

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

**Tuesday, 4 June 2024, 5:00 p.m.  
Midway Community Center, Conference Room  
160 West Main Street, Midway, Utah**

**Note:** Notices/agendas were posted at 7-Eleven, The Market 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 5:02 p.m.

**Members Present:**

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

**Staff Present:**

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

**Members Excused:**

Jeff Drury, Council Member

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

**2. Outdoor Lighting and Glare (City Planner – Approximately 60 minutes) – Discuss amending Section 5.02.080 (Outdoor Lighting and Glare), in the Midway City Municipal Code, to prohibit artificial lighting on sports and recreation courts.**

Katie Villani gave a presentation regarding the proposal and reviewed the following items:

- History
- Number of pickleball courts in Midway
- Concerns
- Noise
- Lighting
- Setbacks
- Proliferation

- Resolution from 19 April 2024 council meeting
- Option 1 – Changes to each zone
- Option 2 – New section of code specific to recreation facilities
- Option 3 – Prohibit artificial lighting for recreational facilities

Ms. Villani also made the following comments:

- Should a notice of pending ordinance be approved because the sports season was beginning?
- Was looking for guidance from the Council.
- Lights were hard to shield if they were too tall.
- The owner of the court, which was part of a complaint, responded that the shielding prohibited him from using his court in the evenings.
- Not all courts in the City had lights.
- Pickleball was louder than lawn equipment.

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

Council Member Payne made the following comments:

- Played pickleball
- Supported Option 3 because it was simple, easier to enforce, and self-regulating. It would address any new sports. It would also not discriminate against small lots.
- Pickleball was played in the warmer months
- Multiple courts on a property could be used commercially.
- Courts on small lots would probably have to go to the property line.

Council Member Simons made the following comments:

- Pickleball courts could violate the existing noise regulations. This could be enforced immediately.
- The City should not look for problems. It should wait until a complaint is submitted and then enforce the regulations.
- The Municipal Code could state that courts needed to comply with nuisance regulations.
- Option 3 would address issues with light.
- The current regulations would address noise.
- Midway had 6,200 residents, 50 courts, and received only one complaint which regarded light. The Council had other things that it needed to focus on.
- All residents should not be penalized for one complaint.
- The City should know what was considered a fence.
- The City needed a vehicle for enforcement.
- The proposals could eliminate future problems but would not fix the existing problems.
- Lighting, not fencing, was the issue.
- Real data and/or a fieldtrip was needed.
- The problem could be solved with the current regulations.

Mayor Johnson made the following comments:

- Should fences around courts also be regulated?
- A permit and inspections should be required for courts.
- Some court fencing was 10 to 12 feet high.
- Many communities were dealing with the issue. Wanted to get ahead of it.
- Not receiving a lot of complaints did not give her any confidence.
- The item should be considered at the next council meeting. If a decision was not reached, then a notice of pending ordinance should be adopted.
- The courts next to her house did not have lights and were not a problem.
- The City was trying to preserve a dark sky.
- The proposal might have to be considered in sections.

Council Member Orme made the following comments:

- The proposal was overreach.
- Residents should be able to have lights for their courts so long as they are not intrusive.
- The City's sound regulations were clear.
- Courts could be used for many things other than pickleball.
- The City already had fencing regulations.
- A regulation on setbacks could be considered.
- Lighting needed to be defined.
- Would the City next prohibit any lighting in backyards?

Council Member Simonsen made the following comments:

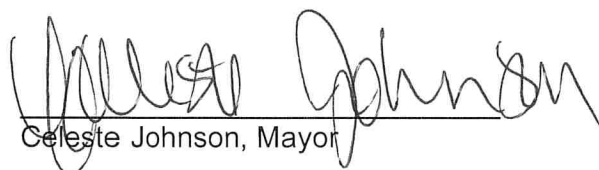
- Some downward directed light was fine.
- It was hard to light a court and be respectful to neighbors.
- Neighbors did not always work out these kinds of issues.
- Regulating nuisances was one of the jobs of government.
- Staff should be given the tools that they needed.

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

- The City had a decibel meter to measure noise.
- The one complaint received was about lighting and not noise. The light from the court was significant.
- A notice of pending ordinance would give the City time to address the issue.
- The fencing regulations were not being applied to courts.

### 3. Adjournment

The meeting was adjourned at 6:01 p.m.

  
Celeste Johnson, Mayor

  
Brad Wilson, Recorder