

Midway City Council
21 January 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
200								
200	Blue Stakes of Utah 811	UT20192912	ANNUAL MEMBERSHIP	12/31/2019	25.00	.00		
200	Blue Stakes of Utah 811	UT20192912	BILLABLE E-MAIL NOTIFICATIO	12/31/2019	53.01	.00		
Total 200:					78.01	.00		
220								
220	BROKEN ARROW	32355	Road Salt	01/09/2020	959.35	.00		
Total 220:					959.35	.00		
270								
270	CASELLE INC	99422	Contract AND MAINTENANCE 2/	01/01/2020	68.00	.00		
270	CASELLE INC	99422	Contract AND MAINTENANCE 2/	01/01/2020	358.27	.00		
Total 270:					426.27	.00		
800								
800	MIDWAY IRRIGATION COMPAN	10620	AS PER RESOLUTION 2013-08 4	01/06/2020	19,489.68	.00		
Total 800:					19,489.68	.00		
845								
845	MOUNTAINLAND SUPPLY COM	S103294903.0	Alpenhoff well house-repair parts	12/09/2019	1,631.61	.00		
845	MOUNTAINLAND SUPPLY COM	S103349199.0	Freight charge for invS103349199	12/23/2019	29.87	.00		
845	MOUNTAINLAND SUPPLY COM	S103362698.0	water part misc	12/19/2019	220.58	.00		
845	MOUNTAINLAND SUPPLY COM	S103372989.0	Valves, meter insulation, water pa	01/07/2020	1,220.25	.00		
845	MOUNTAINLAND SUPPLY COM	S103373575.0	Shelter toilet - repair kit	12/31/2019	2.87	.00		
Total 845:					3,105.18	.00		
1015								
1015	SAFETY SUPPLY & SIGN CO IN	171409	15 pairs - Safety glasses	12/12/2019	697.46	.00		
1015	SAFETY SUPPLY & SIGN CO IN	171458	Clear safety glasses	12/18/2019	67.20	.00		
Total 1015:					764.66	.00		
1045								
1045	STANDARD PLUMBING SUPPLY	KKKZ69	water parts	12/20/2019	58.84	.00		
1045	STANDARD PLUMBING SUPPLY	KLBO58	Cemetery Sprinkler parts	01/02/2020	7.15	.00		
1045	STANDARD PLUMBING SUPPLY	KLHP27	Tarps to cover A/C units AdminBl	01/07/2020	45.95	.00		
1045	STANDARD PLUMBING SUPPLY	KLRT10	Office remodel (Admin bldg)	01/13/2020	8.28	.00		
1045	STANDARD PLUMBING SUPPLY	KLK217	Cable ties, markers, elec tape, tor	01/14/2020	39.07	.00		
Total 1045:					159.29	.00		
1150								
1150	HOME DEPOT Credit Services	44070346213	Drill & 2-way radio	12/05/2019	438.92	.00		
1150	HOME DEPOT Credit Services	44070346213	Husky tool box	12/05/2019	14.97	.00		
1150	HOME DEPOT Credit Services	44070346213	Replacement bulbsTownHall & BI	12/05/2019	242.77	.00		
1150	HOME DEPOT Credit Services	44150677930	Finish nailer, Batteries	12/13/2019	1,414.87	.00		
1150	HOME DEPOT Credit Services	44150677930	4 cyclonic heaters, AA batteries, B	12/13/2019	549.54	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 1150:					2,661.07	.00		
1170								
1170	TIMBERLINE ACE HARDWARE	130804	Micro USB 10ft, Connectors	12/14/2019	26.57	.00		
1170	TIMBERLINE ACE HARDWARE	131077	Office remodel (Admin bldg)	01/13/2020	19.77	.00		
Total 1170:					46.34	.00		
1305								
1305	VERIZON WIRELESS	9845313267	MONICIA ECHOLS-PHONE	01/01/2020	51.71	.00		
1305	VERIZON WIRELESS	9845313267	Darin Bunker Phone	01/01/2020	52.05	.00		
1305	VERIZON WIRELESS	9845313267	ON CALL PHONE	01/01/2020	31.59	.00		
1305	VERIZON WIRELESS	9845313267	CORY LOTT Jetpack	01/01/2020	40.03	.00		
1305	VERIZON WIRELESS	9845313267	CORY LOTT Phone and New Pho	01/01/2020	46.88	.00		
1305	VERIZON WIRELESS	9845313267	Michael Henke Phone and New P	01/01/2020	43.71	.00		
1305	VERIZON WIRELESS	9845313267	SHANE OWENS -Phone	01/01/2020	60.88	.00		
1305	VERIZON WIRELESS	9845313267	BUILDING DEPT-TABLET	01/01/2020	40.01	.00		
1305	VERIZON WIRELESS	9845313267	MONICIA ECHOLS - TABLET	01/01/2020	45.19	.00		
1305	VERIZON WIRELESS	9845313267	Ice Rink-jetpack	01/01/2020	45.19	.00		
1305	VERIZON WIRELESS	9845313267	GEORGIA MCGUIRE-JETPACK	01/01/2020	45.19	.00		
1305	VERIZON WIRELESS	9845313267	KELTON WEBB - Phone	01/01/2020	43.71	.00		
Total 1305:					546.14	.00		
1310								
1310	WASATCH AUTO PARTS	187814	Fuel cap (Becky's truck)	01/09/2020	13.62	.00		
1310	WASATCH AUTO PARTS	188041	Spot Led Pods	01/13/2020	24.74	.00		
1310	WASATCH AUTO PARTS	188082	Underhood light	01/14/2020	135.00	.00		
1310	WASATCH AUTO PARTS	188089	Micro Fuse tap	01/14/2020	27.98	.00		
1310	WASATCH AUTO PARTS	188211	Shop supplies - inspection penligh	01/15/2020	34.99	.00		
1310	WASATCH AUTO PARTS	188233	Wire, lead pencil	01/15/2020	87.69	.00		
Total 1310:					324.02	.00		
1360								
1360	WASATCH COUNTY SOLID WA	123386	Dump Fee 12.17.19	12/17/2019	8.00	.00		
1360	WASATCH COUNTY SOLID WA	76091 10120	76091 Valais & Alpinhoff	01/01/2020	192.00	.00		
1360	WASATCH COUNTY SOLID WA	80293 10120	80293 Centennial park	01/01/2020	220.00	.00		
1360	WASATCH COUNTY SOLID WA	80294 10120	80294 Midway City Hamlet Park	01/01/2020	75.00	.00		
