

Midway City Council  
4 August 2020  
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
<b>180</b>								
180	BISCO	1630952	FUEL INSTALLATION DRILL DRI	07/15/2020	475.60	.00		
Total 180:					475.60	.00		
<b>305</b>								
305	COLONIAL FLAG & SPECIALTY	0222268-IN	Town Hall Rotations	07/17/2020	45.00	.00		
305	COLONIAL FLAG & SPECIALTY	0222269-IN	Cemetery Flag Rotations	07/17/2020	48.00	.00		
305	COLONIAL FLAG & SPECIALTY	0222280-IN	Hamlet Park Rotations	07/17/2020	118.72	.00		
305	COLONIAL FLAG & SPECIALTY	0222281-IN	Administrative Rotations	07/17/2020	112.00	.00		
Total 305:					323.72	.00		
<b>385</b>								
385	DIVISION OF OCCUPATIONAL &	07282020	3RD QUARTER BUILDING FEES	07/28/2020	1,235.41	.00		
Total 385:					1,235.41	.00		
<b>565</b>								
565	HORROCKS ENGINEERS INC	56914	APPENZELL-PHASE 2 CONSTR	07/16/2020	97.90	.00		
565	HORROCKS ENGINEERS INC	56914	LODGES AT SNAKE CREEK-CO	07/16/2020	195.80	.00		
565	HORROCKS ENGINEERS INC	56914	SUNBURST RANCH PHASE 3 P	07/16/2020	37.50	.00		
565	HORROCKS ENGINEERS INC	56914	MIDWAY CREST CONSTRUCTIO	07/16/2020	81.00	.00		
565	HORROCKS ENGINEERS INC	56914	WHITAKER FARM CONSTRUCTI	07/16/2020	25,245.98	.00		
565	HORROCKS ENGINEERS INC	56914	SCOTCH FIELDS 3&4 CONSTR	07/16/2020	3,836.75	.00		
565	HORROCKS ENGINEERS INC	56914	HAVEN FARM NORTH CONSTR	07/16/2020	3.25	.00		
565	HORROCKS ENGINEERS INC	56914	HAVEN FARM SOUTH CONSTR	07/16/2020	5,559.24	.00		
565	HORROCKS ENGINEERS INC	56914	LIME CANYON MEADOWS-CON	07/16/2020	632.50	.00		
565	HORROCKS ENGINEERS INC	56914	REMUND FARMS 2&3 CONSTR	07/16/2020	6,881.38	.00		
565	HORROCKS ENGINEERS INC	56914	MIDWAY VISTA PLANNING	07/16/2020	1,145.50	.00		
565	HORROCKS ENGINEERS INC	56914	WHISPERING CREEK PLANNIN	07/16/2020	1,237.20	.00		
565	HORROCKS ENGINEERS INC	56914	Huntleigh WoODS PLANNING	07/16/2020	1,053.00	.00		
565	HORROCKS ENGINEERS INC	56914	COZENS 3 LOT PLANNING	07/16/2020	349.50	.00		
565	HORROCKS ENGINEERS INC	56914	FIRE FLOW TEST	07/16/2020	272.00	.00		
565	HORROCKS ENGINEERS INC	56914	ATTEND CITY MEETINGS	07/16/2020	306.00	.00		
565	HORROCKS ENGINEERS INC	56914	GENERAL ENGINEERING TASK	07/16/2020	1,527.00	.00		
565	HORROCKS ENGINEERS INC	56914	Update ROAD PLAN	07/16/2020	652.50	.00		
565	HORROCKS ENGINEERS INC	56914	2020 TRAIL HOMESTAD & RIVE	07/16/2020	20.80	.00		
565	HORROCKS ENGINEERS INC	56914	2019 Center AND HOMESTEAD	07/16/2020	2,116.16	.00		
565	HORROCKS ENGINEERS INC	56914	2020 Road Surface Treatment - D	07/16/2020	3,566.50	.00		
565	HORROCKS ENGINEERS INC	56914	2020 Water PROJ #1 CONSTRU	07/16/2020	13,227.86	.00		
565	HORROCKS ENGINEERS INC	56914	2020 Water PROJ #2 CONSTRU	07/16/2020	10,145.16	.00		
565	HORROCKS ENGINEERS INC	56914	RIVER ROAD WATER CONSTRU	07/16/2020	72.50	.00		
565	HORROCKS ENGINEERS INC	56914	2020 Road Surface Treatment - C	07/16/2020	4,884.46	.00		
565	HORROCKS ENGINEERS INC	56914	2020 TRAIL HOMESTEAD AND R	07/16/2020	9,234.85	.00		
Total 565:					92,382.29	.00		
<b>720</b>								
720	LATIMER DO IT BEST HARDWA	B295390	LANDSCP FABRIC	07/21/2020	99.98	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 720:					99.98	.00		
<b>800</b>								
800	MIDWAY IRRIGATION COMPANY	20408	2019 CLASS B ASSESSMENT BI	07/16/2020	261,000.00	.00		
Total 800:					261,000.00	.00		
<b>845</b>								
845	MOUNTAINLAND SUPPLY COMP	S103652225.0	MAIN STREET FLOWERS	07/20/2020	13.30	.00		
845	MOUNTAINLAND SUPPLY COMP	S103656022.0	SPRINKLER BOX	07/15/2020	226.92	.00		
845	MOUNTAINLAND SUPPLY COMP	S103657489.0	WATER CONNECTION REPAIRS	07/16/2020	1,683.16	.00		
845	MOUNTAINLAND SUPPLY COMP	S103657489.0	WATER CONNECTIONS SUPPLI	07/16/2020	438.65	.00		
845	MOUNTAINLAND SUPPLY COMP	S103663659.0	TOWN SQUARE	07/20/2020	77.10	.00		
845	MOUNTAINLAND SUPPLY COMP	S103670276.0	ALPENHOLF PARK SPRINKLER	07/27/2020	1,752.43	.00		
845	MOUNTAINLAND SUPPLY COMP	S103670276.0	ALPENHOF PARK	07/27/2020	2,601.52	.00		
845	MOUNTAINLAND SUPPLY COMP	S103670276.0	ALPENHOF PARK	07/28/2020	195.28	.00		
Total 845:					6,988.36	.00		
<b>1045</b>								
1045	STANDARD PLUMBING SUPPLY	LHLH67	CEMETERY	07/20/2020	73.00	.00		
1045	STANDARD PLUMBING SUPPLY	LHLV60	PARK SPRINKLER REPAIRS	07/20/2020	38.99	.00		
1045	STANDARD PLUMBING SUPPLY	LJCT89	KEY BLANK	07/27/2020	5.38	.00		
1045	STANDARD PLUMBING SUPPLY	LJHX24	FOUNTAIN REPAIRS	07/29/2020	47.12	.00		
1045	STANDARD PLUMBING SUPPLY	LJJG67	SHOP	07/29/2020	6.62	.00		
Total 1045:					171.11	.00		
<b>1170</b>								
1170	TIMBERLINE ACE HARDWARE	135146	PARKS FLOWER PARTS REPAI	07/16/2020	20.85	.00		
1170	TIMBERLINE ACE HARDWARE	135249	PARKS SPRINKLERS	07/21/2020	44.99	.00		
1170	TIMBERLINE ACE HARDWARE	135403	OFFICE	07/28/2020	36.74	.00		
Total 1170:					102.58	.00		
<b>1310</b>								
1310	WASATCH AUTO PARTS	200857	FORGED D RINK	07/10/2020	108.66	.00		
Total 1310:					108.66	.00		
<b>1365</b>								
1365	WAVE PUBLISHING	L16943	PUBLIC NOTICE-PLANNING CO	07/15/2020	32.38	.00		
1365	WAVE PUBLISHING	L16948	Ordinance Adoption-CC	07/15/2020	34.69	.00		
Total 1365:					67.07	.00		
<b>1414</b>								
1414	GENEVA ROCK PRODUCTS INC	07292020	Pay Request #3	07/29/2020	62,691.93	.00		
Total 1414:					62,691.93	.00		
<b>1603</b>								
1603	ROCKY MOUNTAIN POWER	07212020	SWISS MOUNTAIN PUMP	07/21/2020	12.53	.00		
Total 1603:					12.53	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
<b>1931</b>								
1931	KW ROBINSON CONSTRUCTIO	07292020	PAY REQUEST #2	07/29/2020	232,581.85	.00		
Total 1931:					232,581.85	.00		
<b>2264</b>								
2264	GRAINGER	9592972393	ROLLING LADDER	07/17/2020	2,289.00	.00		
Total 2264:					2,289.00	.00		
<b>2350</b>								
2350	CRUS OIL	0469074	Washer Fluid, Handling and delive	07/15/2020	99.90	.00		
Total 2350:					99.90	.00		
<b>2372</b>								
2372	CORY LOTT	072820	Reimburse Office Desk (RC Willey	07/28/2020	1,169.99	.00		
Total 2372:					1,169.99	.00		
<b>2418</b>								
2418	FINAL COMPLETION DEPOSIT	18-155 FCD	18-155 FINAL COMPLETION DE	07/08/2020	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	19-142 FCD	19-142 FINAL COMPLETION DE	07/22/2020	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	19-178 FCD	19-178 FINAL COMPLETION DE	07/22/2020	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	19-182 FCD	19-182 FINAL COMPLETION DE	07/22/2020	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	20-035 FCD	20-035 FINAL COMPLETION DE	07/22/2020	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	20-037 FCD	20-037 FINAL COMPLETION DE	07/22/2020	1,500.00	.00		
Total 2418:					9,000.00	.00		
<b>2421</b>								
2421	PUBLIC FACILITIES DEPOSIT	15-171 PFD	15-171 PUBLIC FACILITIES DEP	07/15/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	18-063 PFD	18-063 PUBLIC FACILITIES DEP	07/15/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-061 PFD	19-061 PUBLIC FACILITIES DEP	07/15/2020	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-153 PFD	19-153 Public Facilities Deposit -	07/16/2020	1,750.00-	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-153 PFD-C	19-153 Public Facilities Deposit -	07/15/2020	1,750.00	.00		
Total 2421:					5,250.00	.00		
<b>2520</b>								
2520	Staker Parson Companies	5308536	water CONNECTION IRRIGATIO	07/27/2020	357.72	.00		
Total 2520:					357.72	.00		
<b>2561</b>								
2561	CENTURYLINK -435-654-3924 45	07072020	435-654-3924 453B	07/07/2020	155.97	.00		
Total 2561:					155.97	.00		
<b>2598</b>								
2598	IIMC	06302020	Annual Membership	06/30/2020	170.00	.00		
Total 2598:					170.00	.00		
<b>2614</b>								
2614	Executech Utah, Inc.	149330	Server Upgrades	07/21/2020	9,711.99	.00		



Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 2614:					9,711.99	.00		
<b>2627</b>								
2627	GORDON LAW GROUP, P.C.	8185	HOMESTEAD DEVELOPMENT	07/17/2020	1,404.00	.00		
2627	GORDON LAW GROUP, P.C.	8187	PELO SUBDIVISION	07/17/2020	331.50	.00		
2627	GORDON LAW GROUP, P.C.	8188	COZENS SUBDIVISION	07/17/2020	195.00	.00		
2627	GORDON LAW GROUP, P.C.	8189	HUGHES ACCESS LITIGATION	07/01/2020	195.00	.00		
2627	GORDON LAW GROUP, P.C.	8190	ZENGER/WHISPERING CREEK	07/17/2020	1,287.00	.00		
2627	GORDON LAW GROUP, P.C.	8191	RMP PETITION FOR REVIEW	07/01/2020	5,490.00	.00		
2627	GORDON LAW GROUP, P.C.	8194	MONTHLY FLAT	07/01/2020	4,700.00	.00		
2627	GORDON LAW GROUP, P.C.	8194	MONTHLY FLAT FEE	07/01/2020	300.00	.00		
2627	GORDON LAW GROUP, P.C.	8195	WHITAKER FARM ANNEXATION	07/01/2020	2,250.00	.00		
2627	GORDON LAW GROUP, P.C.	8196	CRYSTAL SPRINGS DEVELOPM	07/01/2020	1,872.00	.00		
Total 2627:					18,024.50	.00		
<b>2636</b>								
2636	CenturyLink 435-654-4120	1495193000	435-654-4120 Phone Services	07/11/2020	1,781.58	.00		
Total 2636:					1,781.58	.00		
<b>2658</b>								
2658	SIGNARAMA	INV-6739	SIGNS FOR 70 EAST MAIN PAR	07/02/2020	830.85	.00		
2658	SIGNARAMA	INV-6881	NO PARKING/ICE RINK SIGNS	07/07/2020	65.96	.00		
2658	SIGNARAMA	INV-6930	EMBROIDERY ON CUSTOMER	07/16/2020	144.00	.00		
2658	SIGNARAMA	INV-6942	EMBROIDERY ON CUSTOMER	07/18/2020	90.00	.00		
Total 2658:					1,130.81	.00		
<b>2704</b>								
2704	Midway Mercantile	07292020	50% OF COST TO STRIPE PARK	07/29/2020	400.00	.00		
Total 2704:					400.00	.00		
<b>2785</b>								
2785	EUCLID TIMBER FRAMES, L.C.	11019	8X8X64"	07/21/2020	122.02	.00		
Total 2785:					122.02	.00		
<b>2791</b>								
2791	PURCHASE POWER	07192020	POSTAGE REFILL	07/19/2020	250.00	.00		
2791	PURCHASE POWER	07192020	equipment and services	07/19/2020	112.88	.00		
2791	PURCHASE POWER	07192020	POSTAGE OVERAGE FEE	07/19/2020	1.00	.00		
Total 2791:					363.88	.00		
<b>2806</b>								
2806	SUPERIOR LOCKSMITH	I67381	TOWNHALL REPAIR FRONT DO	07/29/2020	2,085.50	.00		
2806	SUPERIOR LOCKSMITH	I67382	TOWNHALL DOOR LOCKS	07/29/2020	3,051.90	.00		
2806	SUPERIOR LOCKSMITH	I67383	BUILDING NEW LOCKS BOOST	07/29/2020	95.00	.00		
Total 2806:					5,232.40	.00		
<b>2812</b>								
2812	SALT LAKE WHOLESALE SPOR	61059	EQUIPMENT-BACKNET	04/29/2020	190.00	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 2812:					190.00	.00		
<b>2817</b>								
2817	SAVATREE	7415184	TREE REMOVAL FOR TRAILS P	06/16/2020	1,686.00	.00		
Total 2817:					1,686.00	.00		
<b>2819</b>								
2819	LANDMARK EXCAVATION	1374	PAY REQUEST #2	07/04/2020	27,259.41	.00		
Total 2819:					27,259.41	.00		
<b>2824</b>								
2824	ASPHALT PRESERVATION	166	SURFACE TREATMENTS	07/23/2020	15,212.30	.00		
Total 2824:					15,212.30	.00		
<b>2832</b>								
2832	TEX COUCH	07202020	VELCRO FOR CERTIFICATIONS	07/20/2020	20.18	.00		
2832	TEX COUCH	07202020	CLOTHING	07/20/2020	66.98	.00		
2832	TEX COUCH	07202020	CLOTHING	07/20/2020	106.11	.00		
Total 2832:					193.27	.00		
<b>2833</b>								
2833	TIM AND MARY THOMAS	873	REPAIRS THOMAS LANDSCAPI	07/04/2020	7,010.00	.00		
Total 2833:					7,010.00	.00		
<b>2834</b>								
2834	TUCK LANDSCAPE	49739	FLOWERS FOR STATUE AT CO	07/20/2020	6,443.02	.00		
Total 2834:					6,443.02	.00		
Grand Totals:					771,494.85	.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: \_\_\_\_\_

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City Recorder: \_\_\_\_\_

City Treasurer: \_\_\_\_\_

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Midway City Council  
4 August 2020  
Regular Meeting

Minutes of the  
7 July 2020  
Regular Meeting



# Memo

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**Date:** 31 July 2020  
**To:**  
**Cc:**  
**From:** Brad Wilson, City Recorder/Financial Officer  
**RE:** Minutes of the 7 July 2020 City Council Meeting

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

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

**Tuesday, 7 July 2020, 6:00 p.m.  
Electronic Meeting**

**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 6:06 p.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

### **Staff Present:**

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

Mayor Johnson led the Council and meeting attendees in the pledge of allegiance.

## **2. Consent Calendar**

- a. Agenda for the 7 July 2020 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 23 June 2020 City Council Meeting

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

**Motion:** Council Member Dougherty moved to approve all items on the consent calendar.

**Second:** Council Member Payne seconded the motion.

**Discussion:** None

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

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	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**

#### Affordable Housing / Coordination / Audit

Council Member Payne reported on efforts to coordinate affordable housing efforts among jurisdictions. He would present an audit of area affordable housing at the second council meeting in August.

#### Midway Boosters / Independence Day Celebration

Council Member Drury reported on the Independence Day celebration and indicated that there would still be fireworks on the holiday in the future.

#### Ice Rink / Clean-Up / Preventative Maintenance / Reimbursement

Council Member Drury reported that the ice rink had been cleaned up for the season. He added that preventative maintenance would be done, and a reimbursement made to the City by the operator.

#### Midway Boosters / Swiss Days

Council Member Drury reported that Swiss Days would not be held that year because of the pandemic.

#### 970 South Transmission Line / Stay

Corbin Gordon reported that Rocky Mountain Power filed an emergency request for the stay, granted by a member of the Appellate Court, to be reviewed by a panel of Judges from the same court. He indicated that his office would file a response.

#### HVRR / Operations During Pandemic

Mayor Johnson reported that the Heber Valley Railroad (HVRR) was operating with safety measures and reduced capacity.

#### HVSSD / Pond Maintenance

Mayor Johnson reported that the Heber Valley Special Service District (HVSSD) was working on the maintenance issues with its ponds.

