

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

**Tuesday, 23 April 2019, 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
Jeff Drury, Council Member
Lisa Orme, Council Member
Bob Probst, Council Member
JC Simonsen, Council Member
Ken Van Wagoner, Council Member

Staff Present:

Corbin Gordon, Attorney (Arrived at 6:08 p.m.)
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. Michael Henke gave the prayer and/or inspirational message.

2. Consent Calendar

- a. Agenda for the 23 April 2019 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 19 March 2019 City Council Work Meeting
- d. Minutes of the 19 March 2019 City Council Closed Meeting
- e. Minutes of the 19 March 2019 City Council Regular Meeting
- f. Conclude the warranty period and release the remainder of the bond for the Deer Creek Estates Subdivision located at 300 East Michie Lane subject to the payment of all fees due to Midway City

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

Wes Johnson indicated that some of the items, necessary to conclude the warranty period for the Deer Creek Estates Subdivision, had not been completed.

Motion: Council Member Orme moved to approve the agenda, warrants and minutes but exclude concluding the warranty period for the Deer Creek Estates Subdivision.

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	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 for items not on the agenda. No comments were offered.

4. Department Reports

Cemetery / Damaged Areas

Council Member Probst reported that sod would be laid on damaged areas in the City's cemetery.

Town Hall / New Piano Room

Council Member Probst reported that a new room was being built in the Town Hall to store the piano.

Roads / Salt / Overtime

Council Member Van Wagoner reported that a lot of salt was used that winter on the roads. He also reported that the Public Work Department had accumulated a lot of overtime plowing snow off the roads.

Pressurized Irrigation System

Council Member Van Wagoner reported that the pressurized irrigation system was being turned

on and leaks fixed.

600 North

Council Member Simonsen reported that work had begun on rebuilding 600 North.

Parking / Main Street

Council Member Simonsen reported that the City was still working on the parking issues along and around Main Street.

Parking Lot / Town Hall and Community Center

Council Member Simonsen reported that the City was considering reinstalling a parking lot between the Town Hall and the Community Center.

Trails / Grant

Council Member Simonsen reported that a grant application had been submitted for additional trails and a trails survey.

Note: Corbin Gordon arrived at 6:08 p.m.

Trails / 10-Year Plan

Council Member Simonsen reported that a 10-year plan was being prepared for the construction and maintenance of trails.

Michie Lane Park / Construction

Council Member Simonsen reported that construction was proceeding on the Michie Lane Park.

Trails and Parks Committee / Applications

Council Member Simonsen reported that applications were being taken for new members of the City's trails and parks committee.

- 5. Pelo Subdivision / Culinary Water Service** (Brad Pelo – Approximately 10 minutes) – Discuss and possibly agree to provide culinary water service to the Pelo Subdivision located at 520 South 500 East.

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

- Land use summary
- Location of the proposed subdivision
- Proposed development plan
- Trails master plan
- Trail route through the subdivision
- Roads master plan
- Possible routes for a road from Michie Lane to 850 South

Mr. Henke also made the following comments:

- A will serve letter, to provide culinary water to the subdivision, had been prepared.
- The lots should be deed restricted so that they could not be further subdivided.
- Wasatch County and the City would inspect the infrastructure.
- An out-of-pocket amount would be needed.
- The applicant wanted to build the subdivision in the County then annex into the City so that he could build his home that summer.
- The development could not be a rural preservation subdivision because each lot would not be at least five acres.
- The same amount of water would be required whether it was developed in the City or the County.

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

Corbin Gordon made the following comments:

- The requested will serve letter would allow the City to be part of the approval and plat map recording process.
- The subdivision would be built to any of the City’s standards that exceeded those of the County.
- The water rights should be turned over to the City at the amounts that it required.

Motion: Council Member Drury moved to continue consideration of the item to the next regular meeting so that the Council could review the will serve letter.

Second: Council Member Orme seconded the motion.

Discussion: None

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

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

6. 425 North Homestead Drive / Conditional Use Permit (Michael Murphy –

Approximately 15 minutes) – Discuss and possibly approve a conditional use permit for a transient rental located at 425 North Homestead Drive (Zoning is R-1-22 and Transient Rental Overlay District). Recommended for approval without conditions by the Midway City Planning Commission. **Public Hearing**

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

- Location of the house.
- History of the house.
- Summary
- Possible findings

Mr. Henke also made the following comments:

- The house was in a residential zone, so a transient rental was a conditional use.