1360	WASATCH COUNTY SOLID WA	90042 10120	90042 Community Center	01/01/2020	75.00	.00		
1360	WASATCH COUNTY SOLID WA	90291 10120	90291 Park & Offices	01/01/2020	245.00	.00		
1360	WASATCH COUNTY SOLID WA	90292 10120	90292 Cemetery	01/01/2020	75.00	.00		
1360	WASATCH COUNTY SOLID WA	93287 10120	93287 City Shop	01/01/2020	75.00	.00		
Total 1360:					965.00	.00		
1365								
1365	WAVE PUBLISHING	L16658	NOTICE OF PUBLIC HEARING	11/06/2019	217.36	.00		
1365	WAVE PUBLISHING	L16659	RMP transmission Line notice	11/06/2019	69.36	.00		
1365	WAVE PUBLISHING	L16661	Ordinance Adoption	11/06/2019	25.43	.00		
1365	WAVE PUBLISHING	L16717	Public Hearing 12/25, 1/1	12/25/2019	124.86	.00		
1365	WAVE PUBLISHING	L16729	NOTICE OF PUBLIC HEARING	01/01/2020	92.50	.00		
Total 1365:					529.51	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
1421								
1421	HEBER LIGHT & POWER	172014	Transfer upgrade IceRink Chiller	01/07/2014	6,000.00	.00		
1421	HEBER LIGHT & POWER	172014	Impact fee for Ice Rink Service	01/07/2014	6,883.00	.00		
1421	HEBER LIGHT & POWER	3001 123119	18153001 GerberWater Tank	12/31/2019	111.52	.00		
1421	HEBER LIGHT & POWER	3002 123119	18153002 City Office	12/31/2019	374.19	.00		
1421	HEBER LIGHT & POWER	3003 123119	18153003 Cemetery FG PL Light	12/31/2019	188.20	.00		
1421	HEBER LIGHT & POWER	3004 123119	18153004 Cottages 3 Pump	12/31/2019	1,180.66	.00		
1421	HEBER LIGHT & POWER	3006 123119	18153006 Maintenance Shop	12/31/2019	290.58	.00		
1421	HEBER LIGHT & POWER	3007 123119	18153007 850 E Main-Hamlet	12/31/2019	18.34	.00		
1421	HEBER LIGHT & POWER	3008 123119	18153008 Town Hall	12/31/2019	705.71	.00		
1421	HEBER LIGHT & POWER	3009 123119	18153009 Ice Rink TS Lights	12/31/2019	649.39	.00		
1421	HEBER LIGHT & POWER	3010 123119	18153010 Ice Rink Chiller	12/31/2019	4,038.93	.00		
1421	HEBER LIGHT & POWER	3012 123119	18153012 ROUNDABOUT	12/31/2019	11.66	.00		
1421	HEBER LIGHT & POWER	3013 123119	18153013 Community Center	12/31/2019	216.28	.00		
1421	HEBER LIGHT & POWER	3014 123119	18153014 Valais Park	12/31/2019	12.11	.00		
1421	HEBER LIGHT & POWER	3015 123119	18153015 Centennial Park	12/31/2019	14.51	.00		
1421	HEBER LIGHT & POWER	3016 123119	18153016 Ball Park Lights	12/31/2019	21.27	.00		
1421	HEBER LIGHT & POWER	3017 123119	18153017 Swiss Days Trailer	12/31/2019	341.91	.00		
1421	HEBER LIGHT & POWER	3018 123119	18153018 Alpinhof Tank	12/31/2019	11.76	.00		
1421	HEBER LIGHT & POWER	3019 123119	18153019 Town Square Shelter	12/31/2019	552.11	.00		
1421	HEBER LIGHT & POWER	3021 123119	18153021 Restrooms	12/31/2019	11.66	.00		
1421	HEBER LIGHT & POWER	3022 123119	18153022 Mahogany Well	12/31/2019	193.43	.00		
1421	HEBER LIGHT & POWER	3033 123119	18153033 Pedestal for Swiss Day	12/31/2019	18.34	.00		
1421	HEBER LIGHT & POWER	3034 123119	18153034 1295 W 310 N	12/31/2019	1,612.07	.00		
1421	HEBER LIGHT & POWER	3035 123119	18153035 New Maint. Building (C)	12/31/2019	211.27	.00		
1421	HEBER LIGHT & POWER	3036 123119	18153036-250 EAST MICHIE LN-	12/31/2019	11.00	.00		
1421	HEBER LIGHT & POWER	3040 123119	18153040 300 S 300 E SPRINKL	12/31/2019	12.48	.00		
1421	HEBER LIGHT & POWER	3041 123119	18153041 350 S 300 E SPRINKL	12/31/2019	12.48	.00		
Total 1421:					23,704.86	.00		
1440								
1440	POSTMASTER	01032020	1st Qt Water 2020 - Water	01/03/2020	625.10	625.10	01/03/2020	
1440	POSTMASTER	01032020	1st Qt Sewer2020	01/03/2020	680.75	680.75	01/03/2020	
Total 1440:					1,305.85	1,305.85		
1542								
1542	STATE OF UTAH GASCARD/FU	NP57528675	GAS/FUEL	01/03/2020	2,348.74	.00		
Total 1542:					2,348.74	.00		
1593								
1593	TWIN D INC ENVIRONMENTAL	18616	Flush storm drains-350 S Center	12/20/2019	800.00	800.00	01/08/2020	
Total 1593:					800.00	800.00		
1818								
1818	CASH	01092020	CLEANING SUPPLIES - BECKY	01/09/2020	12.88	12.88	01/09/2020	
1818	CASH	01092020	REIMBURSEMENT FOR LAMINAT	01/09/2020	9.58	9.58	01/09/2020	
1818	CASH	01092020	PLANNING DEPT MAILING	01/09/2020	6.85	6.85	01/09/2020	
1818	CASH	01092020	CLEANING SUPPLIES - BECKY	01/09/2020	12.88	12.88	01/09/2020	
1818	CASH	01092020	PLANNING COMMISSION PACK	01/09/2020	20.55	20.55	01/09/2020	
1818	CASH	01092020	cERTIFIED WEED LETTER	01/09/2020	6.30	6.30	01/09/2020	
1818	CASH	01092020	cERTIFIED LETTER WEEDS	01/09/2020	7.00	7.00	01/09/2020	
1818	CASH	01092020	BIC LIGHTER FOR TREE LIGHTI	01/09/2020	14.91	14.91	01/09/2020	
1818	CASH	01092020	GINGERBREAD STORAGE	01/09/2020	8.48	8.48	01/09/2020	

