

Midway City Council
6 February 2024
Regular Meeting

Warrants

Report Criteria:

- Detail report.
- Invoices with totals above \$0 included.
- Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
105								
105	ABE NEERINGS & SON	7146	Boiler Inspection run through	01/16/2024	180.00	.00		
Total 105:					180.00	.00		
170								
170	BIG O TIRE	044264-1186	New Tires 550 Snow Plow Winter	01/15/2024	3,068.31	.00		
170	BIG O TIRE	044264-1200	Ram 2500 Cory new tires	01/16/2024	818.33	.00		
170	BIG O TIRE	044264-1302	Rotate Balance Tires Mayors/Adm	01/18/2024	1,199.33	.00		
Total 170:					5,085.97	.00		
280								
280	CENTRAL UTAH RECORDERS A	12424	Annual Dues (2024)	01/24/2024	75.00	.00		
Total 280:					75.00	.00		
560								
560	HOLLAND EQUIPMENT COMPA	28794	Storage truck box 2 Master Link/C	01/17/2024	1,435.00	.00		
Total 560:					1,435.00	.00		
845								
845	MOUNTAINLAND SUPPLY COMP	S105907519.0	Hitch Pins-Trucks	01/15/2024	399.96	.00		
845	MOUNTAINLAND SUPPLY COMP	S105924748.0	Water closet repair, Pro Master Kit	01/23/2024	63.96	.00		
845	MOUNTAINLAND SUPPLY COMP	S105926961.0	Chrome Lavo Faucet	01/24/2024	128.64	.00		
Total 845:					592.56	.00		
875								
875	ODP BUSINESS SOLUTIONS LL	347580907002	OFFICE SUPPLIES	01/05/2024	415.96	.00		
875	ODP BUSINESS SOLUTIONS LL	350348990001	1099NEC Forms 4PT 50pk	01/15/2024	36.37	.00		
875	ODP BUSINESS SOLUTIONS LL	350348990001	1099NEC Envelopes 25pk	01/15/2024	19.25	.00		
875	ODP BUSINESS SOLUTIONS LL	350348990001	Thermall Roll	01/15/2024	19.86	.00		
875	ODP BUSINESS SOLUTIONS LL	350348990001	Postage	01/15/2024	66.00	.00		
875	ODP BUSINESS SOLUTIONS LL	350348990001	Color FF, LTR. 1/3 CUT-Jewel	01/15/2024	26.06	.00		
875	ODP BUSINESS SOLUTIONS LL	350348990001	Color HFF, LTR, 1/5 CUT ASST	01/15/2024	28.67	.00		
875	ODP BUSINESS SOLUTIONS LL	350348990001	Hang Fldr 1/5 Ltr-Sz Asst 25 pk	01/15/2024	26.95	.00		
875	ODP BUSINESS SOLUTIONS LL	350348990001	Label, Multi-Purpose, WE	01/15/2024	55.56	.00		
875	ODP BUSINESS SOLUTIONS LL	350349714001	Envelope #6	01/12/2024	102.99	.00		
Total 875:					797.67	.00		
930								
930	Dominion Energy	2731063797 1/	2731063797 Community Center	01/11/2024	1,048.50	.00		
930	Dominion Energy	5770020000 1/	5770020000 TOWN HALL	01/11/2024	1,927.70	.00		
930	Dominion Energy	6558550000 1/	6558550000 Maintenance Shop -	01/11/2024	2,386.26	.00		
930	Dominion Energy	6801020000 1/	6801020000 Admin Office	01/11/2024	390.62	.00		
Total 930:					5,753.08	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
945								
945	CENTURYLINK - 435-654-3227 2	435-654-3227	435-654-3227 269B	01/07/2024	371.03	.00		
Total 945:					371.03	.00		
955								
955	REAMS	237225	Clothing for Eric Mecham	01/19/2024	159.25	.00		
Total 955:					159.25	.00		
1045								
1045	STANDARD PLUMBING SUPPLY	WCVY49	Snow shovels for shop	01/16/2024	66.98	.00		
1045	STANDARD PLUMBING SUPPLY	WDKN94	Bolts, Shelves	01/23/2024	11.90	.00		
1045	STANDARD PLUMBING SUPPLY	WDNB57	Ice Rink Red Spray/Thread Oil	01/24/2024	51.95	.00		
Total 1045:					130.83	.00		
1150								
1150	HOME DEPOT Credit Services	2032794	Door Stain Comm. Center, Bolts,	12/16/2023	112.76	.00		
1150	HOME DEPOT Credit Services	6624749	Stain Wood Shutter Doors Comm.	12/12/2023	62.90	.00		
1150	HOME DEPOT Credit Services	7622538	Hand/Palm Sander, Bit Set, Butch	12/01/2023	1,194.57	.00		
1150	HOME DEPOT Credit Services	9511490	Heaters (2) Tools-Shane	12/19/2023	331.40	.00		
1150	HOME DEPOT Credit Services	H4407-271997	Cold Patch	12/19/2023	1,180.00	.00		
Total 1150:					2,881.63	.00		
1170								
1170	TIMBERLINE ACE HARDWARE	170587	Gage's Truck-Water-Bent Nose Pli	01/09/2024	18.99	.00		
1170	TIMBERLINE ACE HARDWARE	170904	Nuts & Bolts for plow trucks	01/22/2024	2.57	.00		
1170	TIMBERLINE ACE HARDWARE	170916	Streets	01/22/2024	121.41	.00		
1170	TIMBERLINE ACE HARDWARE	170998	Misc Nuts & Bolts	01/24/2024	4.40	.00		
1170	TIMBERLINE ACE HARDWARE	171015	Ice Rink Anti Rust Spray Paint	01/25/2024	27.96	.00		
Total 1170:					175.33	.00		
1310								
1310	WASATCH AUTO PARTS	290009	Big Truck Plow Pins	01/11/2024	67.03	.00		
1310	WASATCH AUTO PARTS	290370	Corys Brakes	01/16/2024	53.24	.00		
1310	WASATCH AUTO PARTS	290749	Travus Battery for truck	01/22/2024	195.87	.00		
1310	WASATCH AUTO PARTS	290768	Shane's Snow Plow Truck	01/23/2024	3.90	.00		
1310	WASATCH AUTO PARTS	290855	Ice sheet lubrication supplies	01/24/2024	75.34	.00		
Total 1310:					395.38	.00		
1365								
1365	WAVE PUBLISHING	J 86279	#10 Window Envelopes	01/09/2024	229.00	.00		
1365	WAVE PUBLISHING	L 18098	Notice Open Space Meeting	12/21/2023	37.00	.00		
1365	WAVE PUBLISHING	L 18111	Bat RFQ	11/29/2023	180.39	.00		
1365	WAVE PUBLISHING	L 18121	Notice Council Meeting	12/14/2023	138.76	.00		
Total 1365:					585.15	.00		
1375								
1375	WHEELER MACHINERY CO	PS001635795	Fuel Cap	01/17/2024	50.63	.00		
Total 1375:					50.63	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
1429								
1429	ALSCO / AMERICAN LINEN	LSAL2821843	MATS-	01/15/2024	38.01	.00		
Total 1429:					38.01	.00		
2054								
2054	LOUGHLIN WATER ASSOCIATE	9798	Drinking Water Source Protection	12/31/2023	5,942.50	.00		
Total 2054:					5,942.50	.00		
2220								
2220	DITCH WITCH OF THE ROCKIE	P40023	Gator Mats (6) Cemetery	01/11/2024	1,971.42	.00		
Total 2220:					1,971.42	.00		
2269								
2269	REDMOND MINERALS INC.	404543	Redmond salt-Bulk Road Salt	01/23/2024	1,430.00	.00		
2269	REDMOND MINERALS INC.	404738	Redmond salt-Bulk Road Salt	01/24/2024	3,617.25	.00		