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

Public Hearing

Mayor Johnson opened the hearing and asked if there were any comments from the public. She closed the hearing when no public comment was offered.

Motion: Council Member Simonsen moved to approve the conditional use permit for the transient rental located at 425 North Homestead Drive with the following findings of fact:

- It was consistent with the Municipal Code.
- It met the vision for residential development in the R-1-22 zone within the TROD in the General Plan.
- Every licensed rental unit helped the City to comply with State requirements that allowed the City to collect the resort tax.
- No concerns or complaints had been received regarding the request.

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	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

7. Scotch Fields PUD, Phases 3 and 4 / Preliminary Approval (Berg Engineering –

Approximately 30 minutes) – Discuss and possibly grant preliminary approval for Phases 3 and 4 of the Scotch Fields PUD located at approximately 1400 North Canyon View Road (Zoning is RA-1-43). Recommended for approval with conditions by the Midway City Planning Commission. **Public Hearing**

Corbin Gordon recused himself because he represented the applicant during the master plan approval for the project. Council Member Probst also recused himself because he was related to the applicant.

Note: Council Member Probst and Mr. Gordon left at 6:30 p.m.

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

- Land use summary
- Location of the PUD
- Phasing
- Phasing map
- Landscaping plan for Phases 3 and 4
- Road layout
- Open space requirements
- Discussion points
- Water Board recommendation
- Possible findings
- Proposed conditions
- Plan with the route of Canyon View Drive changed
- Proposed connection to a field road

Mr. Henke also made the following comments:

- The clubhouse had been changed to a pavilion which would reduce the number of water connections by one.
- The phasing was determined by the cul-de-sac limitations.
- A portion of Canyon View Road as previously proposed was on property owned by the Wilson family. That property would need to be deeded to the City for the road. Both the Planning Commission and staff recommended that the issue be resolved before preliminary approval was granted. A new proposal now showed that portion of Canyon View Road on the applicant's property. The Wilson family would be responsible for the trail or sidewalk along the east side of that section of road.
- Recommended that the areas next to the Valais PUD and the Zenger property have manicured instead of natural landscaping.
- Everyone in Scotch Fields received a notice of the request because the clubhouse was being eliminated.
- The latest proposal met the open space requirements because the clubhouse and associated parking had been removed.

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

Paul Berg, Berg Engineering Resource Group and representing the applicants, made the following comments:

- The latest proposal moved some of the units to meet the open space requirements.
- The number of units had not changed.
- The proposal was consistent with the City's 2015 general plan.
- It was cleaner to have all the asphalt section of Canyon View Road on the applicants' property.
- The landscaping in Phase I would be completed after all the units were finished in the phase.
- The proposal complied with the Municipal Code.
- Opens space was placed to benefit the public.
- All property owners in the project had been notified that there would no longer be a clubhouse.
- No one opposing the removal of the club house had contacted the City.

Public Hearing

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

Kurt Wilson

Mr. Wilson made the following comments:

- Was a member of the family that owned the property next to the PUD effected by the route of Canyon View Drive.
- The family would continue to farm its property.
- Wanted as much ground as possible for farming.
- Accepted having to install the sidewalk or trail.
- The applicant had been good to work with.

Ruby Jacques

Ms. Jacques indicated that she lived in Scotch Fields, along with 17 other families, and did not want the ongoing expense of a clubhouse.

Robyn Bertoch

Ms. Bertoch gave a presentation and made the following comments:

- Was the president of the Valais HOA.
- The landscaping behind the completed homes, in Phase I of Scotch Fields, was not finished.
- There was debris from the development next to Valais.
- A Valais unit next to Scotch Fields had been for sale for a long time.

- Spoke with the applicant and the City Engineer regarding the landscaping and debris. The problem was not fixed.
- Requested that no approvals be granted until the landscaping was completed.

Note: A copy of Ms. Bertoch's presentation is contained in the supplemental file.

Bruce Canetti

Mr. Canetti made the following comments:

- Lived in Valais next to Scotch Fields.
- Did not want a maintenance yard in his backyard.
- Asked that the Scotch Fields construction area be cleaned up.