#### Ice Rink / Town Square / Pickleball

Council Member Simonsen reviewed the challenges with having pickleball courts on the ice rink. He indicated that it would be a good time to consider other suggestions for courts on the Town Square because Swiss Days would not be held that year.

#### Town Square / BBQ Pit

Mayor Johnson reported that the BBQ pit at the Town Square would be rebuilt that summer.

- 5. Planning Commission / Alternate Members** (Mayor Johnson – Approximately 5 minutes)  
– Discuss and possibly appoint alternate members to the Midway City Planning Commission.

Mayor Johnson explained that she and Michael Henke met with candidates and recommended Rich Cliften and Andy Garland as alternate members of the Planning Commission.

**Motion:** Council Member Orme moved to appoint Rich Cliften and Andy Garland as alternate members of the Planning Commission.

**Second:** Council Member Payne seconded the motion.

**Discussion:** Mayor Johnson noted that there were no term limits for alternate members.

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

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

- 6. Resolution 2020-14 / Zenger Annexation Agreement Amendment and Midway Vistas Master Plan** (City Planner – Approximately 30 minutes) – Discuss and possibly approve Resolution 2020-14 amending the annexation agreement for the Zenger Annexation and adopting a master plan agreement for the Midway Vistas Subdivision (Formerly known as the Zenger Annexation, Murano Subdivision and Malmrose PUD) located at approximately 1600 North Interlaken Road (West side) (Zoning is RA-1-43).



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

- Items changed since the last meeting
- Location of the proposed development
- Overview
- Concept plan at annexation
- Proposed concept plan
- Trails
- Discussion items
- Phasing plan
- Open space
- Access
- Pictures of the property
- Current and proposed locations of a backcountry trail
- Problems with the current location of the garbage dumpsters for Interlaken Town
- Proposed location for the dumpsters
- Planning Commission recommendation
- Water Board recommendation
- Possible findings
- Proposed conditions

Mr. Henke also made the following comments:

- The public trails would be noted on the plat maps and in the relevant agreements.
- Recommended that the developer build a section of trail along Homestead Drive. This would replace a section of trail, required in the annexation agreement, that had already been built by someone else.

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

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

- The developer should install the pumps for the pressurized irrigation system.
- The requirement for pumps should be based on a lot's elevation.
- The public trails should be noted with signs installed by the developer.
- Interlaken Town should be a signer to the agreement, or the agreement should require a separate agreement with the Town.
- Midway City would not be a party to the easement agreement for the dumpsters so it could not enforce it.
- The backcountry trail should continue to connect at its current location on the east boundary of the development, but an alternative route should also be required further south on Edelweiss Lane. There would be a safety issue with users going up Interlaken Drive from the lane to the trail.
- The City could not make the Town do something and would give it veto power over the project by requiring certain conditions.
- Anything that differed from the annexation concept plan required an amendment to the

agreement.

- The applicant did not want the dumpsters near the Town's pump house because it would affect his property.

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

- Requested master plan approval and not an amendment to the annexation agreement.
- The only difference between the annexation concept plan and the proposal was less roads and more open space.
- Was being required to solve Interlaken Town's dumpster issue and build a public trail not on the City's trails plan. Requested that the City reconsider these requirements.
- An easement could be provided for the backcountry trail and dumpsters.
- The City and the Town should enter into an agreement and they should be responsible for the dumpsters.
- The City wanted the developer to be responsible for all the conditions on the Town. This meant that the developer would have to do these things if the Town did not.
- The Town was not engaging with the developer.
- The developer had no leverage against the Town.
- The irrigation pumps should be installed with the culinary water meters so they would not deteriorate before use.

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

- Anything that differed from the annexation concept plan required an amendment to the agreement.
- The applicant did not want the dumpsters near the Town's pump house because it would affect his property.
- The pumps could be provided to the Midway Irrigation Company, to be installed later with the meters, or money escrowed for them.
- The pumps should be installed by a qualified person.
- The issue of the pumps should be discussed with the Irrigation Company.
- Jack Zenger signed the original access agreement which also determined the current location of the dumpsters.
- The City could facilitate moving the dumpsters but should not police them.
- It would not be difficult to reach an agreement with the Town regarding the dumpsters.
- Putting the dumpsters by the Town's pump house could be a temporary solution.
- A driver for the Wasatch County Solid Waste Special Service District said the dumpsters could be returned to a previous location further up Interlaken Drive from the entrance to the Valais Park.

**Motion:** Council Member Drury moved to approve Resolution 2020-14 (Zenger Annexation Agreement Amendment and Midway Vistas Master Plan) with the following findings and conditions:

- The proposal complied with the requirements of the code for standard subdivisions.
- The proposal met the vision of the area as described in the General Plan for the RA-1-43 zone.
- The public trails would be built by the developer and would be an amenity for the entire

community.

- The Water Board recommendation of 191.24 acre feet for the entire project and dedicated as calculated by phase. All required water rights would be held in escrow before the master plan agreement was recorded.
- Secondary water meters were required for every lot.
- Irrigation pumps were required for 15 lots above an elevation determined by the City Engineer and City Planner.
- Secondary water meters and pumps would be paid in escrow to the Midway Irrigation Company, with the appropriate phase, and installed by the Irrigation Company when service was provided.
- The developer would provide an easement for dumpsters located as noted on the current site plan adjacent to the eastern entrance. In the interim the Mayor, developer and Interlaken Town would identify and implement temporary solutions. The annexation agreement would be adjusted and approved by the Mayor.
- All approved non-irrigated areas would be noted on the plat maps.
- Note would be placed on the plat maps informing future owners that the 15 most elevated lots would each require an irrigation pump because they were located above the irrigation ditch.
- Private roads in the development would have a public access easement which would be noted on the plat maps and in the master plan agreement.
- The developer would provide a 10-foot public trail easement to relocate the existing back-country trail. The trail would run from the Interlaken pump station in the 50-foot-wide common area to the entrance of Midway Vistas near Interlaken Drive, in line with the existing sewer easement.
- All public trails in the development would have signs noting public use.
- An easement would provide access to the existing trail as well as access to Edelweiss Lane.

**Second:** Council Member Dougherty seconded the motion.

**Discussion:** None

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

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

- 7. Whispering Creek Estates / Preliminary Approval** (Mike Harvie, Ramp Group – Approximately 45 minutes) – Discuss and possibly grant preliminary approval for the Whispering Creek Estates Subdivision located at 515 East Cari Lane. Recommended for approval with conditions by the Midway City Planning Commission. **Public Hearing**

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

- Land use summary
- Location of the development

- Proposed site plan
- Flood plain
- Wetlands
- Discussion items
- Open space
- Wetlands/flood plain map
- Pictures of the property
- Water Board recommendation
- Possible findings
- Proposed conditions

Mr. Henke also made the following comments:

- The plat map for the Cosper Subdivision, recorded for a portion of the property, would have to be vacated.
- An accurate drawing showing the flood plain was needed.
- Changes had been made to the flood plain which needed to be resolved with the United State Army Corps of Engineers.
- Recommended against granting approval that night.
- A plan was needed for a sewer lateral that crossed the property. The applicant verbally indicated that the lateral could be run to the sewer line in the proposed cul-de-sac.

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

Mayor Johnson expressed concern with homes in a flood plain because their basements were not allowed to be finished. She worried that a future homeowner could unwittingly finish the basement.

Mayor Johnson was also concerned that the stream and flood plain were altered after the Planning Commission made clear that was not allowed.

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

- The application would have to be withdrawn for the project to be reconsidered by the Planning Commission.
- There was some discretion with vacating the Cosper Subdivision plat map.
- The City Engineer had reviewed the geotechnical study and found nothing unusual. It recommended slabs on grade.

Mike Harvie, Ramp Group and representing the applicant, indicated that the stream alterations were done long before the planning commission meeting. He asked that the item be approved with conditions. He indicated that the conditions could be resolved for final approval.

Mayor Johnson indicated that the City met and exceeded the noticing requirements for a public hearing on the development.

### **Public Hearing**

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

Wendy Bolick

Ms. Bolick made the following comments:

- Her lot backed up to the proposed development. Looked like the setbacks in the development next to her lot would only be ten feet.
- The size of the proposed lots was out of character for the area. They should be larger.
- The development would increase the traffic and noise on Cari Lane which was already too busy.
- It would decrease property values and the area aesthetic.
- Some neighbors had talked about selling their homes and moving.
- The applicant brought in poor fill dirt with weeds and did not manage the property.
- Wetlands would be lost.
- The stream was altered in 2019 to create a pond. This slowed the creek, caused an algae bloom, and reduced water to her property.
- Existing residents should be protected.
- The development was morally reprehensible.

Mr. Henke indicated that the setback, from the rear of Ms. Bolick's lot, would be 30 feet.

Mike Tezak

Mr. Tezak indicated that it was his sewer lateral that crossed the property. Mr. Henke responded that any approval would be conditioned on accommodating the lateral.