2269	REDMOND MINERALS INC.	404867	Redmond salt-Bulk Road Salt	01/25/2024	1,465.75	.00		
Total 2269:					6,513.00	.00		
2350								
2350	CRUS OIL	0134699	Washer Fluid Pump	01/15/2024	117.45	.00		
Total 2350:					117.45	.00		
2418								
2418	FINAL COMPLETION DEPOSIT	21-176 FCD	21-176 FINAL COMPLETION DE	01/11/2024	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	21-264 FCD	21-264 FINAL COMPLETION DE	01/11/2024	3,000.00	.00		
2418	FINAL COMPLETION DEPOSIT	22-120 FCD	22-120 FINAL COMPLETION DE	01/17/2024	3,000.00	.00		
Total 2418:					7,500.00	.00		
2452								
2452	LEAVITT TRUCKING	8634	Contracted salt hauling	12/05/2023	1,509.35	.00		
2452	LEAVITT TRUCKING	8655	Contract Salt Hauling	12/06/2023	677.75	.00		
2452	LEAVITT TRUCKING	8656	Contracted salt hauling	12/07/2023	1,493.70	.00		
2452	LEAVITT TRUCKING	8657	Contracted salt hauling	12/11/2023	1,458.61	.00		
2452	LEAVITT TRUCKING	8664	Contracted salt hauling	12/18/2023	1,466.10	.00		
Total 2452:					6,605.51	.00		
2561								
2561	CENTURYLINK -435-654-3924 45	435-654-3924	435-654-3924 453B	01/07/2024	145.56	.00		
Total 2561:					145.56	.00		
2562								
2562	CENTURYLINK 435-654-4204 77	435-654-4204	435-654-4204 775B Phone Servic	01/07/2024	64.81	.00		
Total 2562:					64.81	.00		
2576								
2576	Christmas Light Professionals	52341A	Tree Lighting	11/10/2023	26,878.96	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 2576:					26,878.96	.00		
2614								
2614	Executech Utah, Inc.	EXEC-160355	IT Services Agreement - 15 Hours	01/01/2024	1,920.00	.00		
2614	Executech Utah, Inc.	EXEC-161685	IT Services	12/31/2023	388.95	.00		
Total 2614:					2,308.95	.00		
2627								
2627	GORDON LAW GROUP, P.C.	16398	Ameyalli Resort	01/03/2024	110.19	.00		
2627	GORDON LAW GROUP, P.C.	16399	MONTHLY FLAT FEE	01/03/2024	5,307.92	.00		
2627	GORDON LAW GROUP, P.C.	16399	MONTHLY FLAT FEE	01/03/2024	338.80	.00		
Total 2627:					5,756.91	.00		
2628								
2628	Atlas Title Insurance Agency, Inc.	01242024	70 East Main Property - Earnest	01/24/2024	15,000.00	15,000.00	01/24/2024	
Total 2628:					15,000.00	15,000.00		
2636								
2636	CenturyLink ACCT# 88239224	672484263	Phone Services	01/12/2024	1,069.33	.00		
Total 2636:					1,069.33	.00		
2658								
2658	SIGNARAMA	INV-15780	Town Square Shelter	01/08/2024	386.67	.00		
Total 2658:					386.67	.00		
2694								
2694	J and J Fabrications and Repai, L	4256	Post Repair	01/24/2024	225.00	.00		
Total 2694:					225.00	.00		
2700								
2700	Car Quest Auto Parts	15341-176323	Old F350 Oil Change	01/25/2024	41.66	.00		
Total 2700:					41.66	.00		
2911								
2911	L.A. DRESDEN'S	01172024	Added Lights 4 Tree Lighting-Per	01/17/2024	100.00	.00		
Total 2911:					100.00	.00		
2955								
2955	Johnny Adolphson Photography L	01102024	Retail Merchandise	01/10/2024	937.50	.00		
Total 2955:					937.50	.00		
2957								
2957	LEE'S MARKETPLACE	49621	Streets-Ziplock	01/11/2024	11.16	.00		
Total 2957:					11.16	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
2988								
2988	THE NUT GARDEN	467012	Retail Items for Midway Must Hav	01/17/2024	33.47	.00		
Total 2988:					33.47	.00		
2993								
2993	Mountainland Power Equipment	118337	BOSS Spring Tap ends (2)	01/10/2024	191.04	.00		
2993	Mountainland Power Equipment	119616	BOSS Plow Cylinders Gloves Kitp	01/17/2024	1,060.42	.00		
2993	Mountainland Power Equipment	119625	Snow 28" Pusher Blades	01/17/2024	207.00	.00		
2993	Mountainland Power Equipment	119877	Snow Shovel	01/18/2024	207.00	.00		
Total 2993:					1,665.46	.00		
3032								
3032	BRANCHING OUT LLC	1324	Planter Boxes	01/03/2024	180.00	.00		
Total 3032:					180.00	.00		
3045								
3045	PREMIER TRUCK GROUP	775568896	Door Window Motor-2 Insulators-	01/17/2024	357.41	.00		
3045	PREMIER TRUCK GROUP	775569207	Smoke Stack Bracket and Insulat	01/17/2024	70.47	.00		
Total 3045:					427.88	.00		
3076								
3076	Mountain Express Magazine	142592	Full Page Heber Valley Guide	12/18/2023	950.00	.00		
Total 3076:					950.00	.00		
3109								
3109	MOUNTAIN ELECTRIC SOLUTIO	39723	Cemetery/Parks Buildings Power	01/19/2024	2,964.00	.00		
Total 3109:					2,964.00	.00		
3131								
3131	BAXBO DISTRIBUTION	0012933	Retail Items for Midway Must Hav	11/16/2023	1,895.00	.00		
3131	BAXBO DISTRIBUTION	0012973	Retail Items for Midway Must Hav	01/11/2024	880.00	.00		
3131	BAXBO DISTRIBUTION	SO-0012732	Retail Items for Midway Must Hav	11/02/2023	370.00	.00		
Total 3131:					3,145.00	.00		
3132								
3132	DPW HEBER INC	1222024	Saddle Creek Sub water line upgr	01/18/2024	35,098.85	.00		
Total 3132:					35,098.85	.00		
Grand Totals:					144,747.57	15,000.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
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Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

City Treasurer: _____

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Midway City Corporation

Mayor: Celeste T. Johnson
 City Council Members
 Lisa Orme • Jeffery Drury
 J.C. Simonsen • Craig Simons
 Kevin Payne



75 North 100 West
 P.O. Box 277
 Midway, Utah 84049
 Phone: 435-654-3223
 Fax: 435-654-4120
 midwaycityut.org

February 6, 2024

Brad Wilson
 Midway City Recorder
 75 North 100 West
 Midway, Utah 84049
 (Sent by E-mail)

Subject: Saddle Creek Subdivision, Phase 1, 2, 3, & 4 Water Line Upsizing Reimbursement

Dear Brad:

The Saddle Creek Subdivision was required to up-size the water line from an 8" to a 12" water line. Below is a line-item break-out showing the total up-sizing reimbursement cost of \$35,098.85.