Tom Hill

Mr. Hill made the following comments:

- Lived in Valais and was making comments on behalf of a neighbor.
- Was concerned about the condition of Scotch Fields next to the property line.
- The applicant was not respecting nature.
- No approvals should be granted until the landscaping was completed.
- Debris from the development blew into Valais.

Bill Lundskog

Mr. Lundskog made the following comments:

- Lived in Valais
- Could tell how well a home was built by how tidy the construction site was.
- Construction materials had laid around Scotch Fields for ten months.
- The units would sell better if the development was cleaned up.

Roy Carley

Mr. Carley made the following comments:

- Homes and a cul-de-sac had been elevated in Scotch Fields.
- Thought that houses had to stay on a level area.

Mr. Henke responded that houses could be no higher than 35 feet from natural grade. He added that houses over 30 feet had to have an elevation certificate from a surveyor. He indicated that he checked the height of several of the units in the project himself and they complied.

Wes Johnson thought that the cul-de-sac had been raised six feet to prevent runoff from going into Valais. Mr. Lundskog thought that it had been raised eight to ten feet and questioned how

the water would drain. Mr. Johnson responded that the roadways and curbs would make the water flow to the west. He added that natural flow could continue but flow created by a project had to be retained.

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

Paul Berg, Berg Engineering Resource Group and representing the applicants, made the following comments:

- Some areas in Phase I had been landscaped and others would be landscaped that year.
- A bond was in place to ensure that the landscaping was completed.
- It was difficult to live next to a construction site.
- There were two homebuilders and an excavator on site.
- Bill Probst, one of the applicants and one of the two homebuilders, kept his building areas clean. The other homebuilder needed to do better.
- The neighbors needed to better understand the landscaping plan.
- The landscaped areas would be irrigated and not become weeds.
- The units had sold well, and the project was well received.
- The large area next to Valais should not be manicured grass because it was not a play area and would be expensive to install and maintain.

Bill Probst, applicant, made the following comments:

- The Valais PUD had inconvenienced others when it was built.
- Should not landscape around a house until it was finished.
- Landscaping could not be done during the winter.
- The landscaper was working on site.
- Four more homes had to be completed in Phase I before all the landscaping could be done.

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

- Did the accumulated potrock in the project need to be removed?
- The landscaping plan had been reviewed by the City.
- The warranty bond for any phase would not be released until all the required items were completed.
- The Wilsons would have to bring the sewer line down Canyon View Road from their development. It should be in the road, but it could be in the common area for Scotch Fields.
- The amenities could be accessed with on-street parking and the trails.
- Native landscaping in a development could be problematic.
- It was a concern to change a development after people had already moved into the project. However, several unit owners spoke that night and they supported the changes.
- Changing a master plan should be rare.

Motion: Council Member Drury moved to grant preliminary approval for the Scotch Fields PUD, Phase III and IV with the following findings and conditions:

- The proposal met the requirements of the PUD code.

- The proposal met the vision of the area as described in the General Plan for the RA-1-43 zone.
- A public trail would be built by the developer that would be an amenity to the entire community.
- The developer would remove the clubhouse from Phase IV.
- The clubhouse would be replaced with a pavilion,
- Canyon View Road would be moved as noted in the staff presentation with 52' within the Scotch Fields property line.
- The landscaping on the eastern side of Phase IV would be converted to match the internal development landscape standards with a transition as determined by staff.
- The construction bond of \$84,000 would be held until final grading and landscaping, including the removal of large pot rock, was completed for Phase I.

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	Aye
Council Member Probst	Recused
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

Motion: Without objection, Mayor Johnson recessed the meeting at 7:36 p.m. She reconvened the meeting at 7:42 p.m.

Note: Council Member Probst and Corbin Gordon returned at 7:42 p.m.