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1818	CASH	01092020	PLANNING DEPT MAILINGS	01/09/2020	6.85	6.85	01/09/2020	
Total 1818:					106.28	106.28		
1821								
1821	WEX BANK	63133191	FUEL	12/31/2019	339.03	.00		
1821	WEX BANK	63133191	LATE FEE	12/31/2019	85.00	.00		
Total 1821:					424.03	.00		
1989								
1989	BANKCARD CENTER	4717 JAN20 B	Equipment for Backnet BN	01/02/2020	83.97	.00		
1989	BANKCARD CENTER	5219 JAN20	Equipment for Backnet	01/02/2020	30.87	.00		
1989	BANKCARD CENTER	5219 JAN20	Employee lunch	01/02/2020	92.18	.00		
1989	BANKCARD CENTER	6014 JAN20	Employee Christms Lunch2019	01/02/2020	372.00	.00		
1989	BANKCARD CENTER	6014 JAN20	Software	01/02/2020	147.12	.00		
1989	BANKCARD CENTER	6014 JAN20	Phone system	01/02/2020	1,022.38	.00		
1989	BANKCARD CENTER	6215 JAN20	Online software renewal	01/02/2020	107.49	.00		
1989	BANKCARD CENTER	6215 JAN20	Flowers	01/02/2020	99.94	.00		
1989	BANKCARD CENTER	6215 JAN20	Tax forms-W2s, W9s	01/02/2020	197.77	.00		
1989	BANKCARD CENTER	8789 JAN20	Janitorial supplies-credit	01/02/2020	103.84	.00		
1989	BANKCARD CENTER	8789 JAN20	Water Coolers	01/02/2020	600.67	.00		
Total 1989:					2,650.55	.00		
2075								
2075	MIDWAY CITY	100002 10220	Midway City Office 100002	01/02/2020	84.00	.00		
2075	MIDWAY CITY	100004 10120	Town Hall Kitchen 100004	01/01/2020	84.00	.00		
2075	MIDWAY CITY	100005 10220	Town Square Shelter 100005	01/02/2020	84.00	.00		
2075	MIDWAY CITY	10001 10220	Cemetery Restrooms 100010	01/02/2020	84.00	.00		
2075	MIDWAY CITY	100013 10220	100013 Shop Wash Room	01/02/2020	84.00	.00		
2075	MIDWAY CITY	4717 SEP2019	Reimburse for equipment	10/16/2019	193.00	.00		
Total 2075:					613.00	.00		
2147								
2147	CHEMTECH-FORD LABORATO	20A0140	Water Testing	01/07/2020	120.00	.00		
Total 2147:					120.00	.00		
2164								
2164	POINT S	0151647	Front tires for Ty's truck RAM3500	01/07/2020	624.97	.00		
2164	POINT S	0151648	Rear tires Eric's truck - 2017RAM	01/07/2020	1,039.96	.00		
Total 2164:					1,664.93	.00		
2269								
2269	REDMOND MINERALS INC.	290209	ROAD SALT Dec2020	12/30/2019	705.84	.00		
2269	REDMOND MINERALS INC.	290274	ROAD SALT Dec2020	12/31/2019	684.00	.00		
2269	REDMOND MINERALS INC.	290457	ROAD SALT Jan2020	01/06/2020	683.76	.00		
2269	REDMOND MINERALS INC.	290548	ROAD SALT Jan2020	01/07/2020	691.92	.00		
2269	REDMOND MINERALS INC.	290708	ROAD SALT Jan2020	01/10/2020	1,393.68	.00		
Total 2269:					4,159.20	.00		
2377								
2377	RIDLEY'S FAMILY MARKETS	11020	SALES & USE Tax Reimburse Jul	01/10/2020	4,596.43	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
2377	RIDLEY'S FAMILY MARKETS	11020	RESORT TAX (July 2019)	01/10/2020	2,559.47	.00		
Total 2377:					7,155.90	.00		
2418								
2418	FINAL COMPLETION DEPOSIT	18-171 FCD	18-171 FINAL COMPLETION DE	01/02/2020	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	19-041 FCD	19-041 FINAL COMPLETION DE	01/08/2020	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	19-044 FCD	19-044 FINAL COMPLETION DE	12/30/2019	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	19-081 FCD	19-081 FINAL COMPLETION DE	12/23/2019	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	19-082 FCD	19-082 FINAL COMPLETION DE	12/23/2019	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	19-106 FCD	19-106 FINAL COMPLETION DE	12/24/2019	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	19-111 FCD	19-111 FINAL COMPLETION DE	12/23/2019	1,500.00	.00		
Total 2418:					10,500.00	.00		
2422								
2422	STATE OF UTAH	010220	BUILDING PERMIT FEE 2NDQT	01/02/2020	856.33	.00		
Total 2422:					856.33	.00		
2444								
2444	COMMERCIAL MECHANICAL	SV100833	Chiller Start-Up	10/31/2019	1,090.00	.00		
2444	COMMERCIAL MECHANICAL	SV101215	Brine & Repairs	12/10/2019	15,536.69	.00		
2444	COMMERCIAL MECHANICAL	SV101265	Inspect Soft Ice	12/12/2019	865.00	.00		
2444	COMMERCIAL MECHANICAL	SV101372	Brine & Repairs	12/31/2019	3,260.74	.00		
Total 2444:					20,752.43	.00		
2452								
2452	LEAVITT TRUCKING	5090	Hauling salt	12/31/2019	1,308.16	.00		
2452	LEAVITT TRUCKING	5091	Hauling salt	01/06/2020	712.25	.00		
2452	LEAVITT TRUCKING	5092	Road salt	01/07/2020	1,331.88	.00		
2452	LEAVITT TRUCKING	5095	Hauling salt	01/10/2020	1,451.75	.00		
2452	LEAVITT TRUCKING	5096	Road salt 27.76 tons	01/14/2020	610.72	.00		
2452	LEAVITT TRUCKING	5097	Road salt	01/15/2020	2,728.47	.00		
2452	LEAVITT TRUCKING	5165	Road salt	01/08/2020	630.96	.00		
Total 2452:					8,774.19	.00		
2509								
2509	Building Permit Refund	19-011 BPR	19-011 DOUBLE PAID PLAN RE	01/15/2020	1,000.00	.00		
Total 2509:					1,000.00	.00		
2539								
2539	Burton Lumber	862035	Admin office remodel - plywood	12/09/2019	22.40	.00		
2539	Burton Lumber	877132	Office remodel (Admin bldg)	01/15/2020	53.37	.00		
Total 2539:					75.77	.00		
2561								
2561	CENTURYLINK -435-654-3924 4	120719	435-654-3924 453B	12/07/2019	133.73	.00		
Total 2561:					133.73	.00		
2563								
2563	CENTURYLINK 76612167	1483579441	435-654-3227	12/31/2019	19.23	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 2563:					19.23	.00		
2582								
2582	WEST COAST CODE CONSULT	UT19-504-011	Plan Reviews (1st)	01/10/2020	4,303.35	.00		
2582	WEST COAST CODE CONSULT	UT19-504-012	Judith Moore-PlanReview 1&2	01/10/2020	170.00	.00		
Total 2582:					4,473.35	.00		
2614								
2614	Executech Utah, Inc.	EXEC-72483	Monthly Maintenance Agreement	12/31/2019	1,430.00	.00		
2614	Executech Utah, Inc.	EXEC-72483	Monthly Licenses and Subscriptio	12/31/2019	108.00	.00		
Total 2614:					1,538.00	.00		
2618								
2618	Mountainland Association of Gove	AO2494	Local Contributions 2019-2020	12/30/2019	3,281.00	.00		
Total 2618:					3,281.00	.00		
2632								
2632	Symbol Arts	0346329-IN	Equipment	01/09/2020	462.40	.00		
Total 2632:					462.40	.00		
2658								
2658	SIGNARAMA	INV-5692	Red and green snow depth signs	01/02/2020	126.06	.00		
Total 2658:					126.06	.00		
2728								
2728	MONICIA ECHOLS	10620	Reimburse for department lunch	01/06/2020	42.00	.00		
Total 2728:					42.00	.00		
2735								
2735	WALTER D. FINCH	11192019	SANTA AND MRS CLAUS AT TR	11/19/2019	250.00	250.00	01/08/2020	
Total 2735:					250.00	250.00		
2783								
2783	VERIZON WIRELESS	9845332074	Cell service - Backnet	01/01/2020	282.87	.00		
Total 2783:					282.87	.00		
2794								
2794	CHANDLER W. STOCKING	01072020	OUT OF DATE PAYROLL CHEC	01/07/2020	198.09	198.09	01/08/2020	
Total 2794:					198.09	198.09		
2795								
2795	SCARLETT DESIGN	01102020	DOWNPAYMENT FOR DRYWAL	01/10/2020	6,950.00	6,950.00	01/10/2020	
Total 2795:					6,950.00	6,950.00		
2796								
2796	INEZ WILDE	11420	Refund double pmt-Lease for Dau	01/14/2020	100.00	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 2796:					100.00	.00		
2797								
2797	CREATIVE CULTURE INSIGNIA,	8907	Shipping for Challenge Coins	01/03/2020	50.60	.00		
Total 2797:					50.60	.00		
2798								
2798	JONES WALDO	1617025	Legal Memo re: Trans Lines-UFR	01/08/2020	1,105.50	.00		
Total 2798:					1,105.50	.00		
Grand Totals:					136,079.41	9,610.22		