Cost Difference to Up-size the Water Line From an 8" to 12" Water Line

Item No.	Description	Units	Quantity	Unit Cost	Total Cost
2	12" C-900 Water Pipeline in 250 W. R.O.W.	LF	1,526	\$66.85	\$101,985.96
3	8" C-900 Water Pipeline in Subdivision	LF	1,844	\$47.75	\$88,051.00
4	12" Gate Valve w/ Collar	EA	4	\$3,515.00	\$14,060.00
5	8" Gate Valve w/ Collar	EA	10	\$2,025.00	\$20,250.00

			12"	8"	Upsizing Cost
	Upsize from an 8" to a 12" Pipe	LF	\$66.85	\$47.75	\$19.10
	Upsize from an 8" to a 12" Gate Valve	EA	\$3,515.00	\$2,025.00	\$1,490.00

Total Up-Sizing Reimbursement

2	12" C-900 Water Pipeline in 250 W. R.O.W.	LF	1,526	\$19.10	\$29,138.85
4	12" Gate Valve w/ Collar	EA	4	\$1,490.00	\$5,960.00
Total Up-Sizing Reimbursement					\$35,098.85

Please contact our office with any questions or concerns

Sincerely,

Wesley Johnson, P.E.
 Midway City Engineer

cc: Matt Watkins, Developer, (sent by E-mail)

D:\Midway City\City Developments\Saddle Creek Subdivision\Water Line Up-sizing Reimbursement.doc

Midway City Council
6 February 2024
Regular Meeting

Minutes of the
16 January 2024
Work Meeting



Memo

Date: 2 February 2024
To:
Cc:
From: Brad Wilson, City Recorder
RE: Minutes of the 16 January 2024 City Council Work Meeting

Please note that the following minutes await formal approval and are in draft or unapproved form.

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

**Tuesday, 16 January 2024, 5:00 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, 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 5:04 p.m.

Members Present:

Celeste Johnson, Mayor
Jeff Drury, Council Member
Lisa Orme, Council Member
Kevin Payne, Council Member
Craig Simons, Council Member
JC Simonsen, Council Member

Katie Villani, Planner
Brad Wilson, Recorder

Others Present:

Courtland Nelson, Open Space Committee
Chair
Steve Stevens, Open Space Committee
Member
Natalie Streeter, Open Space Committee
Member

Staff Present:

Michael Henke, Planning Director
Wes Johnson, Engineer

2. Olympics (Collin Hilton – Approximately 15 minutes) – Receive a presentation and discuss the possibility of 2034 Winter Olympics being held in Utah.

Mayor Johnson reviewed projects completed because of the 2002 Winter Olympics. She asked the Council to think about how Midway could benefit from a future winter Olympics.

3. Open Space (Midway Open Space Advisory Committee – Approximately 45 minutes) – Discuss a second open space bond and potential future open space projects.

Courtland Nelson, chair of the Midway City Open Space Advisory Committee, explained that the Council had previously awarded \$1 million for the preservation of open space owned by the Lundin family. He added that the Open Space Committee recommended an extension of the award until 15 May 2024.

Mr. Nelson noted that \$500,000 of the open space bond money would be left after the award to the Lundin family. He indicated that the Open Space Committee recommended that \$250,000 be awarded for the Michel and Kissell properties.

Mr. Nelson indicated that the Open Space Committee also recommended that \$250,000 be awarded for the “Heart of Midway” properties. He added that the project was an example of neighbors partnering to preserve open space.

Mr. Nelson reviewed the City’s history of bonding for open space. He made the following comments regarding a possible second open space bond:

- Wanted to discuss another bond with the Council.
- The City now knew more about bonding for open space.
- A possible amount for the bond had not yet been determined.
- There was no good time to ask voters to approve another bond which would increase their property taxes.
- Some landowners still wanted to request funding to preserve open space on their properties. The timing was right to consider these opportunities.
- How should another bond be promoted?
- Should a professional survey be done regarding the issue?
- A potential campaign would need to be discussed.
- A bond issue had recently failed in Park City.
- Recommended that the bond be on that year’s ballot.
- Correct data was needed to answer questions.
- What should be the outreach for a second bond.
- Information needed to be provided at the right time and in the right manner.

Natalie Streeter, Open Space Committee, indicated that the population of Midway had increased. She also indicated that the legacy families and property owners could not do everything to preserve open space.

Steve Stevens, Open Space Committee and Wasatch County Open Space Board, reported that the Open Space Board also had prospects for preserving open space. He pointed out that there was joint momentum between Wasatch County and the City.

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

- The award for the Lundin properties could be used for another project that was ready for immediate preservation.
- More money might be requested for the projects if a second bond was issued.
- Significant matching funds had been raised for open space preservation. Property owners had also forgone significant profits. This should be emphasized if a second bond was sought.
- The City should find out if the representations made with the first bond had been followed and achieved. Specifically, the projected tax impact should be compared to the actual impact. Also, the amount of actual matching funds should be compared to what was projected.
- The results of the first bond and the related preservation of open space were impressive.
- Increased property taxes would be the greatest hurdle to a second bond.

- Ideas for a campaign should be given to Preserve Midway, which could help promote a second bond.
- The money from the first bond opened doors and created opportunities.
- Four out of five residents surveyed for the recent general plan update supported another open space bond.
- Interest rates would now be higher. The tax burden would also be greater.

4. Adjournment

The meeting was adjourned at 6:00 p.m.

Celeste Johnson, Mayor

Brad Wilson, Recorder

DRAFT

Midway City Council
6 February 2024
Regular Meeting

Minutes of the
16 January 2024
Regular Meeting



Memo

Date: 2 February 2024
To:
Cc:
From: Brad Wilson, City Recorder
RE: Minutes of the 16 January 2024 City Council Regular Meeting

Please note that the following minutes await formal approval and are in draft or unapproved form.

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

**Tuesday, 16 January 2024, 6:00 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; Pledge of Allegiance; Prayer and/or Inspirational Message

Mayor Johnson called the meeting to order at 6:07 p.m.