- 8. Homestead Resort / Master Plan Amendment** (Russ Watts – Approximately 90 minutes) – Discuss and possibly approve an amendment to the master plan for the Homestead Resort located at 700 North Homestead Drive (Zoning is Resort Zone). Recommended for approval with conditions by the Midway City Planning Commission. **Public Hearing**

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

- Land use map
- Core location of the Homestead Resort
- History of resort zones in Midway
- The Homestead predated zoning in the City
- Homestead development options
- 2008 master plan
- 2008 area map
- Areas of the Homestead's golf course not protected as open space
- Map showing all land owned by the Homestead
- Land leased or granted as an easement for the golf course

- Proposed masterplan
- Types of units and amenities
- Sensitive lands
- Proposed site plan
- Phasing plan
- Setback plan
- Trail plan
- Landscaping plan
- Goals for the propose master plan
- Discussion items
- Public accessibility
- VAC recommendation
- Possible findings
- Items included in the motion
- Proposed conditions

Mr. Henke also made the following comments:

- The City's definition of a resort had changed over time.
- Resorts had always been allowed in portions of the City.
- The request was amending the master plan approved in 2008.
- Land in the golf course, used as open space for other developments, was not developable.
- Preserving the golf course would protect open space.
- 1/3 of the golf course was already protected.
- Some facilities would be open to the public.
- Entrances would be on Homestead Drive with a gated emergency access to The Links. The Wasatch County Fire Protection Special Service District would need to approve the gate.
- The Homestead owned an easement with limitations to access through The Links.
- There would be a maintenance road and trail connected to Pine Canyon Road.
- There would be landscaped berms on the south side of the project.
- The applicant would preserve the golf course.
- The number of units was limited by the 2008 master plan.
- There was no density limitation for resorts in the 2008 or current land use laws.
- The transient rental requirements for the proposal needed to be solidified.
- Three story units could be built within the 35-foot height limit.
- The newest version of the site plan had been proposed since the project was considered by the Planning Commission.

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

Wes Johnson indicated that the applicant would improve a portion of Homestead Drive. The design had been reviewed by UDOT and was being reviewed by his firm's traffic engineer.

Paul Tew, representing the applicant, gave a presentation on the look and style of the proposal.

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

Russ Watts, applicant made the following comments:

- Had met with a lot of groups, including neighbors, regarding the proposal. Listened to these groups and was trying to do better.
- Wanted to honor and restore the legacy of the Homestead.
- Wanted as many experiences as possible in the project.
- Wanted 90% transient rentals in the project.
- Wanted to protect the golf course.
- Wanted to donate five to six acres as a tax right off.
- Would completed the trail from the Homestead to Main Street.
- Had an ecological engineer on his team.
- Was working with the homeowners along the south boundary.
- Was willing to push back the units on the south boundary from the proposed 40 feet to 50 feet.
- Would limit the resort traffic going through The Links.
- A filtering system would be put on the golf course's water system.
- Committed to having amenities that could be used by the public.
- Wanted to preserve the architectural style of the resort.
- Wanted the amenities in the core of the project and the parking close to the hotel.
- The south units were needed to make the project work.
- Garages and lower floor bedrooms would be lost if the units were limited to two stories.
- If the balconies were removed there would still be windows where guests could look at the neighbors.
- May offer a summer pass to area residents.
- Some holes of the golf course would be adjusted to improve views.

Paul Berg, Berg Engineering Resource Group and representing the applicant, made the following comments:

- The applicant would complete the public trail to connect the Homestead to Main Street.
- The units should be moved further from The Links.
- The proposed master plan would have the same number of keys as the 2008 plan.
- There would be no increase in density and more open space.
- The parking would increase without having a parking structure.
- The setbacks would remain the same or increase.
- The large building on the north side of the crater had been removed.
- Was the engineer for The Links. The PUD was able to be built because of the cooperation of the Homestead owners.

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

- A certain percentage of units would not be transient rentals. Where would those units be?
- Most people would not want to live in a resort.
- The outdoor concerts at the Homestead should continue.
- Could some of the parking on the north be moved to the south to create a buffer with the neighbors? This would be a long way for guests to walk. Certain amenities could be

moved south to provide the buffer.

- Could the driveways for the south units be put on the south side to create a buffer?
- The costs should not be so high that area residents could not use the amenities.
- The proposal would create less traffic than if the golf course was developed for housing.
- Could shorter structures be moved to along the south boundary? Most of the other types of units were 35 feet high and wider.

Public Hearing

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

Jim Bryan

Mr. Bryan gave a presentation on how the proposal would affect the north units in The Links. He made the following comments:

- A trail would be next to the property line.
- The proposed units would create a wall of buildings that would eliminate the views to the north from the Links.
- There would be no room for a berm because of the trail.
- The berm would create a buffer from the trail but would not protect their views.
- Asked that the three closest units be moved to another location in the project.

