

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

**Thursday, 12 January 2023, 9:00 a.m.
Valais Clubhouse
1325 N Valais Parkway, 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, 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 9:05 a.m.

Members Present:

Celeste Johnson, Mayor
Steve Dougherty, Council Member
Jeff Drury, Council Member
Lisa Orme, Council Member
Kevin Payne, Council Member
JC Simonsen, Council Member (Left at 3:06
a.m.)

a.m.)
Michael Henke, Planning Director
Wes Johnson, Engineer
Nancy Simons, Accounting
Brad Wilson, Recorder

Others Present:

None

Staff Present:

Corbin Gordon, Attorney (Arrived at 10:51

2. FY 2023 Budget Amendment

The Council and staff discussed the following items:

- General Fund
 - Interest was higher.
 - The budget for revenue needed to be increased.
 - ARPA Funds
 - Engineering fees
 - Burial fees
 - Miscellaneous revenue
 - Engineering costs
 - Snowplow blades needed to be added to the budget.
 - There was \$350,000 in excess revenue.

- Capital Improvement Projects Fund
 - Reserves
 - The City was understaffed and therefore unable to do all budgeted projects.
 - Revenue
 - Expenses
 - City Office Building
 - Surface treatments
 - River Road
 - Trails

- Water Fund
 - Reserves
 - Interest
 - Heber Light & Power dividend

- Ice Rink Fund
 - Receipt of money from concessionaire.

- Souvenir Shop

The amendment would be considered at the 21 February 2023 council work and regular meetings.

3. Staff Changes

Mayor Johnson reviewed the recent staff changes.

4. Job Descriptions

Mayor Johnson reviewed the job descriptions for city employees and who the Council should call for various issues. An organizational chart was requested. A recruiter was also suggested because of the competitive job market.

5. Welcome Binder

Mayor Johnson reviewed the welcome binder that would be given to new residents.

6. 2023 Council Meeting Schedule

The Council agreed to cancel meetings on April 4th, July 4th, September 5th, October 17th, December 19th, and January 2, 2024.

7. Code Changes

The Council and staff discussed the following changes to the Municipal Code:

- Extending the deadline to hear an administrative appeal.
- Kitchens in the commercial zones.

8. Prayer or an Inspirational Thought at Council Meetings

The Mayor suggested and the Council agreed to a schedule for when each council member would be responsible to give or find someone to give a prayer or inspirational thought at the regular council meetings.

9. Snow Plowing

The Council and staff discussed the following items:

- The Municipal Code was clear that the City was not responsible for damage to anything in its easements including mailboxes. The City should maintain this rule and not provide financial compensation for damage.
- The Code also required that residents clear snow from the sidewalks in front of their property within 12 hours of a storm. The City would not sue residents because of how much snow had fallen recently.
- Sidewalks should be cleared because children needed a safe place to walk.
- The road, rumble strip, and trail on 600 North worked well for snow plowing.
- Every community had the problem of snowplows putting snow into peoples' driveways.
- The City could create a place to coordinate volunteers to shovel snow.
- Snow plowing information should be added to the welcome binders that would be given to new residents.
- The United States Postal Service wanted mailboxes accessible in the road right-of-way. The City plowed the boxes in with snow.
- Should there be pullouts for mailboxes?
- Should clustered rather than individual mailboxes be required?

10. City Sponsored Events

As much help as possible was needed for the City's sponsored events. Coordination was needed beforehand.

11. Gardner Property (South Center Street)

The Council and staff discussed the following items:

- Should a request for proposals be released to determine what should be done with the property?
- Should the Open Space Committee and Parks, Trails, and Trees Committee study it first?
- Should there be a steering committee?
- Multiple proposals should be sought for the project.
- Most of the property should remain open and in agriculture.

- The City should decide the status of the project before any money was spent.
- The City's best park was Michie Lane because it was professionally designed and constructed.
- Any design firm needed direction before they began a project.
- The proposal by the Wasatch Center for Advanced Professional Studies (CAPS) might or might not be incorporated.

12. Olympics

Funds from a future Olympics would be available to build legacy projects. The funds could be used on the Town Square.

13. TAP Campaign

It was agreed that the money remaining, from the Trails, Arts, and Parks tax campaign, would be given to a local arts group.

14. Open Space / Small Parcels

It was recommended that seed money be provided to preserve small parcels of open space.

Note: Corbin Gordon arrived at 10:51 p.m.

The Council wanted to hear from the Open Space Committee regarding other ways to preserve open space. It was questioned if conservation groups wanted to manage smaller parcels. The City should not manage them.

