

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

**Tuesday, 6 August 2024, 5:00 p.m.
Midway Community Center, Council Chambers
160 West Main Street, Midway, Utah**

Note: Notices/agendas were posted at 7-Eleven, The Market Express, the United States Post Office, the Midway City Office Building, and the Midway Community Center. Notices/agendas were provided to the City Council, City Engineer, City Attorney, Planning Director, and The Wasatch Wave. The public notice/agenda was published on the Utah State Public Notice Website and the City's website. A copy of the public notice/agenda is contained in the supplemental file.

1. Call to Order

Mayor Johnson called the meeting to order at 5:03 p.m.

Members Present:

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

Staff Present:

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

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

2. Law Enforcement Agreement (City Attorney – Approximately 60 minutes) – Discuss a draft agreement between Midway City and the Heber City Police Department for additional law enforcement.

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

- The City needed to repair its relationship with the Wasatch County Sheriff's Department. This relationship would become worse because of the City contracting with the Heber City Police Department for additional law enforcement.
- The Sheriff was an elected official and needed to satisfy the voters.
- The memorandum of understanding (MOU) with the Police Department would be finalized. The Mayor would then meet with both law enforcement agencies to establish responsibilities. She would also do public relations work to let residents know that both were good agencies.
- The Heber City Council agreed to the MOU but did not want to subsidize it in any way.

- The MOU could be approved at the next meeting of the Midway City Council.
- Services would be provided as the necessary equipment became available.
- The MOU included two officers with one in Midway between 7 a.m. and 7p.m. It also included two Midway branded vehicles.
- There would not be a formal contract.
- Midway would pay the cost of any needed equipment, administration, and labor. The costs would be the same as paid by Heber City.
- The arrangement could end if the costs increased dramatically.
- Dispatch would continue to be provided by the Wasatch County Sheriff's Department. The Sheriff's Department would bill Midway directly for the service.
- Dispatch should be paid for with residents' property taxes. The County disagreed.
- Heber City had crossing guards that Midway could use.
- Law enforcement, not crossing guards, should be used for traffic and pedestrian control at events.
- The costs for additional law enforcement needed to be solidified and better defined.
- The City should negotiate the cost for additional law enforcement rather than just accepting the Police Department's proposal.
- The initial arrangement should be for one rather than two years.
- Midway needed to have a good relationship with the Sheriff's Department in case it needed to go back to it for additional service.
- The cost for administration included payroll, etc.
- The Police Department would provide whatever data and information that Midway needed. The Chief or his deputy would attend any council meetings to answer questions. Reporting would be an important part of the arrangement.
- The Police Department would have a consistent presence in Midway and it would be rare that the assigned officer would be called to Heber City. The officer might be called to Heber City, but officers could also be called to Midway.
- There was an incentive for the Police Department to earn Midway's trust.
- Would the Sheriff's Department respond to the emergency calls in Midway while the Police Department was on duty in the City? The Police Department would respond to any emergency calls while it was on duty in Midway.
- There was a growing concern with certain electric vehicles used by kids. Staff were working on an ordinance regarding the issue. Kids needed to be outside, but they did not have driver's licenses and drove these vehicles on the streets, sidewalks, etc. The vehicles included golf carts.

3. Resolution 2024-21 / Homestead Resort, Phases 1 and 2

Council Member Drury asked why the term development agreement, as it related to the Homestead Resort, had been removed from the regular meeting agenda. Corbin Gordon responded that a new state law prohibited development agreements under certain conditions. He added that a resolution could be passed with the same verbiage, but the developer did not have to sign it.

Council Member Drury asked if a development agreement could be required for an amendment. Mr. Gordon responded that it could be required.

4. Homestead Resort / Swiss Haven / Noise

Council Member Orme asked if anyone had complained about early morning construction noise from the Homestead Resort. Council Member Simons added that there was also construction noise from Swiss Haven. Mark Austin, a resident who was attending the meeting, also added that loud music was being played at the Homestead's pool area. Michael Henke noted that the Municipal Code regulated noise including construction noise. Mayor Johnson indicated that just because you could hear something did not mean that it violated the Code.

Council Member Payne thought that the Code should have teeth for effective enforcement, but that the Homestead should purchase a decibel meter and police the noise itself.

Council Member Simonsen pointed out that the Code could be amended if needed.

5. Adjournment

The meeting was adjourned at 5:59 p.m.



Celeste Johnson, Mayor



Brad Wilson, Recorder