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

Kevin Cahoon

Mr. Cahoon made the following comments:

- The proposed units were too high and took away the views to the north.
- The lighting and noise would negatively impact the neighbors.
- The units would be six to eight feet higher because of the slope.
- Parking or the splash pad should be on the south boundary.
- The proposal would reduce the value of his property.
- The applicant was receiving something at the expense of the neighbors.

Stuart Waldrip

Mr. Waldrip made the following comments:

- Lived next to the golf course.
- Volunteered as the general counsel for the Homestead and Zermatt resorts.
- Had served on the Midway City Planning Commission.
- The proposal was a significant event that would save the Homestead.
- The Homestead was struggling to remain viable and needed a face lift.

- The look and feel of the facility would remain.
- The Proposal would help preserve the resort tax and open space.
- The applicant would complete the trail to Main Street.
- Development and growth could not be stopped but it could be shaped.
- You could not please all the people all the time.
- The neighbors bought their units knowing that they were next to a resort.

Brent Haight

Mr. Haight made the following comments:

- Contractors used Rainbow Lane, which was a private road, to access The Links. Kids lived along the road.
- Did not want use of the road to increase because of the proposal.
- There should be signs prohibiting construction access.
- Did not want the residents in The Links to move because of the proposal.

Teddy Bryan

Ms. Bryan made the following comments:

- The proposal was the worst-case scenario for her because she would lose her privacy.
- The units should be moved to the north where the neighbors would be on the higher end of the slope.

Court Klekas

Mr. Klekas made the following comments:

- Had been involved with the Homestead since 2008.
- The new proposal was better than the plan approved in 2008.
- The applicant was a careful developer with integrity.
- Understood the concerns of the neighbors but asked that the new proposal be approved.

Craig Simons

Mr. Simons made the following comments:

- He and his family developed and operated the crater, at the Homestead, since 1996.
- Supported the proposed master plan which would restore the facility but keep the feel of the Homestead.
- Appreciated the applicant finishing the trail from the Homestead to Main Street.
- There needed to be more mention of the crater.

David Aemmer

Mr. Aemmer made the following comments:

- Lived in the Kantons.
- Was concerned about the light from the parking lots. Mr. Watts responded that the light would be dark sky compliant and more trees would be added to shield the neighbors.
- The parking lots should be dispersed throughout the project.
- The proposed barn would be right in front of his house.
- Traffic would go through the Kantons to get to the Homestead. Mr. Berg responded that the road was needed as the required second access to the Kantons. He added that the Homestead allowed the road to connect to one of its entrances.

Stacey Reeder

Ms. Reeder made the following comments:

- Liked the idea of a parking lot instead of units next to The Links.
- Light from the windows in the units would be problematic for the neighbors.
- People would come to the Homestead to have a good time which would negatively impact the neighbors.

Rob Stanford

Mr. Stanford asked if the golf course would be eliminated. Mr. Henke responded that it would remain if the proposal was approved.

Mr. Stanford said that access to skiing needed to be discussed.

Ken Ross

Mr. Ross made the following comments:

- Was the president of The Links HOA.
- Had met with Mr. Watts three times.
- The only solution to the units next to The Links was to move them back an additional ten feet.
- Noise, lights and parties at the Homestead would all be problems.
- Asked that Mr. Watts meet with the neighbors along the south boundary of the proposal.
- The 2008 plan showed parking on the south side of the project.

Steve Eddington

Mr. Eddington made the following comments:

- Was a part owner of the Homestead.
- Some of the trees at the facility had shallow roots and worried that they would fall.
- The Homestead was 133 years old.

- Mr. Watts and his team were the people who could transform the facility.
- Never listed the Homestead for sale but had people approach him to purchase it.
- Any sale had to include protecting the 300 employees. These employees had worked an average of 10 years at the Homestead.
- Preserving the Homestead would help the City's tax base.
- Supported Mr. Watts' proposal.

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

Council Member Simonsen made the following comments:

- Could see the reasons to approve the proposal.
- If the Homestead failed it could be redeveloped completely as residential which would not be good for Midway.
- The proposal included a lot of open space.
- The Homestead would not last if it was not economically viable.
- There were a few significant complaints like the units on the south side next to The Links.
- A lot of things still needed to be reviewed by the Council and staff.
- Some adjustments needed to be made.