Patsey Hight

Ms. Hight made the following comments:

- Was concerned about the property being a fire hazard.
- Had lived in Paradise, California which was destroyed by fire and 85 people killed.
- The area would be difficult to evacuate in case of a fire.
- Drivers drove too fast on Cari Lane.
- People and the community needed to be protected.

Cathy Sundwall

Ms. Sundwall made the following comments:

- Sent a letter regarding the development.
- Was concerned about flooding in the area.
- There were a lot of problems with the area proposed for the development. It included sensitive lands.

- The development was too dense.
- More time was needed for it to be done correctly.
- Was an environmental impact study required?

Mr. Henke responded that an environmental study was not required but the City had an extensive sensitive lands code. He added that he could address any concerns regarding fire with the Wasatch County Fire District. He also indicated that the noxious weeds had to be removed and other weeds kept at or below six inches.

#### Greg Trimble

Mr. Trimble indicated that he would lose some of his views because of the development.

#### David Sundwall

Mr. Sundwall suggested that the development be limited to four lots and other issues like the noxious weeds be addressed. Mr. Henke responded that the Municipal Code allowed the proposed density.

#### Wendy Bolick

Ms. Bolick made the following additional comments:

- Had contacted the City about the weeds. The City sent a letter to the applicant who sprayed only a few of the weeds.
- A lot of dead items had been piled on the property.
- Could the proposed road be that close to the neighboring property?

Mr. Henke responded that nothing prohibited the road from being that close.

#### Patsey Hight

Ms. Hight requested that the Fire District review the project and ensure that a fire truck could be turned around on the cul-de-sac. Mr. Henke indicated that the Fire District had been involved in the approval process.

**Motion:** Without objection, Mayor Johnson recessed the meeting at 9:06 p.m. She reconvened the meeting at 9:15 p.m.

Mr. Henke reviewed the Cosper Subdivision and indicated that the required water rights had been turned in for the development.

Mr. Henke indicated that the wetland study had not yet been approved by the Corps of Engineers.

Council Member Drury asked why the proposed development was being considered that night when several important issues were unresolved. He was especially concerned with the alteration of the stream.

**Motion:** Council Member Drury moved to continue the item indefinitely with the following findings and conditions:

- The City had not received notification that the wetlands study was approved by the Corps of Engineers.
- The item would only be considered again by the Council once the wetlands study had been approved and the issues with stream alteration had been resolved.

**Discussion:** Mayor Johnson was concerned with the plan for the sewer lateral, which went through the development, and wanted to clarify the setbacks for lot 4. She recommended that the east boundary be the back setback for the lot.

Mr. Henke wanted a more accurate map which showed the flood plain.

Council Member Drury was concerned about how close lot 5 was to the flood plain.

Council Member Simonsen said that the proposal was incomplete and vacating the Cosper Subdivision needed to be addressed. He recommended that the proposal go back to the Planning Commission to resolve the outstanding items.

Council Member Payne asked that a formal request, to vacate the Cosper Subdivision, be added to the motion.

**Withdrawal:** Council Member Drury withdrew his motion.

Council Member Dougherty questioned if denial or sending the proposal back the Planning Commission were appropriate. Corbin Gordon agreed that sending it back to the Planning Commission was not appropriate. He pointed out that if it were denied then the applicant could resubmit, and the proposal would then go again to the Planning Commission.

Mr. Harvie made the following comments:

- Property owners had the right to do what they wanted on their land.
- The issues of weeds and stream alteration could be resolved during construction.
- The proposal should move forward if it met the requirements of the Municipal Code.
- Any other issues would be addressed as the process progressed.

Mr. Henke indicated that some serious development questions needed to be resolved. He added that the development should be done well and right.

Council Member Dougherty recommended that the item be continued until the wetlands study was approved by the Corps of Engineers and the other issued raised were addressed.

Council Member Simonsen asked about the vacation of the Cosper Subdivision plat map. Mr. Henke responded that was a separate application. He thought that application could possibly go

directly to the City Council. Council Member Payne thought that the vacation could be done concurrently with the new development.

**Motion:** Council Member Dougherty moved to continue the item until staff felt comfortable that all issues had been sufficiently addressed.

**Second:** Council Member Drury seconded the motion.

**Discussion:** None

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

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Nay
Council Member Simonsen	Aye

Council Member Payne explained that he voted against the motion because he wanted the proposal to go back to the Planning Commission.

**8. Cozens Subdivision / Plat Amendment / Preliminary and Final Approval** (Glen Lent – Approximately 30 minutes) – Discuss and possibly grant a plat amendment and preliminary and final approval for the Cozens Subdivision located at 840 South Stringtown Road. 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 summary
- Location
- Snake Creek
- Flood plain
- Proposed plat map
- Access for lot 1
- Discussion items
- Water Board recommendation
- Possible findings
- Proposed conditions

Mr. Henke also made the following comments:

- The proposed development was a small-scale subdivision. It was an amendment rather than a vacation of the existing plat map.
- One lot would be subdivided into three lots.
- There was an existing home on the property.
- A barn would have to be removed, before the plat map could be recorded, because it straddled two of the lots.



- The original plat map was recorded to address an illegal subdivision. It was understood at that time that the property would be further subdivided.
- A stream alteration permit or easement on another lot was needed to access lot 1. The applicant requested an easement agreement instead of the easement being shown on the plat map.
- Recommended that the money for the bike trail be put in escrow.
- All conditions had been met from the approval of the original subdivision.
- The existing home would still be considered a legal non-conforming use.

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

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

- The utilities for lot 1 could go through the small area between Snake Creek and the lot line. Otherwise, a stream alteration permit or an easement on another lot would be needed.
- The City Attorney should look at the issue of an illegal use being called non-conforming and therefore allowed.
- The request was not discretionary, but conditions could be placed on its approval.
- Further subdividing was not prohibited with the original development.
- The City could require that trees on the property be trimmed if they were a safety issue.
- The City could not prohibit further subdividing if it did not exceed the allowed density.

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

- The sewer would be extended up Wards Lane as required if the property were further subdivided.
- The plat map presented that evening would be altered slightly based on the recommendations of the Planning Commission.
- Lot 2 would be adjusted to allow enough frontage for lot 1. An easement would still be needed for access to lot 1. The lots would have a shared driveway.
- A home could not be built on the east side of the creek on lot 1. There was room on the other side of the creek for a house and meet the required setbacks.

### **Public Hearing**

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

### **Glen Lent, Applicant**

Mr. Lent said that he would keep lot 1 for himself. He added that he would address the concerns with the trees.

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

**Motion:** Council Member Simonsen moved to approve item 8, granting a plat amendment and preliminary and final approval, with the following findings and conditions:

- The proposed lots met the minimum requirements for the RA-1-43 zoning district.
- The proposal met the intent of the General Plan for the RA-1-43 zoning district.
- The subdivision would contribute to the master trails plan by adding funds to the general trails fund that would be used to help complete the master trails plan.
- The funds to build the bike lane would be added to the general trails fund and that the bike lane would be completed in the future as part of a larger improvement project that would complete the bike lanes along the entirety of Stringtown Road.
- An access easement would be on the plat or a separate document would be recorded concurrently with the plat to assure access for lot 1.
- The accessory structure that was located on a proposed lot line would be removed before the plat map was recorded.
- Sewer would be provided to the lots.
- The trees would be checked for safety by an arborist.

**Second:** Council Member Drury seconded the motion.

**Discussion:** None

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

Council Member Dougherty	Nay
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

**9. Resolution 2020-21 / Cozens Subdivision Amended Development Agreement** (City Attorney – Approximately 10 minutes) – Discuss and possibly approve Resolution 2020-21 adopting an amendment to the development agreement for the Cozens Subdivision located at 840 South Stringtown Road.

Corbin Gordon presented the proposed amendment and made the following comments:

- The agreement did not address the issue of non-conforming uses.
- It restated and completely replaced the existing agreement.

Council Member Dougherty noted that the agreement should require that the barn be torn down.

**Motion:** Council Member Orme moved to approve the resolution and accept the development agreement amendment for the Cozens Subdivision with the following findings and conditions:

- The amendment restated and replaced the original development agreement.
- Section 3(A)(ii)(g) be replaced with the requirement that the barn be removed.

**Second:** Council Member Drury seconded the motion.

**Discussion:** None

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

Council Member Dougherty	Nay
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

Council Member Dougherty indicated that he voted against the motion because he was not comfortable approving a development agreement for a subdivision that he voted against.

**10. Homestead Resort / Master Plan Amendment** (Paul Berg, Berg Engineering – Approximately 45 minutes) – Discuss an amendment to the master plan for the Homestead Resort located at 700 North Homestead Drive.