Members Present:

Celeste Johnson, Mayor
Jeff Drury, Council Member
Lisa Orme, Council Member
Kevin Payne, Council Member
Craig Simons, Council Member
JC Simonsen, Council Member

Brad Wilson, Recorder

Others Present:

Courtland Nelson, Open Space Committee
Chair
Steve Stevens, Open Space Committee
Member
Natalie Streeter, Open Space Committee
Member

Staff Present:

Corbin Gordon, Attorney
Michael Henke, Planning Director
Wes Johnson, Engineer
Katie Villani, Planner

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. Council Member Simons gave the prayer and/or inspirational message.

2. Oaths of Office – Administer the oaths of office for the recently elected council members.

Brad Wilson administered the oath of office to Council Member Orme, Council Member Payne, and Council Member Simons.

3. Consent agenda

- a. Agenda for the 16 January 2024 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 5 December 2023 City Council Work Meeting
- d. Minutes of the 5 December 2023 City Council Regular Meeting
- e. Conclude the warranty period and release the remainder of the bond for the Lime Canyon Meadows Subdivision, located at 960 West Lime Canyon Road (Zoning is R-1-22), subject to the payment of all fees due to Midway City.
- f. Conclude the warranty period and release the remainder of the bond for the Haynie Density Reduction Subdivision, located at 155 East 600 North (Zoning is R-1-22), subject to the payment of all fees due to Midway City.
- g. Resolution 2024-02 approving compensation for council members serving on various boards.
- h. Resolution 2024-03 amending the Midway City Policies and Procedures to include a dual signature policy for accounts payable invoices.
- i. The bond for the Midway City Mayor
- j. Third one-year extension of the final approval for the Edelweiss Meadows Subdivision located at 640 East 200 South (Zoning is R-1-11)

Note: Copies of items 3a through 3j are contained in the supplemental file.

Council Member Drury asked that item 3j be considered separately.

Motion: Council Member Drury moved to approve items 3a through 3i on the consent agenda.

Second: Council Member Payne 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 Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Aye

Council Member Drury asked what had changed with the Edelweiss Meadows Subdivision. Michael Henke responded that the partners in the project had reached a compromise.

Dallin Higley, applicant, made the following comments:

- The partners had gone through a turbulent time, but they had reached a compromise regarding their differences.
- Hoped to record the plat map in the next 30 to 60 days.

- A compromise had just recently been reached.

Council Member Drury indicated that concerns had been raised during the previous extension. He was not comfortable that the partners would do what they said. He suggested only a 30-day extension. Council Member Payne said that issues always came up and suggested 60 days. Michael Henke responded that a period shorter than one year could be approved. Council Member Orme and Council Member Drury agreed with the 60-day limit.

Motion: Council Member Drury moved to grant a 60-day extension for the Edelweiss Meadows Subdivision located at 640 East 200 South.

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 Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Aye

4. 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.

Traffic Calming

Steve Dougherty, a former member of the Midway City Council, expressed concern with the City taking another survey about traffic calming. He stated that the Council was elected to exercise its best judgment and not just consider the results of surveys. Mayor Johnson responded that the survey was commissioned and paid for by the Mountainland Association of Governments (MAG).

No further comments were offered.

5. Department Reports

HVTED / Grants

Council Member Orme reported that grants were available through Heber Valley Tourism and Economic Development (HVTED). She asked the Council to consider possible projects for one of the grants.

Affordable Housing Board / Prestige Two

Council Member Payne reported that the Wasatch County Affordable Housing Board owned a development called Prestige Two, which generated \$90,000 a year. He said that the Board's goal should be to create more affordable housing and not to own assets. He recommended that the project be sold, and the equity used for additional affordable housing.

Interlocal Board / Heber Valley Corridor / Representation

Council Member Simons reported that he attended a meeting of the Wasatch County Interlocal Advisory Board. He indicated that two council members needed to be appointed to the Board and a group regarding the proposed Heber Valley Corridor (bypass road).

Irrigation Company / Boundary Commission

Steve Dougherty indicated that he needed to be replaced on the Midway Irrigation Company Board, Wasatch County Boundary Commission, and Heber Light & Power Company Board. He was willing to assist in the transition and to continue serving until the appointments were made. Mayor Johnson responded that Council Member Payne had been appointed to the Boundary Commission.

- 6. Caring Coalition / Dinner in the Park** (Trudy Brereton - Approximately 10 minutes) – Receive a presentation regarding Midway City's participation in Dinner in the Park.

Mayor Johnson noted that representatives of the Caring Coalition were not yet present.

- 7. Financial Statements / Audit Report** (Approximately 10 minutes) – Receive a presentation on the fiscal year 2023 financial statements (Ryan Child) and audit (Ben Probst).

Brad Wilson indicated that the financial statements and audit report were not yet completed.

- 8. Lundin Properties / Open Space** (Utah Open Lands – Approximately 30 minutes) – Discuss and possibly deny, continue, or approve using bond funds to preserve open space on properties owned by the Lundin family at approximately 900 West Bigler Lane.

Courtland Nelson, chair of the Midway City Open Space Advisory Committee, reviewed the history of the Lundin properties and indicated that it would take some time to preserve the associated open space. He reported that the Open Space Committee recommended extending the deadline on the previously approved city funding.

Wendy Fisher, Utah Open Lands Executive Director, gave a presentation regarding the properties and reviewed the following items:

- The family had owned the properties for over 100 years.
- Family issues prevented the open space from being preserved sooner.
- Mediation among the family members did not happen.
- Would have to wait until May to file for Lee Ray McCallister funds if the family issues

were resolved.

- A lot could be lost if the proposal failed.
- Should know in March if the issues were resolved.
- Requested that the city funding be extended until May 15th of that year.
- The Natural Resources Conservation Service (NRCS) preferred local governments to contribute before it awarded any grant money.

Ms. Fisher also made the following comments:

- The water rights would be included in the conservation easement. They had to stay with the property to make it viable.
- A water map was needed to determine if all uses could be incumbered.
- The amount of water needed could be stipulated.

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

Katie Villani reviewed the conditions for approving the funds. She indicated that the water rights might be less than expected.

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

- The award money could be used for another project that was ready.
- The Council should stay with the agreement which was for three years.
- 64 acres of the properties had been irrigated with the rest of the land on a sidehill.

Motion: Council Member Simonsen moved to grant an extension of the previous approval with the following findings and conditions:

- The land was used for open space as discussed and proposed to the Council.
- The extension would be until May 15th.
- Hoped that the Lundin family could work out their remaining issues.
- This project and funding request remained consistent with the vision of the Open Space Element of the General Plan.
- The committed funds from Wasatch County and from other potential sources would maximize Midway's contribution through leveraging, and the continuation of an important agricultural business was an added benefit.
- The project was visible from much of Midway and from many areas of the Heber Valley.
- Preservation of the farm would keep valuable agricultural land as open space and the farm would continue to provide agricultural products to the community.
- If the connector road was built on the Lundin property, the community, and particularly the communities serviced by Swiss Alpine and Lime Canyon, would benefit from the safety it would provide.
- The applicant stated that the community would benefit because of public trail easements that would be provided that would connect to the existing trail network.
- There were Midway Irrigation Company shares that were being used on the property which needed to be identified, included in any agreement, and dedicated to Midway City so they remained with the property.