Council Member Drury made the following comments:

- There was too much to consider to take action on the proposal that night.
- Asked Mr. Watts to meet with the neighbors on the south and north boundaries.
- A citizen participation report still needed to be submitted.

Council Member Orme made the following comments:

- Commended Mr. Watts for the information presented and working with the neighbors.
- Liked the direction of the proposal and thought that it was close to being finalized.
- Other plans submitted for the Homestead were less appealing.
- Action on the proposal should be tabled until the next meeting on May 7th.

Council Member Van Wagoner asked if the 2008 plan could be adjusted without Council approval. Mr. Henke responded that only minor adjustments could be made without approval. Council Member Van Wagoner expressed concern with how "minor" could be defined.

Mayor Johnson wanted to see the phasing for the most recent site plan.

Council Member Probst made the following comments:

- Was excited about the proposal.
- Mr. Watts was the right person for the project.
- Any problem could be solved if the right people were involved.
- There were some issues that needed to be addressed.

Motion: Council Member Drury moved to table consideration of the proposal until the next regular meeting with the following conditions:

- The applicant would meet with the neighbors.
- The Council visit the site.

Second: Council Member Simonsen seconded the motion.

Discussion: Council Member Orme recommended that the Council not wait until the day of the next meeting to visit the site. Mr. Berg suggested May 3rd at 9:00 a.m. The Council agreed.

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

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

9. Resolution 2019-10 / Amended Homestead Master Plan Agreement (City Attorney – Approximately 10 minutes) – Discuss and possibly approve Resolution 2019-10 adopting an amendment to the Homestead Resort Master Plan Agreement.

The proposed resolution was not considered at the meeting.

Motion: Without objection, Mayor Johnson recessed the meeting at 10:45 p.m. She reconvened the meeting at 10:53 p.m.

10. Resolution 2019-09 / Pending Ordinance Small Wireless Communications (City Planner – Approximately 20 minutes) – Discuss and possibly approve Resolution 2019-09 adopting a notice of pending ordinance regarding small wireless communications.

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

- 5G facilities
- Pictures of 5G infrastructure

Mr. Henke also made the following comments:

- 5G networks had been approved by the federal government and were regulated by federal law.
- Federal law allowed such networks in the City. The City could regulate certain aspects of the networks by ordinance.
- Franchise agreements would be needed for the use of rights-of-way.
- 5G networks provided greater bandwidth but the range of their equipment was limited so more infrastructure was needed.

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

Mayor Johnson recommended the same regulations for all of Wasatch County.

Motion: Council Member Drury moved to approve Resolution 2019-09, adopting a notice of pending ordinance regarding small wireless communications, accepting all staff conditions.

Second: Council Member Orem seconded the motion.

Discussion: None

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

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

11. Cemetery Roads and Tate Lane Water Line Project / Award Contract (City Engineer – Approximately 10 minutes) – Discuss and possibly award a contract to rebuild/extend roads in the Midway City Cemetery, extend a water line on Tate Lane and possibly other projects.

Wes Johnson reviewed the bids after the parking lot, between the Town Hall and the Community Center, had been removed. He indicated that the low bidder was JB Gordon Construction for \$332,709.06.

Note: A copy of the revised bid tabulation is contained in the supplemental file.

Motion: Council Member Van Wagoner moved to award a contract, to rebuild/extend roads in the Midway City Cemetery and extend a water line on Tate Lane, to the low bidder JB Gordon Construction for \$332,709.06 and authorize the Mayor to sign the related documents.

Second: Council Member Orme seconded the motion.

Discussion: None

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

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

12. 2019 Municipal Election / Voting Method (City Recorder – Approximately 10 minutes) – Discuss and possibly determine the voting method for the 2019 Midway City Municipal

Election.

Brad Wilson reviewed the allowed voting methods for the election. He recommended voting by mail because Wasatch County had used it for several elections, it was convenient for voters and increased voter participation.

Council Member Orme indicated that the Wasatch County School District might put a bond issuance on the ballot that year. Mr. Wilson responded that Wasatch County would then have to administer the general election.

Motion: Council Member Drury moved to approve voting by mail barring Wasatch County administering the election.

Second: Council Member Orme seconded the motion.

Discussion: None

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

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

13. Adjournment

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

The meeting was adjourned at 11:10 p.m.



Celeste Johnson, Mayor



Brad Wilson, Recorder