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 Council
21 January 2020
Regular Meeting

Minutes of the
7 January 2020
Regular Meeting



Memo

Date: 16 January 2020
To:
Cc:
From: Brad Wilson, City Recorder/Financial Officer
RE: Minutes of the 7 January 2020 City Council Regular Meeting

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 January 2020, 6:00 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, 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 6:00 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

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.

2. Swearing in of the Newly Elected City Council Members

The City Recorder swore in Steve Dougherty, Lisa Orme and Kevin Payne as members of the Midway City Council. Each of the three members gave brief remarks.

3. Mayor Pro Tempore – Discuss and Possibly Elect a Member of the Midway City Council to be Mayor Pro Tempore

The City Recorder reviewed the responsibilities of a mayor pro tempore and how they had been elected in the past.

Motion: Council Member Simonsen moved that Council Member Orme be the mayor pro

tempore.

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

4. Consent Calendar

- a. Agenda for the 7 January 2020 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 17 December 2019 City Council Regular Meeting
- d. Minutes of the 17 December 2019 City Council Closed Meeting
- e. Ordinance 2020-01 – Prescribing the Time and Place of the Regular Meetings of the Midway City Council
- f. The Bond for the Mayor of Midway City

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

Council Member Orme asked for more information on the warrant for the 2020 water line project. Wes Johnson explained the project and reviewed the water lines that would be replaced or upgraded.

Council Member Simonsen asked about the bond amount for the Mayor. Brad Wilson reviewed the liability insurance policy which acted as the bond.

Motion: Council Member Orme moved to approve the consent calendar.

Second: Council Member Drury seconded the motion.

Discussion: None

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

Council Member Dougherty	Aye (Abstained from approving the minutes)
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye (Abstained from approving the minutes)
Council Member Simonsen	Aye

5. 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.