- Public trail easements were clarified before approval.
- Continue the conditions set forth on June 20, 2023, while adjusting dates to accommodate the extension through May 15, 2024:
 - An application was submitted to the LeRay McAllister Fund by May 15, 2024.
 - A commitment was received from the Lundin family and the applicants entered into an agreement with Utah Open Lands committing to sell the development rights for 119 acres of property by May 15, 2024.
 - The contribution continued for a period of three years from June 20, 2023, then an extension would be needed from the City Council.
 - There was a floating easement to deal with the emergency access point with a preferred location, if it could be worked out, on the west boundary which was favored and had been summarized by the family.
 - A memorandum of understanding containing these conditions and identifying the property that was a conservation easement, separate and apart from the rest of the family's property, by May 15, 2024.
 - The required water for irrigation would be encumbered as part of the conservation easement.
 - The parties would diligently work together to create the trail and firebreak as mentioned for public and scenic access.
 - The form of the conservation easement would comply with the memorandum of understanding.

Second: Council Member Drury 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 Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Aye

Note: The motion was amended later in the meeting.

- 9. Heart of Midway Properties / Open Space –** (Utah Open Lands – Approximately 30 minutes) – Discuss and possibly deny, continue, or approve using bond funds to preserve open space on properties owned by various parties at approximately 351 North Center Street.

Courtland Nelson reviewed the location of the properties and made the following comments:

- This was an important and new kind of proposal.
- The owners were asking for \$250,000.
- It was recommended by the Open Space Committee.

Wendy Fisher made the following comments:

- The property owners were committed to the community.
- This was a “kick starter” request.
- Hated to see what would happen to the property if it was developed.
- Homesites had been included in the appraisal.
- Some owners wanted their houses included in the easement.
- A lot of money still needed to be raised.
- The proposal did not qualify for some funding sources.
- Needed the commitment of the local community.
- The owners were providing 25% to 100% of the value of their properties.
- The properties were in the heart of Midway.
- The access to a house site, on the Larson property, would be in the conservation easement.
- Trails were not being proposed at that time.
- Water rights needed to be discussed.
- The owners would encumber any water rights and tie them to the property.
- Each property would have a conservation easement.
- The land, once preserved, would be leased, or maintained by the owners.
- Utah Open Lands would defend and enforce the easements. Wanted the City to be a co-owner and help with enforcement.
- The State had not tried to take water rights from a conservation easement.
- The owners were willing to wait to see if a second open space bond was approved to request additional money.

Note: A copy of Ms. Fisher’s presentation is contained in the supplemental file.

Phillis Shelton, one of the property owners, made the following comments:

- Wanted to preserve the legacy of the Francis Probst family.
- Wanted Midway to remain community based.

Sheila Siggard, one of the property owners, made the following comments:

- Loved and wanted to preserve open space.
- Wanted to preserve her family’s heritage.

Katie Villani gave an overview of the proposal and reviewed the following items:

- Sensitive lands
- Possible findings
- Proposed conditions
- Possible trails and their locations.

Ms. Villani made the following comments:

- The owners might come back and request additional money if a second open space bond was approved.
- The conditions should state that the water rights would be encumbered rather than dedicated to the City.

- There might be a trail easement on the west side but not the east side of the properties.

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

- The Larson property was a lot of record.
- There were several springs on the properties.

Motion: Council Member Simonsen moved to approve the request for the “Heart of Midway” properties for \$250,000 with the following findings and conditions:

- The project and funding were consistent with the vision of the Open Space Element of the General Plan.
- The \$250,000 in funds requested at that time was a relatively small percentage of the purchase price of the conservation easement but fell within the limited Midway City bond funds remaining, and Utah Open Lands advised that this commitment from Midway City would assist Utah Open Lands in applying for applicable public and private funds, thereby leveraging the Bond proceeds to maximize Midway’s contribution.
- The properties comprising the project were completely within Midway City and were subject to funding. The properties were contiguous and located “in the heart of Midway” along North Center Street. Preservation of this collective would create not only a “local neighborhood openness”, but a “central city openness” that was rare to find in the heart of a city.
- Ensured that all the water rights necessary, to continue the operation of the properties and their conservation value, be dedicated and encumbered as part of the easement when that time came.
- Public trail easements were clarified before approval.
- The Applicants requested Midway’s support through its Open Bond funds in the amount of \$250,000 to assist in applying for other funding sources but also considering the possibility of a future bond and a subsequent request. As a condition of any funding, there would be a three-year time limit or procedure for releasing the \$250,000 commitment in bond funds in the event the City did not pursue additional bond funding and/or if a vote on an additional bond was unsuccessful and/or in the event the parties do not reach an agreement on future funding.
- The single-family dwelling, building envelope, and access related to the Larson property needed to be clarified before approval.

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 Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Aye

10. Michel and Kissell Properties / Open Space – (Utah Open Lands – Approximately 30

minutes) – Discuss and possibly deny, continue, or approve using bond funds to preserve open space on properties owned by the Michel and Kissel families at approximately 1130 North River Road.

Courtland Nelson reviewed the location of the properties and indicated that they contained a riverine environment. He noted that they were beautiful properties that would be along an entry and exit for the City.

Wendy Fisher made the following comments:

- The existing houses on the property would not be part of the conservation easement.
- Had applied for NRCS funding for the project. Would come back to the Council if the project did not make it through the application process.
- Requested \$250,000 which would show the City's support.
- The proposal would preserve views.
- A significant amount of money was available from other sources.
- Might not need to come back and request more money.
- Would talk to the property owners about a trail easement to the Provo River trail.
- Wanted to apply for LeRay McAllister funds before the end of the current state legislative session.

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

Michael Henke made the following comments:

- The portions of the properties with the houses could be further developed but it would be difficult. City water would be preferred but wells and fire protection would be required if the properties were developed in the County.
- The owners were not required to annex.
- Did not know the value and ownership percentages of the properties for annexation.
- Conditions could not be placed on a property being forced to annex.

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

- It was preferred that money from the first open space bond be used for open space in the City. The Council should consider requiring annexation to receive money from another open space bond.
- A lot of open space would be preserved even if the portions with the houses were developed.
- The properties should connect to the Albert Kohler Dairy.
- Additional houses on the properties would block more of the view corridor.
- Specifics were needed about the project including how the properties could be developed and if a trail easement was possible.
- Committing the money now would improve the chances of getting other funding.
- Open space funds should not be used to force a property to annex.