15. Resort Tax

The Council and staff discussed the following items:

- The community did not want nightly rentals everywhere in the City.
- Moab allowed nightly rentals everywhere and it became a problem.
- Historical data
- The Resort Tax had kept the property tax low.
- Doubted that the City would continue to qualify for the tax even with The Village and the Ameyalli Resort.
- Long-term land use decisions should not be made based on keeping the Resort Tax.
- Drastic measures should not be taken to keep the Tax.
- The City had extra money in its recent budgets.
- Increases in the Property Tax were forcing people out of Midway.
- The City should plan to lose the Resort Tax.
- The City's portion was a small percentage of a resident's overall property tax.
- Annexing a portion of Wasatch Mountain State Park was a win for everyone.
- Former State Representative Tim Quinn said the City's property tax was too low.

- The Resort Tax helped to not price residents out of Midway.
- It was not healthy to continue to rely on the Resort Tax.
- A financial analyst should be hired to review the City's revenue sources.
- Nightly rentals could be controlled.
- The solution was not as simple as raising property taxes.
- The Lower River Annexation included a resort that would have nightly rentals.
- Developers knew that the City wanted nightly rentals and used that as leverage.
- Nightly rentals were different from hotels.
- What was the prejudice against nightly rentals?
- The current nightly rental code worked well if it was enforced.
- Some nightly rentals had reputations as "party houses".
- Residents opposed nightly rentals only when the Transient Rental Overlay District (TROD) was proposed for expansion.
- Nightly rentals replaced affordable housing.
- Park City could not build a community because it had so many nightly rentals.
- The TROD should not be expanded, but an expansion application had to be considered.
- Nightly rentals should be allowed in the commercial zone.

16. Trails

The Council and staff discussed the following items:

- North Center Street and Pine Canyon Road needed trails for safety.
- The City was building trails as quickly as possible.
- Too many streets should not be closed at any one time for construction.
- Should the trail along Pine Canyon Road be attached to the road?
- Engineering should be done for Center Street one year and then Pine Canyon Road the following year.
- It would cost a lot of money to build a trail along Center Street.
- The sidewalk/trail needed to be built from the Granary to Hamlet.

17. Cemetery

The Council and staff discussed the following items:

- The first 100 letters had been sent out to start the process of clearing up the title to cemetery lots. There had been some success.
- Better coordination was needed between the City Sexton and the City Attorney.
- Some people were angry that they had to go to a judge to determine lot ownership.
- Many people did not go through probate.
- The City now required that lot deeds include beneficiaries.
- There were 2,000 unused lots in the City's cemetery.
- Unused lots could be reclaimed by the City after 60 years.
- There were 600 or 300 sellable lots left. The correct number should be verified.
- When should the remaining area of the cemetery be opened? That should be done immediately.
- The number of remaining lots should be reported quarterly.
- The Sexton wanted to expand lots to ten feet long so that the headstone would not need

to be moved.

18. Buildings

The Council and staff discussed the use of the City's buildings, including a conflict between arts groups. The rental of space in the Town Hall was also discussed.

19. Town Square

The Council and staff discussed the following items:

- The new design for the Town Square needed to be finalized, any conflicts resolved, and a vote taken.
- The costs for the design should be public.
- The City should not bond for the project.
- The design should have a consensus.
- Items may need to be added to the plan.
- The water feature should be eliminated.
- A splash pad would have many of the same problems as a water feature.
- A splash pad was a good activity.
- Any water component showed that the City did not want to conserve water.
- A splash pad was left out so that the Town Square would not be defined as a park.
- European towns had small fountains. The water could be provided from the irrigation ditch.
- The proposed design eliminated 20 parking spaces.
- The parking lot should be "L" shaped to also go around the front of the City Office Building. This would provide better ADA parking and access.
- The pavilion should not be moved.
- More public input was needed.
- The choice was between individual items and not phases.
- There were alternatives.
- If residents were allowed to vote on the design, then they would think that design would happen. Just the stakeholders should decide on the design.
- How would the project be prioritized compared to other projects.
- Should the park impact fee be increased.
- The largest lawsuits were related to impact fees.
- The process should be fair.
- Residents should feel like they had been heard.
- Certain people would never be satisfied.
- A consensus could be achieved.
- A public meeting would be held in February on the issue.

20. Emergency Concerns

The Council and staff discussed the following items:

- Several thousand sandbags should be filled for potential flooding.