6. Department Reports

Roundabouts / River Road

Wes Johnson reported that the two new roundabouts would be installed on River Road in April or May of that year.

Centennial Committee Monument / Benches

Mayor Johnson showed the type of granite that would be used for the benches at the Wasatch County Centennial Committee's monument.

7. Financial Statements / Audit Report (Approximately 15 minutes) – Receive a presentation on the fiscal year 2019 financial statements (Ryan Child) and audit (Ben Probst).

The item was postponed because Mr. Child was unable to attend.

8. Ordinance 2020-02 / Festival Market Business Licenses and Parking (City Planner – Approximately 45 minutes) – Discuss and possibly adopt Ordinance 2020-02 amending Section 7.05.010 (Festival Market Business Licenses) of the Midway City Municipal Code regarding parking.

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

- Festival market parking
- The proposed ordinance
- Festival market overlay zone
- History of the festival market code
- Requirements and restrictions
- Items to consider
- The proposal applied to property owned by Jennifer Mangum

Mr. Henke also made the following comments:

- The proposed ordinance would allow parking in the overlay zone.
- Wes Johnson estimated that Ms. Mangum's property could have up to 30 parking spaces.
- The property owners and vendors, allowed under this proposal, would not pay festival market business license fees because they provided and maintained public parking throughout the year.
- The proposal was a balance between the interests of the Midway Boosters and local

business owners.

- The number of vendors off the Town Square during Swiss Days declined in 2019.
- The proposal required public parking, which was maintained throughout the year, but it did not require a business license.
- The already required parking for a business did not qualify.
- Limiting the proposal to the overlay zone helped law enforcement during Swiss Days.
- This did not replace the required parking for a business.
- The vendors would have to sell products like those sold at Swiss Days.

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 proposal had not been specifically discussed with the Midway Boosters.
- One of the Booster's goals was to encourage business.
- A lot of time and resources were donated for Swiss Days. The vendors on the Square helped pay for the shuttle buses and other costs of the event. Was it fair that some vendors not help pay for those costs?
- Vendors off the Square paid more for their space than those on the Square.
- The proposal facilitated public parking.
- Sometimes a code text amendment was not the solution.
- How many potential parking spaces would the proposal provide?
- Could other trades be made?
- The City was looking at other solutions for public parking.
- The parking problems ended at 200 East.
- Did the proposal violate equal protection laws or was it an unfair exaction?
- The additional vendors for a few days was worth it for the increased public parking.
- "Grandfathered" businesses could benefit if they had additional space that could be used for parking.
- Should "grandfathered" properties be excluded? There were few businesses that would fall into this category. A "grandfathered" use could only be taken away if the use was changed.
- The proposal allowed vendors from year to year. The City could choose to not grant vendors beyond a year.
- It was easier to put in parking than to have a business and get a festival market business license.
- Would neighbors be negatively impacted by having a parking lot next to them? Should each lot be considered on a case by case basis?
- A parking lot was preferred to drivers parking in front of residences.
- The additional parking would help with events such as the farmers' market, etc.
- Would the proposal create a significant amount of new parking?
- A parking ombudsman would be more effective than a code text amendment.
- It could become difficult to regulate and enforce the types of products sold.
- The City should support Swiss Days.
- The proposal should specifically state that any fees were being waived.
- The current code limited the number of vendors off the Square based on the size of the hosting business.

Motion: Council Member Orme moved to adopt Ordinance 2020-02 with the following changes:

- It should state that the fees were specifically being waived.
- The products sold would be substantially related to those historically sold on the Town Square during Swiss Days.
- It should state that the vendors were allowed because of the public benefit of additional year around parking.

Discussion: Council Member Drury and Dougherty were not ready to act that night.

Council Member Drury wanted input from the Boosters which held Swiss Days. He said it was difficult to understand the proposal with only one case study. He also wanted more time to finalize the conditions.

Council Member Orme thought that Brian Larney, who owned the parking lot next to the post office, might use the proposal which would provide additional public parking. Council Member Drury stated that it was not the City's responsibility to ensure owners made money off their property.

Second: The motion died for lack of a second.

Motion: Council Member Simonsen moved to table consideration of Ordinance 2020-02, until the next council meeting, so that more information could be gathered to address the concerns raised that evening and with the following conditions:

- It should state that the fees were specifically being waived.
- The products sold should be substantially related to those historically sold on the Town Square during Swiss Days.
- It should state that the vendors were allowed because of the public benefit of additional year around parking.
- The proposed boundary be adjusted as appropriate.
- The legal questions regarding exactions be addressed.

Second: Council Member Dougherty seconded the motion.

Discussion: Council Member Drury suggested that the boundary be expanded east. He did not see a benefit for it to be north of the Town Square. Mr. Henke suggested 150 feet on the north and 150 feet on the south of Main Street.

Mayor Johnson indicated that the proposal could be discussed at the strategic planning meeting.

Corbin Gordon recommended against the proposal being a conditional use because of equal protection laws. Council Member Dougherty thought that vendors on and off the Town Square were equal. Mr. Gordon indicated that the Boosters leased the Town Square for Swiss Days and could screen their vendors. He said the City could not do the same for the vendors off the square. Council Member Dougherty approved if different permits were required for on and off square vendors.

Mr. Gordon indicated that the proposal was not forcing someone to do something, so it was not an exaction.

Council Member Dougherty raised the following questions:

- Would the proposal grant a new type of permit?
- Was the City using free parking as currency? Did it want to limit this exchange just to having vendors during Swiss Days?

Council Member Payne asked if a private party requested the proposal? Council Member Drury responded that the City proposed the ordinance.

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

9. Connect to Culinary Water System (Jim May – Approximately 20 minutes) – Discuss and possibly allow a property at 1242 North Homestead Drive, which is outside of the city limits, to be connected to Midway City's culinary water system.

Michael Henke noted that Mr. May was not present. Mayor Johnson thought that the applicant should be in attendance.

Motion: Council Member Dougherty moved to continue the item until the applicant requested that it be put back on an agenda.