Motion: Council Member Orme moved to approve committing \$250,000 as requested for the 37

acres of the Michel and Kissell properties with the following findings and conditions:

- The project and funding request remained consistent with the vision of the Open Space Element of the General Plan.
- The \$250,000 in funds requested at that time was only a small percentage of the purchase price of the conservation easement, but this commitment fell within the limited Midway City bond funds remaining and Utah Open Lands advised that this commitment from Midway City would assist Utah Open Lands in applying for state and federal funds, thereby leveraging the Bond proceeds to maximize Midway's contribution.
- Because the property was completely within Wasatch County (but within the Midway Growth Boundary (annexation area)) and was part of the larger North Fields tract that Wasatch County had identified as a priority in its open space preservation efforts, Wasatch County had been asked to contribute funds from its Open Space Bond Fund. Potential funding sources like the County and other potential sources, such as NRCS and the LeRay McAllister Fund, might maximize Midway's contribution through leveraging, and the continuation of an important agricultural/ranching business was an added benefit.
- The project was visible from much of Midway and to every person who entered or exited Midway along River Road.
- The project expanded and maximized upon the scenic viewsheds preserved by the adjoining Albert Kohler Legacy Property (Kohler Dairy), preserved using Midway Open Space Bond Funds.
- Preservation of the property would keep valuable agricultural/ranching land as open space and the applicant advised the property would continue to provide agricultural products to the community.
- The Midway Irrigation Company shares and the water needed to be encumbered and appurtenant to the property in perpetuity.
- A future public trail easement would be discussed further regarding its location. The easement would be addressed in the conservation easement for a trail from River Road to the future Provo River trail.
- The Applicants had requested the sum of \$250,000 and Midway's support through its Open Bond funds to assist in applying for other funding sources but also considering the possibility of a future bond and a subsequent request. As a condition of any funding, there should be a three-year time limit or procedure for releasing the \$250,000 commitment in bond funds back to the City in the event the City did not pursue additional bond funding and/or if a vote on an additional bond was unsuccessful and/or in the event the parties did not reach an agreement on future funding.
- The money would not be provided to the applicants until all approvals had been completed.
- The owners would not oppose annexation of the properties.

Second: Council Member Payne seconded the motion.

Discussion: None

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

Council Member Drury	Nay
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simons	Nay

Council Member Drury indicated that he voted against the motion because he first wanted several questions answered. Council Member Simons added that he voted against it for the same reason. Mayor Johnson responded that answers would be provided at the next council meeting.

Lundin Properties / Open Space (Continued)

Council Member Simonsen indicated that the motion for the Lundin properties needed to be amended to clarify that the water rights would not be dedicated to Midway City.

Motion: Council Member Simonsen moved to grant an extension of the previous approval with the following findings and conditions:

- The land was used for open space as discussed and proposed to the Council.
- The extension would be until May 15th.
- Hoped that the Lundin family could work out their remaining issues.
- This project and funding request remained consistent with the vision of the Open Space Element of the General Plan.
- The committed funds from Wasatch County and from other potential sources would maximize Midway's contribution through leveraging, and the continuation of an important agricultural business was an added benefit.
- The project was visible from much of Midway and from many areas of the Heber Valley.
- Preservation of the farm would keep valuable agricultural land as open space and the farm would continue to provide agricultural products to the community.
- If the connector road was built on the Lundin property, the community, and particularly the communities serviced by Swiss Alpine and Lime Canyon, would benefit from the safety it would provide.
- The applicant stated that the community would benefit because of public trail easements that would be provided that would connect to the existing trail network.
- The water rights necessary for agriculture and other uses be encumbered as part of the conservation easement in perpetuity.
- Public trail easements were clarified before approval.
- Continue the conditions set forth on June 20, 2023, while adjusting dates to accommodate the extension through May 15, 2024:
 - An application was submitted to the LeRay McCallister Fund by May 15, 2024.
 - A commitment was received from the Lundin family and the applicants entered into an agreement with Utah Open Lands committing to sell the development rights for 119 acres of property by May 15, 2024.
 - The contribution continued for a period of three years from June 20, 2023, then an extension would be needed from the City Council.
 - There was a floating easement to deal with the emergency access point with a preferred location, if it could be worked out, on the west boundary which was favored and had been summarized by the family.
 - A memorandum of understanding containing these conditions and identifying the property that was a conservation easement, separate and apart from the rest of the family's property, by May 15, 2024.

- The required water for irrigation would be encumbered as part of the conservation easement.
- The parties would diligently work together to create the trail and firebreak as mentioned for public and scenic access.
- The form of the conservation easement would comply with the memorandum of understanding.

Second: Council Member Drury 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 Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Aye

Motion: Without objection, Mayor Johnson recessed the meeting at 8:13 p.m. She reconvened the meeting at 8:22 p.m.

11. Commercial Property Assessed Clean Energy (C-PACE) Program / Homestead Resort
(Scott Jones – Approximately 30 minutes)

11a. Ordinance 2024-01 / Energy Assessment – Discuss and possibly deny, continue, or adopt Ordinance 2024-01 designating an energy assessment area in Midway City and levying an assessment within that area.

11b. Resolution 2024-01 / Program Administration Agreement – Discuss and possibly deny, continue, or approve Resolution 2024-01 adopting a program administration agreement for the C-PACE program.

Mayor Johnson explained that the funding proposal had been presented to her several years earlier.

Brennen Brown, D.A. Davison & Co., explained the C-PACE program and made the following comments:

- Was helping the Homestead Resort with financing.
- The program would be a loan to the owners.
- It focused on clean energy and energy efficiency.
- It involved Midway City and required the City's approval.
- It was not a deed of trust but an assessment lien. The lien would be on specific properties.
- The City could administer the program or assign the lender that responsibility.
- More than 20 cities and counties in Utah participated in the program.

- The financing would facilitate long-term improvements to the resort.
- The loan would be for 30 years rather than two to three years for most construction loans.
- The program was established by the federal government but administered by the states.
- Met with the City Attorney the previous Friday.
- The program would not cost the City anything.
- The City would be granting the lender its ability to levy an assessment.
- The loan would supersede any mortgages.
- The loan would be \$65 million.
- The lender would foreclose on the property if the borrower defaulted on the loan.
- An energy audit would be done which would identify categories where the loan money could be spent.
- The City only had to approve the assessment. The loan was not contingent upon other City approvals.
- The program did not affect the City's approval process and phasing for the Homestead.
- Any mortgage holders had to consent to the assessment. That had not yet happened.
- The lender would use the buildings and not the golf course as collateral.
- More than \$65 million would be recovered if the borrower defaulted. If enough was not recovered, then any money would be split equally among those at the same lending position.
- The loan could only be up to 30% of the encumbered assets.
- The value of the encumbered assets would be over \$200 million when the improvements were completed.
- Only commercial assets could be encumbered.

Corbin Gordon made the following comments:

- The City would not have any risk, nor would its assessment capacity be affected.
- State law had changed, and the State no longer participated in the program.
- An ordinance was no longer needed to establish an assessment area.
- The City would not issue bonds with the program.
- The City was approving an assessment that would be administered by a private lender.
- The lender would be in the same loan position as the City and other taxing entities.

Jacob Carlton, Gilmore Bell, made the following comments:

- The agreement with the lender indemnified the City.
- The Council needed to authorize the Mayor to sign an agreement for the program and loan.

Jeff Gertsch, representing the applicants, made the following comments:

- The loan money would also be used to improve water conservation.
- The sprinkler system and water storage ponds for the golf course would be improved.
- 70 additional units would be added to the resort.

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

- The City could participate in the program because it was low risk and increased energy efficiency.

- The City should be in the first position to collect any debt.
- The percentage of money received because of a foreclosure should be based on how much debt was held by the lender.
- The value of the assets was overinflated.
- The request should be continued to answer all the Council's questions.
- What did the City receive in tax revenue from the Homestead?

