

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

**Tuesday, 18 July 2023, 5:00 p.m.  
Midway Community Center, 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, 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 Pro Tempore Drury called the meeting to order at 5:02 p.m.

**Members Present:**

Celeste Johnson, Mayor (Participated electronically)  
Jeff Drury, Mayor Pro Tempore  
Steve Dougherty, Council Member  
Lisa Orme, Council Member  
Kevin Payne, Council Member

**Staff Present:**

Corbin Gordon, Attorney  
Michael Henke, Planning Director  
Wes Johnson, Engineer  
Brad Wilson, Recorder

**Members Excused:**

JC Simonsen, Council Member

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

**2. Code Text Amendments** (City Planner – Approximately 60 minutes) – Discuss possible code text amendments based on the recent revisions to the Midway City General Plan and changes to the Utah State Code.

Michael Henke gave a presentation from the Utah League of Cities and Towns (ULCT) regarding recent changes to the Utah State Code. He reviewed the following items:

- Senate Bill 174
- Legislation
- Effected development types
- Administrative land use authority
- Appeal process changes

- Review process
- Timeframes
- Development standards
- Development agreements
- Land use regulations/pending ordinance provisions
- Public landscaping improvements
- Lot line adjustments

Mr. Henke also made the following comments:

- Additional requirements were found after the previous discussion with the Council.
- The number of review cycles had been capped.
- A proposed development could only be considered by the Planning Commission for preliminary approval. That consideration and a public hearing had to be within 14 days of receiving a complete application.
- An incomplete application could be denied.
- The City had to provide all applicable requirements to the applicant. Would give a link to the Municipal Code and other related documents.
- The changes to state law had to be incorporated into the Municipal Code by 1 February 2024.
- The City's appeal process would have to be changed.
- Other planners did not seem to be that concerned with the changes.
- The time requirements were the most significant issue.
- How did the changes affect master plans and phasing?

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

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

- There was not a way to legally challenge the changes.
- A minimum of two planners and two engineers would be needed to meet the time requirements and allow for vacations or sick leave. These additional costs should be determined.
- It was stunning that the ULCT supported the changes. The City should contact the ULCT and other mayors about the changes.

### 3. Adjournment

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

The meeting was adjourned at 5:51 p.m.

  
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 Jeff Drury, Mayor Pro Tempore

  
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 Brad Wilson, Recorder