Second: Council Member Simonsen 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

10. CDRA Annual Meeting – The Annual Meeting of the Community Development and Renewal Agency for Midway City (Please See Separate Agenda).

Motion: Council Member Simonsen moved to convene as the governing board of the Community Development and Renewal Agency of Midway City.

Second: Council Member Drury 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: Minutes of the Agency are maintained separately.

Motion: Board Member Drury moved to adjourn the board meeting of the Community Development and Renewal Agency and to continue the City council meeting.

Second: Board Member Dougherty seconded the motion.

Discussion: None

Note: The motion was approved with the Board voting as follows:

Board Member Dougherty	Aye
Board Member Drury	Aye
Board Member Orme	Aye
Board Member Payne	Aye
Board Member Simonsen	Aye

11. Watts Remund Farms PUD, Phases 2, 3A, 3B, and 3C / Preliminary Approval (Berg Engineering – Approximately 30 minutes) – Discuss and possibly grant preliminary approval for Phases 2, 3A, 3B, and 3C of the Watts Remund Farms PUD located at 200 West 600 North (Zoning is R-1-15). Recommended without 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 of the proposed phases
- Master park plan
- Linear park from downtown to the Valais Park
- Amended master plan
- Trails
- Sensitive lands
- Phasing plan
- Open space plan
- Amenities plan

- Landscape plan
- Site studies
- Water Board recommendation for each phase
- Possible findings

Mr. Henke also made the following comments:

- These were the remaining four phases in the project.
- Normally phases were presented separately.
- A lot of building permits had already been issued for Phase 1.
- Staff recommended that the phases be numbered 2, 3 and 4.
- The phases met the requirement for 50% open space for the development and each phase.
- No water rights were required for the wetlands. This policy would be reviewed in the future because wetlands were shrinking.
- The plat maps for the phases might not be recorded together.

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

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

- Phases 2 and 3a might be recorded together but was not sure about the other phases.
- Would renumber the phases.

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

- Signage for the trails and egress in the project was not addressed in the development agreement. The HOA would determine how the private trails would be signed.
- The wetlands should not be disturbed or sprayed.
- More water rights would have to be provided if the wetlands dried up and the HOA wanted to irrigate that area.
- The City Council allowed some of the units in the project to be within the 25-foot buffer around the wetlands. The Council did not allow units in the wetlands.
- There was not a requirement for the sequencing of the phases. Each phase did have to meet access requirements.

Public Hearing

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

Cathy Philpot

Ms. Philpot made the following comments:

- Lived south of the development.
- Owned property next to the development.
- Asked that preliminary approval not yet be granted to Phase 3c until some water issues were understood.
- Water issues with her house and property had increase since trenching in the development. She now had to dehumidify her crawlspace.
- Water was coming out of the tops of the test wells in Phase 3c.
- The water level had risen in other test wells.
- The water lever had decreased in test wells away from the trenching.
- Thought that the trenching, even though clay dams were installed, allowed the water to flow to the south rather than the east.
- Did not think that a wetter winter was the cause of the increased water to the south.
- A spring on her property was producing more water.
- Rick Tatton had a spring in the area that was also producing more water.
- Her neighbors were also having problems with increased groundwater.
- The amount of groundwater in Swiss Paradise, which was east of the development, had significantly decreased.
- Spoke with the developer and Wes Johnson. They attributed the water problems to a more wet winter.
- Water was flowing from the muskrat holes in the ditch along 250 North.

Wes Johnson made the following comments:

- Recently contacted the City's hydrogeologist and would meet with him regarding the water issues. Ms. Philpot was welcome to attend that meeting.
- The drain line in Swiss Paradise had been repaired which could be the reason for the decreased groundwater in that area.
- A drain line could be installed along the south of the development.
- Would provide the most recent data for the test wells to Ms. Philpot.

Athina Koumarela

Ms. Koumarela made the following comments:

- Test wells #16 and #17 had been very high for a long time.
- Approval of Phase 3c might need to be postponed until five years of test well data had been collected.
- Had presented data to the City, when master plan approval was granted, regarding how much groundwater the neighbors were pumping. Wanted to see how much they were now pumping.

Mr. Berg responded that he had not heard about the water issues. He said that he would investigate them. He did not object to preliminary approval being postponed for Phase 3c.

Mr. Berg indicated that wetlands sometimes needed to be mowed or burned to remain healthy. Council Member Dougherty responded that they should not be manicured. Wes Johnson added that the United States Army Corps of Engineers allowed mowing and spraying in wetlands but not filling in or dredging. He indicated that the City's code prohibited disturbing wetlands.

Mr. Berg noted that the wetlands were shown on the plat map. Wes Johnson explained that the Corps of Engineers would have to approve any re-delineation of the wetlands and the plat map would have to be amended to show the change.

Mr. Berg did not want wetland maintenance to be prohibited. He noted that the City mowed its wetlands in the Valais Park.

Mr. Berg explained the stormwater system for Phase 3c.

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

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

- Vesting was granted with preliminary approval, but it did not change what could happen on the ground.
- Preliminary approval could be postponed or granted with conditions.
- The approved master plan dictated the location of the units, but they could be adjusted depending upon the results of the water study.
- A solution to the water issues could be found before final approval was granted.
- More clay dams or a drainpipe might be needed.
- None of the units had basements.
- What recourse did the City have if final approval was granted but the issues persisted? Final approval should not be granted until the issues were resolved.
- Final approval could be granted with conditions. The construction bond could also cover resolving the issues.
- The civil engineer not the City would be liable if water was an issue in five years.
- Another year of monitoring the groundwater was not an unreasonable request.
- A decision could not be withheld indefinitely.
- Could the cause of the water issues also be in areas outside of Phase 3c?