Motion: Council Member Simonsen moved to continue the item and bring it back in the future.

Second: Council Member Drury 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 Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Aye

12. Ordinance 2024-02 / Cottage Industries (City Planner – Approximately 30 minutes) – Discuss and possibly deny, continue, or adopt Ordinance 2024-02 amending Title 16 (Land Use) of the Midway City Municipal Code regarding cottage industries. **Public Hearing**

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

- Current code
- Current language
- Cottage industries versus home occupations.
- Proposed language
- Possible findings

Mr. Henke also made the following comments:

- The City received one application for a cottage industry in the last 10 years.
- The current Municipal Code allowed industries in residential zones.
- It was difficult to anticipate what industries would be proposed and what problems they would create for neighborhoods.
- Business licenses in residential areas were exclusively home occupations.
- Most business licenses were home occupations.
- Cottage industries pertained to manufacturing.
- Home occupations allowed some manufacturing.
- The home occupation regulations worked well and should not be changed.

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

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

- Cottage industries should not be completely removed from the Code. Hair salons, daycares, music lessons, and similar businesses should be allowed. These types of businesses were not cottage industries and not currently allowed by the Code. Residents were probably doing these types of businesses anyway.
- Businesses with one client at a time should be allowed.
- Additional employees should be allowed during shift changes.
- Should cottage industries be removed now while other changes were being considered?
- Any changes allowing certain businesses should be clear and unambiguous.
- Additional types of businesses could be allowed in the future if needed.
- Complaints were received regarding daycares.
- Clients probably came to some home occupations even though that was prohibited.

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 Drury moved to continue the item.

Second: Council Member Orme seconded the motion.

Discussion: Council Member Payne recommended that the proposed ordinance be adopted, and another ordinance be brought back to the Council with changes such as allowing clients at home occupations. Council Member Simonsen noted that the new ordinance would have to go to the Planning Commission, etc. Council Member Drury did not change his motion.

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

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Aye

13. Ordinance 2024-03 / Barns (City Planner – Approximately 30 minutes) – Discuss and possibly deny, continue, or adopt Ordinance 2024-03 amending Section 16.13.130 (Location of Barns) of the Midway City Municipal Code regarding barns. **Public Hearing**

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

- Summary
- Current language
- Proposed language

Mr. Henke also made the following comments:

- What was a barn? Was it determined by what happened in it or how it looked?
- Had been identifying barns by their use.
- Barns needed to be better defined in the Code.
- Was a lean-to considered a barn?
- Something was considered a structure if it had a roof.
- The Planning Commission recommended the ordinance.
- Preferred that the number of animals be based on the zone and the section on barns be eliminated.

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

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

- A pasture went up to a property line.
- What was the definition of a corral? A corral was temporary.
- There would be no difference between a barn and a pasture if there was not a lot of livestock.

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 Orme moved to eliminate the entire section of the Code and use the outbuilding regulations that were based on structure size.

Second: Council Member Simons 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 Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Aye

Motion: Council Member Orme noted that it was after 10:00 p.m. and moved to consider the next item on the agenda and the Qwest Franchise Agreement.

Second: Council Member Payne 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 Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Aye

14. Ordinance 2024-04 / Commercial Drive-Throughs (City Planner – Approximately 30 minutes) – Discuss and possibly deny, continue, or adopt Ordinance 2024-04 amending Section 16.13.39 (Off Street Parking and Loading) regarding commercial drive-throughs.
Public Hearing

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.

15. Resolution 2024-05 / Qwest Franchise Agreement (City Attorney – Approximately 20 minutes) – Discuss and possibly approve Resolution 2024-05 adopting a franchise agreement with Qwest Corporation.

Corbin Gordon made the following comments:

- Had been working on the agreement for some time.
- Negotiated requests from Steve Dougherty from when he was on the Council. Qwest agreed to some but not all the requests. They did not agree to pay for infrastructure changes requested by the City. The City would have to pay for those changes.
- It was a standard agreement.

Wes Johnson indicated that the City could not request that Qwest remove unused power poles with their lines on them.

Motion: Council Member Drury moved to approve Resolution 2024-05 and authorized the Mayor to sign the agreement.

Second: Council Member Payne 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 Payne	Aye

Council Member Simons Aye
Council Member Simonsen Aye

16. Ordinance 2024-04 / Commercial Drive-Throughs (City Planner – Approximately 30 minutes) – Discuss and possibly deny, continue, or adopt Ordinance 2024-04 amending Section 16.13.39 (Off Street Parking and Loading) regarding commercial drive-throughs.
Public Hearing

17. Donations (Mayor Johnson – Approximately 20 minutes) – Discuss and possibly deny, continue, or approve donations to various charitable organizations.

Motion: Council Member Payne moved to continue Ordinance 2024-04 and donations to a subsequent meeting.

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 Payne Aye
Council Member Simons Aye
Council Member Simonsen Aye

18. Adjournment

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

The meeting was adjourned at 10:19 p.m.

Celeste Johnson, Mayor

Brad Wilson, Recorder

Midway City Council
6 February 2024
Regular Meeting

Reserve at Midway
Phase 1
Conclude Warranty Period

Midway City Corporation

Mayor: Celeste T. Johnson
City Council Members
Lisa Orme • Jeffery Drury
J.C. Simonsen • Steve Dougherty
Kevin Payne



Midway

75 North 100 West
P.O. Box 277
Midway, Utah 84049
Phone: 435-654-3223
Fax: 435-654-4120
midwaycityut.org

January 16, 2024

Brad Wilson
Midway City Recorder
75 North 100 West
Midway, Utah 84049
(Sent via e-mail)

Subject: The Reserve at Midway, Phase 1, Warranty Bond Release

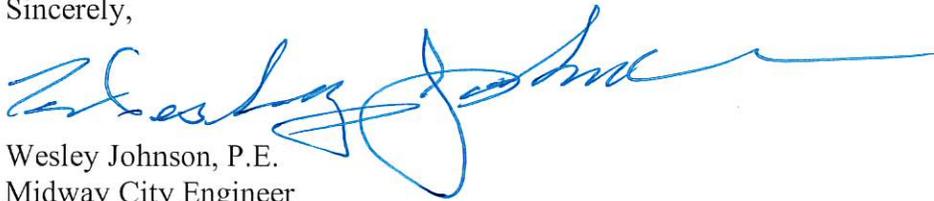
Dear Brad:

The Reserve at Midway Phase 1 Subdivision has been completed with all the items required for the warranty release. The Engineering Department recommends that the warranty bond for this development be released in full.

The Warranty Bond for Midway Sanitation District may also be released in full.

