

MINUTES OF THE MIDWAY CITY COUNCIL

(Work Meeting)

Tuesday, 4 December 2018, 9:00 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 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 9:02 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 (Left at
12:45 p.m.)

Staff Present:

Corbin Gordon, Attorney (Left at 11:55 a.m.)
Michael Henke, Planning Director (Left at
11:55 a.m.)
Wes Johnson, Engineer
Brad Wilson, Recorder/Financial Officer

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

2. Council Meetings / Holiday Schedule (Approximately 5 minutes) – Discuss the schedule for the Midway City Council meetings during the Christmas and new year holidays.

The Council discussed not holding work and regular meetings on December 18th and July 1st because of the holidays. The Council agreed that pay requests, for projects that had been approved, should be paid in the interim.

3. Ordinance 2018-25 / Resort Zone Amendments (City Planner – Approximately 60 minutes) – Discuss Ordinance 2018-25 amending Section 16.15 (Recreational Resort Zones) of the Midway City Municipal Code regarding the resort zone. Recommended for approval by the Midway City Planning Commission.

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

- Land use map
- Locations of the resort zone (RZ)
- Current RZ code
- Notice of the pending ordinance
- RZ code concerns
- Permitted uses in the current RZ code
- Utah Code regarding land use code language
- Resort development tax base
- Proposed required uses in the zone from the Planning Commission
- Proposed chart of uses in the zone from the Planning Commission
- Proposed required uses in the zone from staff
- Proposed chart of uses in the zone from staff
- Recommended the staff proposals
- Glamping
- RV parks
- Water rights
- Large vs. small properties
- Height limits
- View of the Homestead Resort as seen from Homestead Drive
- Views of the Mt. Spa Resort as seen from its entrance, Burgi Lane and the Lacy Lane Subdivision.
- Density
- Approval process
- Possible findings
- Required commercial development per phase

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

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

- Should transient rentals be considered commercial in the zone?
- Lodges/family reunion centers should be allowed.
- Affordable housing
- Hot springs and sensitive lands
- The proposed code should be consistent in designating which services did not generate tax revenue.
- Should the requirement for tax generating uses be reduced to 5%?
- Side setbacks for small properties should be increased to match those in the commercial zone.
- Building heights should be regulated as seen from the property boundary. An established arc could be used to limit heights.
- The Council had not been given enough time to review the proposed ordinance and consider public comment that would be received that evening.
- The proposal was not perfect, but something needed to be adopted before the notice of pending ordinance lapsed on December 13th.
- With the current RZ code a building could be built at any height.

- The Planning Commission did most of the work on the proposal.

Motion: Without objection, Mayor Johnson recessed the meeting at 11:14 a.m. She reconvened the meeting at 11:21 a.m.

- Setbacks based on the structures distance from the boundary line.
- The Council should revise the setbacks in the future, when it had more time, so they were more specific and less ambiguous.
- Several places in the proposed ordinance gave the Planning Commission decision making authority. The Commission should make a recommendation and the Council make the decision.
- Should theaters be removed from the proposal?
- Outdoor theaters should not count towards the commercial percentage.

4. Ordinance 2018-23 / General Plan Amendment (City Planner – Approximately 10 minutes) – Discuss Ordinance 2018-23 amending the Midway City General Plan regarding open space. Recommended by the Midway City Planning Commission.

5. Resolution 2018-30 / Statement of Intent (Council Member Simonsen – Approximately 10 minutes) – Discuss Resolution 2018-30 adopting a statement of intent regarding the proposed use of open space bond proceeds, and related matters.

Council Member Simonsen said that the goal of the statement was to insure bond proceeds were spent well and that the City received the maximum benefit from any purchase. He suggested that a statement be added preferring that open space, preserved with the proceeds and in the City's annexation boundary, be annexed into the City.

6. Ordinance 2018-24 / Parking Requirements for Commercial and Mixed-Use Developments (City Planner – Approximately 45 minutes) – Discuss Ordinance 2018-24 amending Section 16.13.39 (Off-Street Parking and Loading) of the Midway City Municipal Code regarding parking requirements for commercial and mixed-use developments. Recommended for approval by the Midway City Planning Commission.

Council Member Drury indicated that he contacted Bird about having rental scooters in Midway. He thought that such scooters would make it viable to use parking further away from a business. Council Member Simonsen was concerned that the scooters could be left anywhere.

There was no further discussion of the agenda item because of time.

Note: Michael Henke and Corbin Gordon left at 11:55 a.m.

7. Financial Report / 1st Quarter (Financial Officer – Approximately 60 minutes) – Receive a report on Midway City's finances for the first quarter (July – September) of fiscal year 2019.

Brad Wilson reviewed, and the meeting attendees discussed, the following items:

- Revenue and expenditures for the General Fund, Capital Improvement Projects (CIP) Fund, Water Fund, and the Ice Sheet Fund with their associated departments.
- A comparison of the prior year actual revenue received and the current year budget.

Note: Council Member Van Wagoner left at 12:45 p.m.

- Public works wages by department.
- Expenditures on professional services.
- Budgeted projects
- Aging report for receivables

Note: A copy of the items discussed is in the supplemental file.

8. Adjournment

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

The meeting was adjourned at 1:22 p.m.


Celeste Johnson, Mayor


Brad Wilson, Recorder