

# MINUTES OF THE MIDWAY CITY COUNCIL

## (Work Meeting)

**Tuesday, 15 January 2019, 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 9:07 p.m. She excused Council Member Orme

#### Members Present:

Celeste Johnson, Mayor  
Jeff Drury, Council Member (Participated  
Electronically)  
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

#### Members Excused:

Lisa Orme, Council Member

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

### 2. Bonding Process (City Recorder – Approximately 10 minutes) – Discuss the process and timeline for issuing bonds for the preservation of open space.

Brad Wilson gave a presentation on the timeline for issuing municipal bonds.

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

### 3. Open Space Committee / Procedures (Courtland Nelson – Approximately 60 minutes) – Meet with members of the Midway Open Space Advisory Committee to discuss the Procedures for preserving open space.

Members of the Midway Open Space Advisory Committee gave a presentation regarding the proposed procedures and documents for preserving open space. They reviewed the following items and made the following comments:

- Committee responsibilities and history
- Proposed packet of information to be sent to landowners
- Landowners should be surrounded with good information and people
- Money for open space should be leveraged two to one or three to one
- Notice of interest
- Matrix to determine which open space parcels should be preserved
- Size of open space parcels to preserve
- When to meet with interested landowners
- Preservation process
- Each property was unique
- The City Council would decide which parcels would be preserved and be the gatekeepers to the bond money
- Recommended that the Committee assist interested landowners and then analyze and recommend projects to the City Council.
- A consultant would be the expert in preservation, have the necessary contacts and know what matching funds were available.
- The preservation process would not be quick or easy
- Several projects could be at different stages in the process
- The Internal Revenue Service would be an important part of the process
- The City did not want to be the conservator of open space
- The benefits of a land trust being the conservator
- Proposed landowner guide
- Proposed letter to longtime landowners
- The packet of information needed to be distributed as soon as possible

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

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

- Who was responsible to secure matching funds?
- Some landowners might sell for less than market value because they wanted to preserve open space
- The City should not automatically refer an interested landowner to a land trust.
- Was an appeal process needed?
- Did the statement of intent, adopted by the Council, need to be updated?
- The letter of introduction needed to grab and hold peoples' attention.

The Council approved of the notice of interest but asked that the introductory letter be revised.

**4. Open Space Consultant** (Courtland Nelson – Approximately 15 minutes) – Discuss hiring a consultant to assist in the preservation of open space.

Courtland Nelson, Open Space Committee Chair, made the following comments regarding an

open space consultant:

- The City did not have enough time or expertise to be good advisors regarding open space.
- There were groups that specialized in open space preservation.
- Recommended that a request for proposals be issued for a specialized third party to help in the preservation process.
- Estimated that \$8,000 to \$10,000 would be needed for various expenses during the first couple of years of the process. These costs might be reimbursed from the bond money for other sources.
- Professional help and a contractual relationship were needed.

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

- The Committee had a good idea what was needed from a consultant.
- A land trust would have to help the landowner during the preservation process. Was it a conflict of interest for the City to also hire the same land trust?

The Council agreed to review and possibly approve an RFP at its meeting on February 5<sup>th</sup>.

**Motion:** Without objection, Mayor Johnson recessed the meeting at 10:44 a.m. She reconvened the meeting at 10:52 a.m.

**5. Homestead Master Plan / Possible Amendment** (Russ Watts – Approximately 45 minutes) – Discuss a possible amendment to the master plan for the Homestead Resort located at 700 North Homestead Drive.

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

- Benefits of the Homestead Resort
- Surrounding neighbors
- Economic impact
- Resort Communities Tax
- Access to Main Street from the Homestead
- Trail development
- Current master plan
- Proposed master plan

Mr. Henke also made the following comments:

- The applicant wanted to amend the existing master plan and keep its minimum requirements.
- The existing plan covered the core 35 acres of the Homestead.
- The proposal matched the City's vision and included a greater range of products and amenities.
- It would not comply with all the requirements of the recently adopted resort code but would be governed by the 2008 version.

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

Russ Watts, Watts Enterprises and the applicant, made the following comments:

- Wanted to revitalize the Homestead.
- Wanted as many of the proposed units to be transient rentals as possible.
- The water requirements were determined by the Midway Water Advisory Board the previous week.
- The project would be phased.
- No buildings would be higher than the new restriction.
- Locals would be included in the project and could swim at one of the pools.
- Could meet with the neighbors regarding their concerns.

Adam Watts, representing the applicant, reviewed a tax benefit analysis for the amendment.

Paul Tew, representing the applicant, gave a presentation on the planned look and feel for the proposal including the following items:

- Price points
- Services for workers
- Trails
- Amenities
- Grand hotel
- Golf club
- Spa and wellness center
- Estate units
- Bungalows
- Villas

Paul Berg, Berg Engineering resource group and representing the applicant, gave a presentation on the current and proposed plans including the following items:

- Existing plan for the Homestead Villas and golf course cottages
- Units
- Lockouts
- Square footage
- Parking spaces
- Amenities
- Conference, retail and restaurant space
- Sensitive lands
- Transportation improvements

Mr. Berg indicated that the Virginia House would remain. He also indicated that the proposal met the City's vision for resorts.

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

- Amending the current master plan made more sense than starting over.
- An amendment would allow negotiating with the neighbors.
- The traffic plan could be updated.
- Could someone purchase the Homestead from the applicant and build buildings that were taller than the new restriction? This type of concern could be addressed in the master plan agreement.
- It was important that the units remain nightly rentals.
- Local youth should be hired to work at the resort.
- The amendment should stay close to the new code especially regarding height and parking.

The City Council agreed to consider the proposal as an amendment to the existing master plan.

## 6. Closed Meeting to Discuss Pending or Reasonably Imminent Litigation

**Motion:** Council Member Van Wagoner moved to go into a 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	Aye
Council Member Orme	Excused from the Meeting
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 Drury moved to go out of the closed meeting.

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

**Discussion:** None

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

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

## 7. Adjournment

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

The meeting was adjourned at 1:00 p.m.

  
\_\_\_\_\_  
Celeste Johnson, Mayor

  
\_\_\_\_\_  
Brad Wilson, Recorder