We appreciate working with you on this project. Please contact our office with any questions or concerns

Sincerely,



Wesley Johnson, P.E.
Midway City Engineer

cc: Mike Tagliabue Developer (sent via email)

Midway City Council
6 February 2024
Regular Meeting

Reserve at Midway
Phase 2
Conclude Warranty Period

Midway City Corporation

Mayor: Celeste T. Johnson
City Council Members
Lisa Orme • Jeffery Drury
J.C. Simonsen • Steve Dougherty
Kevin Payne



75 North 100 West
P.O. Box 277
Midway, Utah 84049
Phone: 435-654-3223
Fax: 435-654-4120
midwaycityut.org

January 16, 2023

Brad Wilson
Midway City Recorder
75 North 100 West
Midway, Utah 84049
(Sent via e-mail)

December 5, 2023

Brad Wilson
Midway City Recorder
75 North 100 West
Midway, Utah 84049
(Sent by E-mail)

Subject: The Reserve at Midway, Phase 2, Warranty Bond Release

Dear Brad:

The Reserve at Midway Phase 2 Subdivision has been completed with all the items required for the warranty release. The Engineering Department recommends that the Warranty period end, and the following items be held:

- Landscaping Amount to be Held: \$100,000.00
- Type II Slurry Seal Amount to be Held: \$35,700.00

The Warranty Bond for Midway Sanitation District may also be released in full.

We appreciate working with you on this project. Please contact our office with any questions or concerns

Sincerely,



Wesley Johnson, P.E.
Midway City Engineer

cc: Mike Tagliabue Developer (sent via email)

Our vision for the City of Midway is to be a place where citizens, businesses and civic leaders are partners in building a city that is family-oriented, aesthetically pleasing, safe, walkable and visitor friendly. A community that proudly enhances its small-town Swiss character and natural environment, as well as remaining fiscally responsible.

Midway City Council
6 February 2024
Regular Meeting

Saddle Creek Subdivision
Phase 1
Conclude Warranty Period

Midway City Corporation

Mayor: Celeste T. Johnson
City Council Members
Lisa Orme • Jeffery Drury
J.C. Simonsen • Craig Simons
Kevin Payne



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midwaycityut.org

February 6, 2024

Brad Wilson
Midway City Recorder
75 North 100 West
Midway, Utah 84049
(Sent by E-mail)

Subject: Saddle Creek Subdivision, Phase 1, Warranty Bond Release

Dear Brad:

The Saddle Creek Subdivision Phase 1 development has completed all the items required for the Warranty Release. We recommend that all funds within the Saddle Creek Phase 1 Irrevocable Letter of Credit be released, and the Warranty period end for both Midway City and Midway Sanitation District.

We appreciate working with you on this project. Please contact our office with any questions or concerns

Sincerely,
HORROCKS ENGINEERS



Wesley Johnson, P.E.
Midway City Engineer

cc: Tex Couch, Midway Building Department, (sent by E-mail)
Michael Henke, Midway City Planner, (sent by E-mail)
Becky Wood, Midway Sanitation District, (sent by E-mail)
Matt Watkins, Developer, (sent by E-mail)

Midway City Council
6 February 2024
Regular Meeting

Saddle Creek Subdivision
Phase 2
Conclude Warranty Period

Midway City Corporation

Mayor: Celeste T. Johnson
City Council Members
Lisa Orme • Jeffery Drury
J.C. Simonsen • Craig Simons
Kevin Payne



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Fax: 435-654-4120
midwaycityut.org

February 6, 2024

Brad Wilson
Midway City Recorder
75 North 100 West
Midway, Utah 84049
(Sent by E-mail)

Subject: Saddle Creek Subdivision, Phase 2, Warranty Bond Release

Dear Brad:

The Saddle Creek Subdivision Phase 2 development has completed all the items required for the Warranty Release. We recommend that all funds within the Saddle Creek Phase 2 Irrevocable Letter of Credit be released, and the Warranty period end for both Midway City and Midway Sanitation District.

We appreciate working with you on this project. Please contact our office with any questions or concerns

Sincerely,
HORROCKS ENGINEERS



Wesley Johnson, P.E.
Midway City Engineer

cc: Tex Couch, Midway Building Department, (sent by E-mail)
Michael Henke, Midway City Planner, (sent by E-mail)
Becky Wood, Midway Sanitation District, (sent by E-mail)
Matt Watkins, Developer, (sent by E-mail)

Midway City Council
6 February 2024
Regular Meeting

Saddle Creek Subdivision
Phase 3
Conclude Warranty Period

Midway City Corporation

Mayor: Celeste T. Johnson
City Council Members
Lisa Orme • Jeffery Drury
J.C. Simonsen • Craig Simons
Kevin Payne



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Fax: 435-654-4120
midwaycityut.org

February 6, 2024

Brad Wilson
Midway City Recorder
75 North 100 West
Midway, Utah 84049
(Sent by E-mail)

Subject: Saddle Creek Subdivision, Phase 3, Warranty Bond Release

Dear Brad:

The Saddle Creek Subdivision Phase 3 development has completed all the items required for the Warranty Release. We recommend that all funds within the Saddle Creek Phase 3 Irrevocable Letter of Credit be released, and the Warranty period end for both Midway City and Midway Sanitation District.

We appreciate working with you on this project. Please contact our office with any questions or concerns

Sincerely,
HORROCKS ENGINEERS



Wesley Johnson, P.E.
Midway City Engineer

cc: Tex Couch, Midway Building Department, (sent by E-mail)
Michael Henke, Midway City Planner, (sent by E-mail)
Becky Wood, Midway Sanitation District, (sent by E-mail)
Matt Watkins, Developer, (sent by E-mail)

Midway City Council
6 February 2024
Regular Meeting

Saddle Creek Subdivision
Phase 4
Conclude Warranty Period

Midway City Corporation

Mayor: Celeste T. Johnson
City Council Members
Lisa Orme • Jeffrey Drury
J.C. Simonsen • Craig Simons
Kevin Payne



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Midway, Utah 84049
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Fax: 435-654-4120
midwaycityut.org

February 6, 2024

Brad Wilson
Midway City Recorder
75 North 100 West
Midway, Utah 84049
(Sent by E-mail)

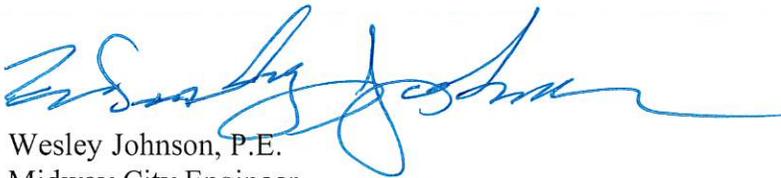
Subject: Saddle Creek Subdivision, Phase 4, Warranty Bond Release

Dear Brad:

The Saddle Creek Subdivision Phase 4 development has completed all the items required for the Warranty Release. We recommend that all funds within the Saddle Creek Phase 4 Irrevocable Letter of Credit be released, and the Warranty period end for both Midway City and Midway Sanitation District.

We appreciate working with you on this project. Please contact our office with any questions or concerns

Sincerely,
HORROCKS ENGINEERS



Wesley Johnson, P.E.
Midway City Engineer

cc: Tex Couch, Midway Building Department, (sent by E-mail)
Michael Henke, Midway City Planner, (sent by E-mail)
Becky Wood, Midway Sanitation District, (sent by E-mail)
Matt Watkins, Developer, (sent by E-mail)