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

- Land use map
- Locations of the resort zone
- Location of the Homestead Resort
- Development options
- 2008 Master Plan
- Land owned by the Homestead Resort
- Land use summary
- Proposed site plan
- Proposed buildings
- Entrance
- Phasing plan
- Fire access
- Trails master plan
- Potential trails access map
- Fee simple land map
- Comparison of the 2008 and the proposed master plans

Mr. Henke also made the following comments:

- The applicants had applied to amend the master plan.
- The resort zones included the City's main tax base. They helped the City and kept property taxes low. The Resort was a significant part of its tax base.
- The Council was not obligated to amend the existing plan.
- The proposal would amend the 2008 Master Plan.
- The 2008 Plan did not have a lot of amenities.
- All the existing golf course should be open space.
- The proposed site plan was less intense with less density.
- All the proposed units would have one ownership and no lockouts. They could not be

sold to individual owners.

- People would not live at the Resort.
- The proposed entrance saved more trees but was disliked by a neighbor.
- The Links at Homestead HOA was concerned about the access to some proposed units through its development.
- The access from Mountain Springs Drive needed to be addressed.
- The Visual Architecture Committee (VAC) would review the request the following week.
- Most construction would occur in the first phase.
- There would not be separate plat maps. This would prevent portions of the Resort from being sold off.
- The applicants requested leeway when determining the location of the east to west public trail.
- The height of any structure had to be 35 feet within 100 feet of Homestead Drive.
- The Municipal Code prohibited the crater from being cut.

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

Paul Berg, Berg Engineering Resource Group and representing the applicants, compared the 2008 and proposed master plans and made the following comments:

- The proposed master plan would not change the area but would increase open space and amenities.
- It had half the density which was 22% of what was allowed.
- It would be a better experience.
- More of the current buildings would be renovated.
- The proposal would help increase the City's transient rental capacity and allow it to charge the Resort Tax for another nine to ten years.
- It would have more visitor stays.
- The required portion of the trail on Homestead Drive would be installed with phase one.
- The 2008 Master Plan offered a lot of flexibility and envisioned the City and the Resort working together.
- It allowed an additional 25% increase in the density.
- It allowed the developer to modify the phasing sequence with the approval of the City's staff.
- It said the development would be substantially what was approved but changes could be made with the approval of the developer and the City.
- Wanted to change the Master Plan and use some of the allowed flexibility.
- Appreciated the City Attorney's letter stating that some building permits could be applied for immediately.
- Requested that the event barn be allowed to be 40 feet high which would help with its look. The barn would be enclosed by trees.
- A lot of the trees next to Homestead Drive would remain. A lot of trees would have to be removed if the entrance aligned with Bigler Lane.
- The applicants had reached out to The Links at Homestead HOA regarding the access agreement.
- Requested flexibility with the east to west public trail. Mixing resort guests and the public along with the golf course hazards would be problematic.
- The City had allowed pavers to be put on top of the crater.

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

- A traffic study had not been done to determine the effect of the entrance's new location. Homestead Drive was a UDOT road so the applicant would have to work with them.
- The presentation was an opportunity for the Council to see the proposal. It should be discussed further at a work meeting.
- The impact of most of the construction happening with the first phase was a concern. There should be a construction mitigation plan.
- Noise from the proposed amphitheater was a concern.
- Building heights should be reduced closer to the property boundaries.
- The proposal better used the space but had less rental capacity which negatively impacted the City's ability to levy the Resort Tax.
- The crater should not be damaged.
- The proposal was an improvement and step forward.

Scott Jones, applicant, made the following comments:

- The impact of construction would be managed because the Resort would remain open.
- Having a public trail go through the Resort would detract from the guest experience. Suggested that it run along the south side of the property.
- Access to the Resort by residents was yet to be solidified. There would be some option for public access but wanted a membership component.

Warren Lloyd, project architect, indicated that the new entrance alignment was safe and more natural. He added that it emphasized a view of the crater.

## **11. Closed Meeting to Discuss Pending or Reasonably Imminent Litigation**

**Motion:** Council Member Drury moved to go into a closed meeting.

**Second:** Council Member Orme seconded the motion.

**Discussion:** None

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

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

**Note:** Closed meeting minutes are sealed and strictly confidential. Access to such minutes must be obtained through a court of law.

**Motion:** Council Member Dougherty moved to go out of the closed meeting.

**Second:** Council Member Orme seconded the motion.

**Discussion:** None

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

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

## 12. Adjournment

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

The meeting was adjourned at 12:14 a.m.

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Celeste Johnson, Mayor

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Brad Wilson, Recorder

Midway City Council  
4 August 2020  
Regular Meeting

Minutes of the  
21 July 2020  
Regular Meeting



# Memo

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**Date:** 31 July 2020  
**To:**  
**Cc:**  
**From:** Brad Wilson, City Recorder/Financial Officer  
**RE:** Minutes of the 21 July 2020 City Council Meeting

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



# **MINUTES OF THE MIDWAY CITY COUNCIL**

## **(Work Meeting)**

**Tuesday, 21 July 2020, 4:00 p.m.  
Electronic Meeting**

**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**

Mayor Johnson called the meeting to order at 4:10 p.m.

#### **Members Present:**

Celeste Johnson, Mayor  
Steve Dougherty, Council Member  
Jeff Drury, Council Member  
Lisa Orme, Council Member  
Kevin Payne, Council Member (Started  
Participating at 4:42 p.m.)  
JC Simonsen, Council Member

#### **Staff Present:**

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

### **2. Homestead Resort / Master Plan Amendment** (Paul Berg, Berg Engineering – Approximately 60 minutes) – Discuss an amendment to the master plan for the Homestead Resort located at 700 North Homestead Drive.

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

- Land use map
- Location of the Homestead Resort
- Resort zone
- Entryway
- Overview
- Development options
- 2008 Master Plan and open space
- Property owned by the applicants
- Land use summary
- Proposed master plan
- Proposed buildings

- Architect's site plan

Mr. Henke also made the following comments:

- The applicants were requesting to amend the 2008 Master Plan.
- The agreement with The Links at Homestead limited access to five residences in the Resort.

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

**3. Transient Rental Capacity / Resort Tax** (City Recorder – Approximately 15 minutes) – Discuss the transient rental capacity in Midway City and how it relates to the continued levying of the Resort Communities Sales and Use Tax.

Brad Wilson gave a presentation comparing the City's transient rental capacity versus its census population and how that effected its ability to levy the Resort Tax.

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

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

- The City could expand its Transient Rental Overlay District (TROP) because it was strongly regulated and required managers for any transient rentals. The expansion would increase the City's transient rental capacity.
- Heber City had expanded its area for transient rentals.
- Resort towns with a lot of transient rentals had no real neighbors and lacked a neighborhood feel.
- Some developments prohibited nightly rentals.
- The City had a low property tax rate because of the Resort Tax.
- The City could hire an economic development director to assist with the issue.

**Homestead Resort / Master Plan Amendment (Continued)**

Michael Henke continued his presentation and reviewed the following items:

- Phasing plan
- Fire access
- Trail system
- East to west trail through the Resort
- Potential trail access
- Fee title areas
- Open space areas
- Comparison of 2008 and proposed master plans
- Resort theming
- Event barn

- Golf course club house
- Main building
- Discussion items
- Access through The Links at Homestead PUD
- Access through the Mountain Springs PUD
- Homestead Trail
- Spa next to the floodplain
- Amphitheater noise and lighting
- Lighting and dark sky compliance
- Parking requirements
- Letter from The Links at Homestead HOA

Mr. Henke also made the following comments:

- There would be one plat map and bond.
- The applicants did not want to impact the guest experience with a public trail through the Resort. The trail could be rerouted to the south. A trail agreement might be better than a recorded easement. The trail was not part of the 2008 Master Plan.
- The 2008 Master Plan did not require Swiss architecture, but it did require matching the existing style. It did not use the current guidelines.
- The applicants requested that the event barn be 40 feet high. The Vision Architecture Committee (VAC) concurred. The VAC requested that the barn not block the view of the crater. The Municipal Code allowed a height up to 55 feet if approved by the Council.
- There was no access using Mountain Springs Drive.
- The main entrance would be moved to the south to preserve existing trees, make it a winding road, and emphasize the crater.
- The Council had broad discretion and could intervene in the access issue with The Links.
- The Links HOA wanted the proposed stable moved further away. The stable did meet all requirements.
- The HOA also wanted a landscaped barrier between The Links and the proposed parking lot. The HOA could build its own barrier.
- The proposed sports fields could be a nuisance for The Links.
- Less parking was required because the scope of the project had been reduced.

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

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

- The easement agreement with The Links was ambiguous.
- Most of the construction occurring during the first phase was a concern and a construction mitigation plan was needed. There should not be years of construction.
- A traffic study was needed.
- There should be enough parking for guests and employees.
- The noise from the amphitheater was a concern. Previous concerts at the Resort could be heard for some distance.
- Trails would help guests walk and bike to downtown Midway.
- Residents should be able to enjoy the Resort.

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

- The five houses, accessed through The Links, would be rented or sold. They would have up to six bedrooms with no lockouts.
- A construction mitigation plan could be addressed during preliminary approval.
- Preferred not to have a public trail through the Resort. Wanted flexibility to move it during construction hopefully to the south. The public should not walk on the cart paths.
- There was an area next to the spa to avoid the floodplain.
- It was the City that recommended an amphitheater. How did the City want to mitigate the issues raised?