Motion: Council Member Drury moved to grant preliminary approval for Phases 2, 3a and 3b of the Watts Remund Farms PUD, located at 200 West 600 North, with the following findings and conditions:

- The proposed plan met the requirements of the code for PUDs.
- The public trail system in the development would benefit the entire community by creating a trail away from collector roads.
- The proposal complied with the approved master plan.
- Included the recommendation of the Water Board, as presented that evening, for the water rights that needed to be turned over to the City.
- The numbering for the phases run numerically from 2 to 5.
- The trail that connected the Remund Farms, 300 North and the planned River Road roundabout be constructed with Phase 2.
- Preliminary approval was not granted to Phase 3c.
- The City Engineer, developer and neighbors would work on a solution to the water issues and then come back for preliminary approval for Phase 3c.
- There would be a note on the plat map indicating the amount of water that needed to be turned in and that it did not cover the wetlands.

Second: Council Member Simonsen 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

Motion: Without objection, Mayor Johnson recessed the meeting at 9:02 p.m. She reconvened the meeting at 9:10 p.m.

12. Dutch Canyon Subdivision, Plat B / Amendment (Berg Engineering – Approximately 15 minutes) – Discuss and possibly amend Plat B of the Dutch Canyon Subdivision, located at 1676 North Dutch Mountain Circle, to combine lots #11 and #12 (Zoning is RA-1-43).

Public Hearing

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

- Land use summary
- Location of the amendment
- Recorded plat map
- Proposed plat map
- Possible findings

Mr. Henke also made the following comments:

- There was a trend to combine lots.
- A building envelope was not required if the setbacks were met.
- The combined lots could be re-subdivided only if they met all code requirements. The Council was not required to approve such a request.

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

Paul Berg, Berg Engineering Resource Group and representing the applicants, indicated that the subdivision CC&Rs did not have a size limitation on houses.

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

- Capping laterals at the main line damaged roads so that was done only when lots were rearranged. It was not required when lots were combined.
- The State Code required that this type of amendment had to be considered by the land

use authority.

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 Payne moved to approve the amendment to Plat B of the Dutch Canyon Subdivision, located at 1676 North Dutch Mountain Circle, to combine lots #11 and #12 with no conditions and the following findings:

- Potential trips per day generated from the two lots would be reduced.
- Density in the subdivision would be reduced.
- The area would feel more open because of the reduction of one lot.
- No public street, right-of-way, or easement would be vacated or altered.

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	Aye
Council Member Simonsen	Aye

13. Midway Crest Annexation / Further Consideration (Berg Engineering – Approximately 15 minutes) – Discuss and possibly approve for further consideration the Midway Crest Annexation containing 24.16 acres located at 600 South Fox Den Road.

Paul Berg, Berg Engineering Resource Group and representing the petitioner, made the following comments regarding the proposed annexation:

- The annexation was a condition of providing culinary water to the development on the property.
- The plat map for the development was being signed by Wasatch County.
- The project did not meet all the requirements for a rural preservation subdivision.

Michael Henke gave a presentation and reviewed the following items:

- Land use summary
- Location of the annexation
- Access
- Water Board recommendation
- Site plan
- Trail

- Proposed annexation plan
- Annexation process
- Culinary water will serve letter

Mr. Henke also made the following comments:

- The development would be deed restricted from being further subdivided.
- An existing home on the property would be razed.
- The property historically had not been irrigated.
- The petitioner chose a paved trail along the cul-de-sac instead of an unpaved trail along the south of the property.
- The petitioner wanted to build his home quickly, so he developed in the County with the promise to annex when the subdivision was approved.
- Many of the conditions regarding the project were in the will serve letter.
- The development would connect to the sewer system.

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

Brad Wilson explained the noticing and public hearing requirements for an annexation.

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

- This was an example of a project that was an acre short of being a rural preservation subdivision. If it would have qualified, then the road would have been maintained by the HOA instead of the City.
- The will serve letter addressed the project being near a sewer treatment plant.

Motion: Council Member Simonsen moved to approve the Midway Crest annexation for further consideration based on the property being deed restricted from further subdividing.

Second: Council Member Orme seconded the motion.

Discussion: Council Member Dougherty preferred annexing property before it was subdivided, and the culinary water was provided. Council Member Orme thought that was the preference of the entire Council, but time was an issue for the developer. Council Member Dougherty stated that the City should be the "master of its own fate".

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

14. Adjournment

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

The meeting was adjourned at 9:43 p.m.

Celeste Johnson, Mayor

Brad Wilson, Recorder

DRAFT

Midway City Council
21 January 2020
Regular Meeting

Midway Crest Annexation /
Certification

Midway City Corporation

Mayor

Celeste Johnson

City Council

Steve Dougherty • Jeff Drury

Lisa Orme • Kevin Payne

JC Simonsen



75 North 100 West

P.O. Box 277

Midway, Utah 84049

Phone: 435-654-3223

Fax: 435-654-4120

midwaycityut.org

16 January 2020

Midway City Council

P.O. Box 277

Midway, UT 84049

Dear City Council:

This letter is to notify you that I have determined and certify that the petition for the Midway Crest Annexation, accepted by the City Council for further consideration on 7 January 2020, meets the requirements of Utah Code Section 10-2-403(3), (4), (6) and (7).

Please contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink, which appears to read "Brad Wilson", is written over a horizontal line.

Brad Wilson

City Recorder

Cc: Brad Pelo, Contact Sponsor
Paul Berg, Berg Engineering Resource Group
Wasatch County Council

Effective 5/14/2019

10-2-403 Annexation petition -- Requirements -- Notice required before filing.

(1) Except as provided in Section 10-2-418, the process to annex an unincorporated area to a municipality is initiated by a petition as provided in this section.

(2)

(a)

(i) Before filing a petition under Subsection (1) with respect to the proposed annexation of an area located in a county of the first class, the person or persons intending to file a petition shall:

(A) file with the city recorder or town clerk of the proposed annexing municipality a notice of intent to file a petition; and

(B) send a copy of the notice of intent to each affected entity.

(ii) Each notice of intent under Subsection (2)(a)(i) shall include an accurate map of the area that is proposed to be annexed.

(b)

(i) Subject to Subsection (2)(b)(ii), the county in which the area proposed to be annexed is located shall:

(A) mail the notice described in Subsection (2)(b)(iii) to:

(I) each owner of real property located within the area proposed to be annexed; and

(II) each owner of real property located within 300 feet of the area proposed to be annexed; and

(B) send to the proposed annexing municipality a copy of the notice and a certificate indicating that the notice has been mailed as required under Subsection (2)(b)(i)(A).

