



Celeste Johnson, Mayor



Brad Wilson, Recorder