Scott Jones, applicant, made the following comments:

- Had the capital to do the construction.
- Certain portions would be built before others.
- Estimated that it would take one and a half years from start to finish to complete the construction. The timeline also depended upon the approval process.
- Construction nuisances would be mitigated because the Resort would remain open.

**4. 970 South Transmission Line / Bonding** (City Attorney – Approximately 60 minutes) – Discuss issuing bonds to pay for burying the proposed transmission line along 970 South, Stringtown Road, and Wards Lane.

Mayor Johnson made the following comments:

- The City had not spent a lot of money regarding the proposed transmission line.
- It was Rocky Mountain Power (RMP) that took the City to the Utah Utility Facility Review Board.
- A private citizen was funding the request for a stay.
- Midway City received the Sales Tax and the Municipal Energy Tax from Heber Light & Power Company (HL&P).

Corbin Gordon reviewed a timeline for bonding and made the following comments:

- The City obtained a stay and appealed the Review Board's decision regarding items such as the specifications and cost estimates for the transmission line.
- The cost would change based on the length buried. This change would be minor compared to the overall cost.
- The stay gave the City the chance to bond for the project.
- A decision regarding bonding needed to be made quickly.
- A decision on the appeal might or might not be issued after the 2021 election.
- The Council needed to decide the amount of the bond.
- The cost of burying the transmission line could be \$12 million to \$20 million if the City lost the appeal.
- The debt service would be similar to that for the recently issued open space bonds.
- The cost for burial could be \$4 million if the City won the appeal and VOLT contributed what it had raised.

- The higher the amount the less likely the voters would approve the bond.
- RMP wanted to meet with the City.

**Note:** A copy of the bonding timeline is contained in the supplemental file.

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

- Construction costs could go up during the appeal.
- VOLT might have to cover any difference.
- The bonds did not have to be issued if they were approved by the voters.
- What was the City's bonding capacity?
- Additional bonds could affect the City's bond rating.
- A property owner said that the City would also bury the transmission line near Homestead Drive. What impact would burying the proposed line have on the other transmission lines?
- The general obligation bond process let the voters decide the issue.
- An arbitrarily low number should not be used for the bonding.
- Some residents lived on fixed incomes or owned property for years and were losing the ability to pay their taxes.
- The tax impact could not be reduced for people with low incomes. Taxes were lower for property that qualified for green belt.
- Public input should be sought on the issue.
- The cost to put the issue on the ballot would be approximately \$20,000.
- How much of the line would be buried?
- Would Wasatch County allow the dip poles to be moved? Passing the bond would encourage the County to approve the move.
- The City should not spend the money on the appeal if the dip poles could not be moved.
- What would be the cost per \$100,000 of assessed value for the bond?

## 5. Department Reports

### Midway Crest Subdivision / Plat Map Revisions

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

- Subdivision history
- Will-serve agreement
- Plat map
- Revised plat map with common areas

Mr. Henke also made the following comments:

- The property was close to being annexed.
- The agreement stated that the City would review the plat map before it was recorded.
- Did the revised plat map still meet the intent of the Council?
- The trail easement was still on the plat map.

- The developer wanted to put a pond in the south common area and amenities, with possibly a pool, in the north common area.
- The developer was working with the Midway Irrigation Company regarding the pond.

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

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

- The sales sign at the development showed more detail including a parking lot. The property was not commercial, and the lot could only be used by owners and their guests.
- How would the pond be accessed? Why was this access not shown on the revised plat map? Who would control and be responsible for the access? There should be an easement for the road.
- The access was next to a public trail. The public might think they could use the road. The City should not be responsible in any way for the access.
- The City should not have to police the common area.
- The trail, access, and parking area were potential problems. What if the owner of lot 1 decided not to allow access to the other lot owners?
- Had the water issues with a pond and pool been addressed?
- The revised plat map should be reconsidered by the Water Advisory Board.
- The revision was beginning to expand beyond the original approvals.
- The revision should be reconsidered by the Council if concerns were raised at the Water Board.
- Could vehicles be parked overnight in the parking lot? Would RVs and boats be stored there?

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

- An easement to access the south common area was not needed. The owner of lot 1 would control the access. The City did not police common area. The HOA could control it. It could be posted as private.
- The developer would own lot 1 and planned the pond. Other lots owners asked to use it.
- Island Ditch water shares had been purchased for the pond. It would be in an area historically irrigated.
- Additional water rights would be needed for the pool if it were built.
- The Irrigation Company had approved the pond. If the City agreed, then there was no need for the Water Board to reconsider it.

## **6. Closed Meeting to Discuss Pending or Reasonably Imminent Litigation**

**Motion:** Council Member Orme moved to go into a closed meeting.

**Second:** Council Member Payne seconded the motion.

**Discussion:** None

**Note:** The motion was approved with the Council voting as follows:

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

**Note:** Closed meeting minutes are sealed and strictly confidential. Access to such minutes must be obtained through a court of law.

**Motion:** Council Member Payne moved to go out of the closed meeting.

**Second:** Council Member Dougherty seconded the motion.

**Discussion:** None

**Note:** The motion was approved with the Council voting as follows:

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

## 7. Adjournment

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

The meeting was adjourned at 8:08 p.m.

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Celeste Johnson, Mayor

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Brad Wilson, Recorder

Midway City Council  
4 August 2020  
Regular Meeting

Woody Woodruff /  
Administrative Law Judge



# Memo



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Date: August 4, 2020  
To: Midway City Council  
From: Michael Henke  
Re: Woody Woodruff as the administrative law judge for Midway City

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Midway is in need of an administrative law judge. When the City enforces its zoning regulations and issues a notice of violation to a resident, that resident has a right to appeal through an administrative hearing as outlined in Section 2.14 of the Municipal Code. The administrative law judge is part of the administrative hearing process and is charged with determining if a zoning violation has occurred. Section 2.14.060 Administrative Hearing outlines the process that must be followed if an appeal is made.

- A. Within 45 days of receiving a written request for hearing, the City shall hold an administrative hearing. The hearing shall be conducted by an administrative law judge appointed by the Mayor with the advice and consent of the City Council. The administrative law judge may, but need not, be an employee of the City.
- B. Notice of the hearing shall be given at least 14 days prior to the hearing. An alleged violator who fails to appear at an administrative hearing after the proper notice shall waive the right to an administrative hearing as if no hearing had been requested.
- C. The hearing shall be a public meeting. The hearing shall be recorded or otherwise documented so that a true and correct transcript may be made of its proceedings.
- D. Both the City and the alleged violator shall have the opportunity to speak and to call witnesses at the hearing. The administrative law judge may allow competent evidence and documents to be introduced at the hearing without observance of formal rules of evidence or procedure. Each side shall be allowed

to question and cross-examine witnesses. Each side may be represented by an attorney, but if the alleged violator is to be represented by an attorney, that attorney shall contact the City attorney at least two business days prior to the hearing.

E. The City shall bear the burden of proof to establish the existence of a violation. Such proof shall be established by a preponderance of the evidence.

F. At the conclusion of the hearing, or within five business days thereafter, the administrative law judge shall issue a written order. The order shall find that the violation has or has not occurred. If the order finds that the violation has not occurred, the proceeding shall be dismissed. If the order finds that the violation has occurred, the order may impose penalties as provided in this or other City ordinances. The order may also direct the violator to cease and desist from the violation, and may direct the City to abate the violation on its own as necessary. The order may give interim or temporary directives as necessary, and may also embody agreements the two sides may make before, during or after the hearing.

The City received two appeals to zoning violations that were sent. These are the first appeal hearings that require an administrative law judge, to staff's knowledge. It is likely that appeals will continue but they appear to be a rare event in Midway. We are trying to prepare for those hearings and a key component is appointing a person with a legal and land use background to hear the appeal. One option is Woody Woodruff who is currently serving on Midway's Open Space Advisory Committee and is a retired law professor and attorney. Staff has contacted Mr. Woodruff to ask if he would consider the position which he did accept. As stated in the code, the Mayor may appoint the judge with the advice and consent of the City Council. The position would be an appointed position with compensation by the City. If Mr. Woodruff is appointed, then staff will notice the hearing dates during August to comply with holding the hearings within 45 days of receiving the appeal request.

WHEREAS in Utah Code 10-3-703.7(1) the Legislature of the State of Utah specifically empowered municipalities to adopt ordinances “establishing an administrative proceeding to review and decide a violation of a civil municipal ordinance” and required any such proceeding “provide due process for parties participating in the administrative proceeding.”

WHEREAS the City of Midway has exercised its authority to adopt administrative proceedings to review and decide alleged violations of civil municipal ordinances by enacting Chapter 2.14, Enforcement Proceedings and Administrative Hearings, Midway City Code.

WHEREAS the purpose of Chapter 2.14 is to provide an efficient, effective mechanism for civil enforcement of the laws and ordinances of Midway while observing and protecting the rights of the citizens of the City to due process of law.