- The City should work with the Midway Irrigation Company because flooding happened along irrigation ditches.
- Culverts on 250 West were already plugging up.
- Did the City have a flood diversion map?
- Flooding was dependent on the location.
- Snake Creek was the largest flooding problem.
- Someone should regularly monitor stream and ditch water levels.
- There should be education done in preparation for flooding.

21. GIS

Wes Johnson reviewed a cost breakdown for a Geographic Information System (GIS) that would include the City's water lines, etc.

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

The Council and staff discussed the following items:

- Ongoing costs
- Costs could be saved by using CUP imagery.
- The costs to put developments on the GIS would come from the developer's out-of-pocket.
- Horrocks Engineers would initially input the data. It would be decided later who would continue the data entry.
- Why would the City pay more than the other participating entities? The City had more data to input.
- Only the Midway Sanitation District had agreed to participate.
- A LiDAR system would do a lot of the work with a surveyor doing the rest.

22. Homestead Water Line

The Council and staff discussed the following items:

- The project would be bid in February.
- UDOT wanted a box culvert on 200 North. UDOT projects took time so the culvert should be treated as a separate project.
- The road should not be torn up again for the culvert.

23. Affordable Housing

Michael Henke reviewed a report from the Kem C. Gardner Policy Institute.

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

The Council and staff discussed the following items:

- The affordable housing chapter of the General Plan had changed the most in the ongoing update. The Council would need to make some decisions before it was finalized.
- Should affordable housing be allowed in the commercial zones.
- The City did not incentivize affordable housing.
- Affordable housing would lose to other types of housing in the current market.
- Drastic items should be considered.
- Affordable housing should be addressed immediately.
- There should be a monthly housing allowance.
- M&I water, density, and the transfer of development rights could be used as incentives.
- Increased density would not create affordable housing.
- Could a fee be collected for affordable housing?
- Exterior accessory dwelling units (EADUs) should be reconsidered.
- Rental units, not affordable houses, were needed.
- Affordable housing should be considered after the General Plan was revised.
- The Planning Commission removed EADUs and house size limits from the General Plan.
- There were needed types of housing that were missing in Midway.
- Reducing costs
- Workforce housing was needed.
- The City had made it easy for developers to build in the “sweet spot”.
- The issue should be addressed step by step.

24. Statement Against Hate

Mayor Johnson introduced a statement against hate and reviewed the history of its creation. She asked what the City could do to support the statement. She suggested adopting it as a resolution or including it in the General Plan or Vision Statement.

The Council and staff discussed the following items:

- How effective would a resolution or other document be?
- The Vision Statement was not enforceable.
- Would the City have to allow other statements on various subjects?
- The wording should be more positive.
- The Council could go on record regarding what it valued.
- Certain actions by the City could actually help those promoting hate.
- Could the City live up to the statement?
- A general statement supporting diversity could be adopted.
- The issue could be addressed as an inspirational message at a council meeting.

25. Law Enforcement

Mayor Johnson reported that she met with County Council Member Mark Nelson and County Manager Dustin Grabau regarding law enforcement. Mr. Grabau wanted County Council Member Kendall Crittenden, County Council Member Nelson, and County Council Member

Steve Farrell to meet with members of the City Council to discuss the issue.

The Council and staff discussed the following items:

- Midway wanted to cooperate.
- It did not want less service with an increase in cost.
- There was turmoil in other Counties because law enforcement agencies were increasing pay to keep officers.
- County Council Member Nelson felt that the approach of charging for additional service was problematic.
- The City felt like it was not getting what it paid for.
- A comparison was needed with other entities in the County.

26. Speeding / CAPS Project

Council Member Simonsen reported on a project by the CAPS to reduce speeding. It included graphics and a video. They also proposed passing out informational keychains at sporting events. New students would continue the project. The use of phones while driving was also a concern.

Note: Council Member Simonsen left at 3:06 p.m.

27. Public Hearings

Michael Henke suggested that the number of public hearings required by the Municipal Code be reduced. The Council agreed.

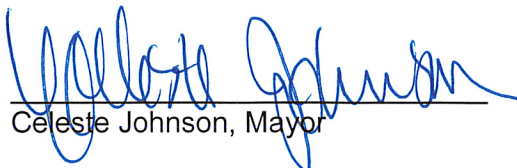
28. Items Considered Administratively

Michael Henke indicated that some items like small-scale subdivisions, lot consolidations, and conditional use permits could be considered administratively.

29. Adjournment

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

The meeting was adjourned at 3:12 p.m.


Celeste Johnson, Mayor


Brad Wilson, Recorder