(ii) The county shall mail the notice required under Subsection (2)(b)(i)(A) within 20 days after receiving from the person or persons who filed the notice of intent:

(A) a written request to mail the required notice; and

(B) payment of an amount equal to the county's expected actual cost of mailing the notice.

(iii) Each notice required under Subsection (2)(b)(i)(A) shall:

(A) be in writing;

(B) state, in bold and conspicuous terms, substantially the following:

"Attention: Your property may be affected by a proposed annexation.

Records show that you own property within an area that is intended to be included in a proposed annexation to (state the name of the proposed annexing municipality) or that is within 300 feet of that area. If your property is within the area proposed for annexation, you may be asked to sign a petition supporting the annexation. You may choose whether to sign the petition. By signing the petition, you indicate your support of the proposed annexation. If you sign the petition but later change your mind about supporting the annexation, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of (state the name of the proposed annexing municipality) within 30 days after (state the name of the proposed annexing municipality) receives notice that the petition has been certified.

There will be no public election on the proposed annexation because Utah law does not provide for an annexation to be approved by voters at a public election. Signing or not signing the annexation petition is the method under Utah law for the owners of property within the area proposed for annexation to demonstrate their support of or opposition to the proposed annexation.

You may obtain more information on the proposed annexation by contacting (state the name, mailing address, telephone number, and email address of the official

or employee of the proposed annexing municipality designated to respond to questions about the proposed annexation), (state the name, mailing address, telephone number, and email address of the county official or employee designated to respond to questions about the proposed annexation), or (state the name, mailing address, telephone number, and email address of the person who filed the notice of intent under Subsection (2)(a)(i)(A), or, if more than one person filed the notice of intent, one of those persons). Once filed, the annexation petition will be available for inspection and copying at the office of (state the name of the proposed annexing municipality) located at (state the address of the municipal offices of the proposed annexing municipality)."; and

(C) be accompanied by an accurate map identifying the area proposed for annexation.

(iv) A county may not mail with the notice required under Subsection (2)(b)(i)(A) any other information or materials related or unrelated to the proposed annexation.

(c)

(i) After receiving the certificate from the county as provided in Subsection (2)(b)(i)(B), the proposed annexing municipality shall, upon request from the person or persons who filed the notice of intent under Subsection (2)(a)(i)(A), provide an annexation petition for the annexation proposed in the notice of intent.

(ii) An annexation petition provided by the proposed annexing municipality may be duplicated for circulation for signatures.

(3) Each petition under Subsection (1) shall:

(a) be filed with the applicable city recorder or town clerk of the proposed annexing municipality;

(b) contain the signatures of, if all the real property within the area proposed for annexation is owned by a public entity other than the federal government, the owners of all the publicly owned real property, or the owners of private real property that:

(i) is located within the area proposed for annexation;

(ii)

(A) subject to Subsection (3)(b)(ii)(C), covers a majority of the private land area within the area proposed for annexation;

(B) covers 100% of rural real property as that term is defined in Section 17B-2a-1107 within the area proposed for annexation; and

(C) covers 100% of the private land area within the area proposed for annexation, if the area is within an agriculture protection area created under Title 17, Chapter 41, Agriculture, Industrial, or Critical Infrastructure Materials Protection Areas, or a migratory bird production area created under Title 23, Chapter 28, Migratory Bird Production Area; and

(iii) is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation;

(c) be accompanied by:

(i) an accurate and recordable map, prepared by a licensed surveyor, of the area proposed for annexation; and

(ii) a copy of the notice sent to affected entities as required under Subsection (2)(a)(i)(B) and a list of the affected entities to which notice was sent;

(d) if the area proposed to be annexed is located in a county of the first class, contain on each signature page a notice in bold and conspicuous terms that states substantially the following:

"Notice:

- There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election.

- If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or

- clerk of (state the name of the proposed annexing municipality). If you choose to withdraw your signature, you shall do so no later than 30 days after (state the name of the proposed annexing municipality) receives notice that the petition has been certified.";
- (e) if the petition proposes the annexation of an area located in a county that is not the county in which the proposed annexing municipality is located, be accompanied by a copy of the resolution, required under Subsection 10-2-402(6), of the legislative body of the county in which the area is located; and
 - (f) designate up to five of the signers of the petition as sponsors, one of whom shall be designated as the contact sponsor, and indicate the mailing address of each sponsor.
- (4) A petition under Subsection (1) may not propose the annexation of all or part of an area proposed for annexation to a municipality in a previously filed petition that has not been denied, rejected, or granted.
- (5) A petition under Subsection (1) proposing the annexation of an area located in a county of the first class may not propose the annexation of an area that includes some or all of an area proposed to be incorporated in a request for a feasibility study under Section 10-2a-202 if:
- (a) the request or petition was filed before the filing of the annexation petition; and
 - (b) the request, or a petition under Section 10-2a-208 based on that request, is still pending on the date the annexation petition is filed.
- (6) If practicable and feasible, the boundaries of an area proposed for annexation shall be drawn:
- (a) along the boundaries of existing local districts and special service districts for sewer, water, and other services, along the boundaries of school districts whose boundaries follow city boundaries or school districts adjacent to school districts whose boundaries follow city boundaries, and along the boundaries of other taxing entities;
 - (b) to eliminate islands and peninsulas of territory that is not receiving municipal-type services;
 - (c) to facilitate the consolidation of overlapping functions of local government;
 - (d) to promote the efficient delivery of services; and
 - (e) to encourage the equitable distribution of community resources and obligations.
- (7) On the date of filing, the petition sponsors shall deliver or mail a copy of the petition to the clerk of the county in which the area proposed for annexation is located.
- (8) A property owner who signs an annexation petition proposing to annex an area located in a county of the first class may withdraw the owner's signature by filing a written withdrawal, signed by the property owner, with the city recorder or town clerk no later than 30 days after the municipal legislative body's receipt of the notice of certification under Subsection 10-2-405(2)(c)(i).

Amended by Chapter 165, 2019 General Session