WHEREAS Section 2.14.050, Midway City Code, provides a person who receives a Notice of Violation of a City ordinance the right to have the matter adjudicated in an administrative hearing.

WHEREAS Section 1.14.060, Midway City Code, provides that the hearing “shall be conducted by an administrative law judge appointed by the Mayor with the advice and consent of the City Council.

WHEREAS Section 1.14.060, Midway City Code, further provides:

- 14 days notice of the hearing shall be given to the responding party;
- The hearing shall be recorded or otherwise documented so that a true and correct transcript may be made of its proceeding;
- Both the City and the alleged violator shall have the opportunity to speak and to call witnesses;
- Both the City and the alleged violator shall be allowed to question and cross-examine witnesses;
- Both the City and the alleged violator have the right to be represented by an attorney;
- The City shall bear the burden of proof to establish the existence of a violation; such proof shall be established by a preponderance of the evidence.

WHEREAS Section 2.14.110, Midway City Code, provides that “any person adversely affected by an administrative order issued following an administrative hearing . . . may petition a Utah State District Court for review of the order pursuant to Utah Code within 30 days of the issuance of the order.”

WHEREAS the Midway City Administrative Enforcement Ordinance satisfies the due process concerns expressed by the Utah State Legislature in 10-3-703(2), to ensure that those rights are

applied in individual cases, it is imperative that such hearings be conducted by a competent lawyer willing to serve as the Midway Administrative Law Judge.

WHEREAS to date Midway has not appointed such a person to assume the duties of Midway Administrative Law Judge;

WHEREAS for the City and its residents to have confidence in the just and even-handed enforcement of the City's ordinances and in recognition of the City's growth over the years, it is time for the City to fully implement Chapter 2.14 by appointing an Administrative Law Judge.

WHEREAS the Mayor has great trust and confidence in the legal abilities, judicial temperament, work ethic, common sense, concern for justice and equal application of the law, and commitment to Midway City and its residents of William A. "Woody" Woodruff, and hereby nominates him for the position of Midway City Administrative Law Judge.

WHEREAS Mr. Woodruff has agreed to accept the appointment upon consent of the City Council,

BE IT HEREBY RESOLVED that the Midway City Council grants its consent to the appointment of Mr. Woodruff to the office of Midway Administrative Law Judge under the terms and conditions set out in the agreement between Mr. Woodruff and Mayor Johnson.

## **Statement of William A. “Woody” Woodruff Upon Being Nominated for the Office of Midway City Administrative Law Judge**

Members of the City Council:

I am humbled and honored to be considered for the office of Midway City Administrative Law Judge and, should you confirm my appointment, I pledge to devote by best efforts and abilities to serve the City and its citizens in faithfully and fairly applying the law to the facts presented to reach a just determination of every matter brought before me. I pledge to discharge my duties and responsibilities without bias, favoritism, self-interest, or other improper motives or influences.

My professional experience and legal training uniquely qualify me for this position. I was selected to attend law school under the Army’s Fully Funded Legal Education Program by a board of experienced Army lawyers in 1975. I was one of 25 selectees out of over 1000 applicants for the program that provided a full scholarship to law school while still serving on active duty in the U.S Army. Upon graduating first in my class from the University of South Carolina School of Law in 1978, I attended The Judge Advocate General’s School Officer Basic Course, where I was also the honor graduate.

After completing the JAG Basic Course, I reported to Fort Gordon, GA, for my first JAG duty assignment. Between 1978 when I arrived at Fort Gordon and 1981 when I was transferred to Washington, D.C., I served as a prosecutor, as legal advisor to the commanders of units and organizations at Fort Gordon on various administrative law matters, the Chief of Administrative Law, and the Deputy Staff Judge Advocate.

In 1981 I was transferred from Fort Gordon to the Pentagon where I was assigned as a Trial Attorney in the Army’s Litigation Division, Office of The Judge Advocate General. In that job I worked closely with the Civil Division, U.S. Department of Justice, and U. S. Attorneys around the country defending the interests of the Army in cases seeking money damages under the Federal Tort Claims Act.

Subsequent to my time in Litigation Division, The Judge Advocate General entered into an agreement with the Attorney General of the United States to assign me to the Torts Branch, Civil Division, DoJ, where I would serve as a Trial Attorney defending medical malpractice cases and other tort actions arising out of Army programs and activities. While on this special assignment, the first of its kind between the Army and DoJ, I was still on active duty in the Army, but worked full-time for the Chief of Torts Branch, Civil Division, DoJ.

In 1985, after a full year at DoJ, I was reassigned in the normal course of duty to the Administrative and Civil Law Division, The Judge Advocate General's School, at Charlottesville, VA. The Judge Advocate General's School is the premier legal education institute in the Armed Forces. Its LLM program is fully accredited by the American Bar Association. The School offers an LLM course for mid-level military lawyers of all services, basic legal orientation courses for new lawyers just entering the service, numerous continuing legal education courses for government lawyers covering a wide range of topics, as well as legal orientation courses for senior commander and general officers. During my four years on the faculty at TJAGSA, I taught courses in federal litigation, health law, and general administrative law.

After serving on the faculty for four years, I was reassigned to the Pentagon as the Deputy Chief, Litigation Division. In that capacity I assisted the Division Chief in supervising, managing, and conducting litigation brought against the United States involving Army programs, policies, and activities. The cases ranged from civilian and military personnel matters, to tort claims, to actions to reclaim government property from bankrupt contractors, to Freedom of Information Act suits and suits brought under the Privacy Act. My final year at Litigation Division I was promoted to Chief of the Division.

I retired from active duty in the Army and joined the law faculty at Campbell University School of Law in August 1992. I served on the faculty until my retirement from full-time teaching in 2017. I was granted tenure in 1997 and upon retirement was awarded *emeriti* status. My primary subjects at Campbell were Evidence, Trial Advocacy, Advanced Trial and Appellate Advocacy, Health Law, Military Law, and Scientific Evidence. In addition to a full teaching load, I served on and chaired numerous faculty committees, presented regularly at continuing legal education seminars for practicing lawyers, advised lawyers on matters arising in their cases, and conducted mediated settlement conferences as a certified Superior Court mediator. I also published a number of law journal and law review articles. Upon retirement in 2017 and moving to Midway, I taught Advanced Trial and Appellate Advocacy for another two years online and made several trips back to North Carolina each semester to administer the hands-on aspects of the course.

The wide range of experiences I have had in my legal career uniquely qualifies me to assume the responsibilities of Midway's Administrative Law Judge. I have served as the presiding officer at numerous administrative hearings in the Army. That presiding officer, much like an administrative law judge, receives testimony and evidence, determines the facts, applies the law to the facts, and makes findings and conclusions that constitute the agency's action in the administrative hearing. I have also served as counsel in such hearings.

As a trial lawyer, I have litigated cases on behalf of both the government and private clients. I am intimately familiar with the importance of having a fair and impartial judge presiding over the matter. As a Superior Court Mediator, I facilitated settlement discussions and negotiations between adverse parties in civil cases in an effort to resolve the matter prior to a trial. My skills as a litigator and a mediator, in addition to the wide range of proceedings, both judicial and administrative, in which I have been involved over the 40+ years of my legal career, have

equipped me to preside over administrative hearings in a just and fair manner so that all parties to the proceedings will have had a full opportunity to present their side of the case and to challenge their opponent's side of the case. In any adversarial proceedings, whether a criminal trial or a civil code enforcement hearing, one side will, ultimately, be disappointed. That is simply a function of the process. Should I be confirmed as Midway's Administrative Law Judge, parties appearing before me may be disappointed if I rule for their opponent, but they will not be disappointed in the manner in which the hearing was conducted.

I welcome any questions you may have.



**WILLIAM ALLEN “WOODY” WOODRUFF**

Professor of Law *Emeritus*  
Norman Adrian Wiggins School of Law  
Campbell University, Raleigh, NC

**The Woodruff Law Firm, PLLC**

P.O. Box 236  
Midway, UT 84049  
910 658 8624  
wawlaw@icloud.com

**EDUCATION:**

University of South Carolina School of Law  
J.D. (*Magna Cum Laude*) 1978  
Class Standing: 1 in a class of 266  
Activities and Honors: Chief Justice, Order of  
Wig and Robe (Scholastic Honor Society);  
Winner, University of South Carolina Mock  
Trial competition, 1978; American  
Jurisprudence Awards for excellence in the  
study of: Administrative Law, Civil Procedure,  
Conflict of Laws, Contracts, Evidence,  
Bankruptcy, and Bills and Notes

University of Alabama, B.A., 1970  
Major: Journalism  
Minor: Broadcasting

**EXPERIENCE:**

**Teaching Law:**

May 2017-Present: Professor of Law *Emeritus*  
August 1992-May 2017: Associate Professor of  
Law(1992-1995); Professor of Law (1995-  
2017); Norman A. Wiggins School of Law,  
Campbell University. Tenure awarded 1997.  
Subjects: Evidence; Health Law; Military Law;  
Trial Advocacy; Advanced Trial and Appellate  
Advocacy; Courtroom Technology;  
Government Litigation; Personal Property;  
Torts. Coached Trial Teams and Moot Court  
Teams.  
Dean's Award for Excellence in Teaching:  
1997  
Outstanding Professor Award: 2001-2002  
Dean's Award for Excellence in Research:  
2005-2006



Midway City Council  
4 August 2020  
Regular Meeting

Raynor Subdivision /  
Extension of Final Approval



## **CITY COUNCIL MEETING STAFF REPORT**

**AGENDA ITEM:** Final Approval extension request for Raynor Subdivision

**DATE OF MEETING:** August 4, 2020

**APPLICANT:** Eric Raynor

**LOCATION:** 565 North 500 East

### **Staff Summary**

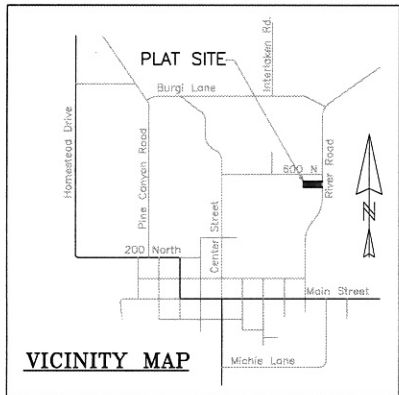
Eric Raynor has submitted a final approval plat extension application request for Raynor Subdivision, a 27-lot subdivision proposal on 0.99 acres at 565 North River Road. Final approval from the City Council was granted on August 20, 2019. This project does not have any outstanding fees to be paid. Staff has not found that any of the following items are of concern for this project.

If the following criteria are met then the City Council may grant an extension:

1. Construction must be conducted according to any new City standards in effect at the time the plat is ultimately recorded;
2. The property must be maintained in a clean, dust-free, and weed-free condition at all times;
3. Each extension will be for a one-year period only, after which time an annual review must be requested by the applicant and presented before the City Council; and/or
4. No more than three one-year extensions will be allowed. The granting or denying of any extension, with or without conditions, is within the sole discretion of the City Council, and an applicant has no right to receive such an extension.

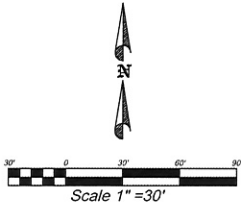
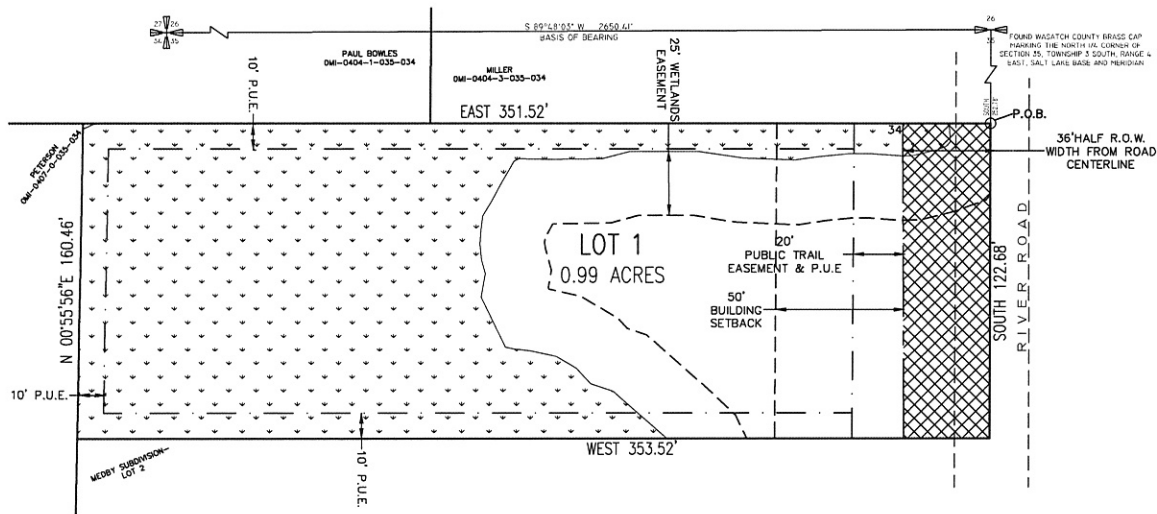
Please contact Michael with any question that you have: 435-654-3223 ext. 105

# RAYNOR SUBDIVISION



VICINITY MAP

NW QUARTER OF SECTION 35 TOWNSHIP 3  
SOUTH, RANGE 4 EAST, SALT LAKE BASE &  
MERIDIAN



ADDRESS TABLE

LOT	ADDRESS
1	565 N 500 E RIVER ROAD

RIVER ROAD ROW DEDICATION  
TO MIDWAY CITY (0.10 ACRE)



P.U.E. PUBLIC UTILITY EASEMENT

## SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-8A-803 OF THE UTAH CODE, I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 68412 IN ACCORDANCE WITH TITLE 8A, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

DATE: \_\_\_\_\_ SURVEYOR (SEE SEAL BELOW)

## BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS SOUTH 252.78 FEET FROM THE FOUND WASATCH COUNTY SURVEY MONUMENT AT NORTH 1/4 CORNER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

THENCE EAST 351.52 FEET;  
THENCE NORTH 00°55'56" EAST 122.70 FEET;  
THENCE WEST 353.52 FEET;  
THENCE SOUTH 122.68 FEET TO THE POINT OF BEGINNING.

CONTAINING: 0.99 ACRES

## OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT, OWNER(S), ERIC RAYNOUR, OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS, AND EASEMENTS, AND HEREBY DEDICATE THOSE AREAS LABELED AS PUBLIC STREETS AND EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES, PUBLIC TRAILS AND EMERGENCY VEHICLE ACCESS.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_

ERIC RAYNOUR

## ACKNOWLEDGMENT

STATE OF UTAH )  
COUNTY OF WASATCH ) S.S.  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_, PERSONALLY APPEARED  
BEFORE ME, \_\_\_\_\_, who day acknowledged  
TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.

MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC

## ACCEPTANCE BY MIDWAY CITY

THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF LOTS, EASEMENTS, STREETS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_

APPROVED \_\_\_\_\_ MAYOR ATTEST \_\_\_\_\_ CLERK-RECORDER  
(SEE SEAL BELOW)

CITY ENGINEER CITY ATTORNEY  
(SEE SEAL BELOW)

## PLANNING COMMISSION APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_, BY THE  
MIDWAY CITY PLANNING COMMISSION

PLANNING DIRECTOR CHAIRMAN, PLANNING COMMISSION

## COUNTY SURVEYOR'S CERTIFICATE

APPROVED AS TO FORM ON THIS  
DAY OF \_\_\_\_\_, 20\_\_\_\_

ROS# \_\_\_\_\_

COUNTY SURVEYOR

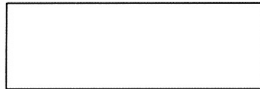
## RAYNOR SUBDIVISION

MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH

SCALE: 1" = 30' FEET

SURVEYOR'S SEAL NOTARY PUBLIC SEAL CITY ENGINEER SEAL CLERK-RECORDER SEAL

COUNTY RECORDER



DATE: \_\_\_\_\_  
MIDWAY IRRIGATION COMPANY  
DATE: \_\_\_\_\_  
MIDWAY SANITATION DISTRICT

RAYNOUR SMALL SCALE SUBDIVISION - JUNE 4, 2019

SURVEYOR  
TROY L. TAYLOR, P.L.S.  
ELEMENT LAND SURVEYING  
2288 SOUTH 270 EAST  
HEBER CITY, UT 84032  
PHONE (801) 657-8748  
DATE OF SURVEY: MAY 20, 2019









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

## Request to be on a City Council Agenda

Name: Eric Raynor Organization: Individual  
Phone: (801) 518-8878 Email: eric@porcupinepub.com  
Mailing Address: 497 Mission Drive City: Midway  
State: UT Zip: 84049

Reason for Request:

I would like to request an additional 12 months for the final approval, of the Raynor Subdivision,

Located at 565 North 500 East

### Please Note:

1. This is a general application. Specific applications are required for land use approvals, conditional use permits, etc.
2. Return this completed application to the city recorder's office or email to [bwilson@midwaycityut.org](mailto:bwilson@midwaycityut.org).
3. You will be notified within 2 weeks if your request to be on the agenda is approved or declined.
4. City council regular meetings are held on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays of each month at 6:00 p.m. in the Midway Community Center (160 West Main Street). City council work meetings are held the same days at 10:00 a.m. in the Midway City Office Building (75 North 100 West). Your item will be considered at both meetings.
5. Please provide supplemental information for your item no later than the Thursday before the meeting. This information will be provided to the Council prior to the meeting.

### For Office Use Only

Date Received: \_\_\_\_\_ Date Approved: \_\_\_\_\_ Meeting Date: \_\_\_\_\_