



## **CITY COUNCIL STAFF REPORT**

**DATE OF MEETING:** July 15, 2025

**NAME OF APPLICANT:** City of Midway

**AGENDA ITEM:** Ordinance 2025-15 Committee Term Limits  
Proposed Code Text Amendment to do away with terms of office for certain City Committee positions other than Planning Commission

### **ITEM: 12**

Proposal to do away with term limits for certain City Committees other than Planning Commission and to add an “s” to code provision concerning appointment of a Town Architect to allow the City to appoint multiple approved Town Architects.

### **BACKGROUND:**

The Midway Municipal Code defines the terms of office for members of advisory committees such as Planning Commission, Board of Adjustment, Parks and Trails and Trees, Vision Architectural Committee, Open Space Committee, and Historic Preservation Committee.

In a small city such as Midway, keeping full membership on committees is often a challenge. Because of this, the City Council recently did away with term limits for the Board of Adjustment, which was particularly helpful given the level of training required to serve on this particular committee and the fact that it convenes so infrequently.

The City faces no shortage of applicants to serve on the Planning Commission but continues to struggle to fill openings on the other committees listed above, despite advertising for positions in local news outlets, on the City website, through City events, and by word of mouth.

Committee members develop expertise and historical knowledge through service on committees, which benefits the City.

## ANALYSIS:

The proposal before the City Council is to remove term limit provisions in the Code for Parks and Trails Committee, Vision Architectural Committee, Open Space Committee, and Historic Preservation Committee. The proposed changes are set forth in red.

1. Chapter 2.06, Parks and Trails and Trees Advisory Committee.

Section 2.06.020 C. provides:

*The terms of office for the seven appointed Parks, Trails, and Trees Advisory Committee members shall be four years. Any vacancies in these positions shall be filled by a recommendation to and confirmation by the City Council. The appointment will be for the remaining time of the member whose vacancy is being filled. ~~Two consecutive four-year terms shall be the limit for regular membership. Partial terms shall not be considered in determining whether a person has served two consecutive terms.~~*

2. Chapter 2.07, Vision Architectural Committee

Section 2.07.010 Establishment provides:

There is hereby established a Vision Architectural Committee (hereinafter known as the “VAC”) for Midway City. The VAC shall consist of five members appointed by the Mayor, with the advice and consent of the City Council. ~~Two consecutive four-year terms shall be the limit for membership. Partial terms shall not be considered in determining whether a person has served two consecutive terms.~~ A Town Architect(s)\* will also be appointed by the Mayor, with the advice and consent of the City Council. The Town Architect(s) will be appointed for a four-year term. ~~There are no term limits for the Town Architect.~~

\* The City would like to establish a panel of multiple architects so is proposing changing “Town Architect” to “Town Architect(s)” to allow for this.

3. Chapter 2.09, Historic Preservation Committee

Section 2.09.010 Establishment (A) provides:

A. Members. The HPC shall consist of seven members appointed by the Mayor, with the advice and consent of the City Council. ~~Members are limited to two consecutive four-year terms. Partial terms shall not be considered in determining whether a person has served two consecutive terms.~~

4. Chapter 2.19 Open Space Advisory Committee

2.19.020 C provides:

The terms of office for the seven appointed Open Space Advisory Committee members shall be four years, except for the initial appointment of the members when the Open Space Advisory Committee is established. For the initial establishment of the advisory committee, four members will have four-year terms and three members will have two-year terms. Any vacancies in these positions shall be filled by a recommendation to and confirmation by the City Council. The Appointment will be for the remaining time of the member whose vacancy is being filled. ~~Two consecutive four-year terms shall be the limit for regular membership. Partial terms shall not be considered in determining whether a person has served two consecutive terms.~~

5. Section 2.03.040 Mode of Appointment and Filling Vacancies

D. Terms of Office are four years. The City Council, at its discretion, may reappoint a member at the expiration of a term for additional four-year term(s).

Because the proposed amendments are to Chapter 2 of the Code, rather than Chapter 16, Planning Commission Review is not required.

**POSSIBLE FINDINGS:**

1. Utah State Code gives discretion to the City Council to determine procedures for how the City Committees operate, including items such as term limits.
2. Removal of term limits should assist the City in retaining volunteers to serve on advisory committees and maximize the training opportunities and institutional knowledge of members.
3. Because the proposed amendments are to Chapter 2 of the Code, rather than Chapter 16, Planning Commission Review is not required.
4. The City Council may revisit the question of term limits if interest in serving on voluntary committees increases significantly.

**ALTERNATIVE ACTIONS:**

1. Recommendation of Approval. This action can be taken if the City Council finds that the proposed language is an acceptable amendment to the City's Municipal Code.

- a. Accept the staff report
  - b. List accepted findings
- 2. Continuance. This action can be taken if the City Council would like to continue exploring potential options for the amendment.
  - a. Accept the staff report
  - b. List accepted findings
  - c. Reasons for continuance
    - i. Unresolved issues that must be addressed
  - d. Date when the item will be heard again.
- 3. Recommendation of Denial. This action can be taken if the City Council finds that the proposed amendment is not an acceptable revision to the City's Municipal Code.
  - a. Accept the staff report
  - b. List accepted findings
  - c. Reasons for denial

**PROPOSED CONDITIONS:**

None



**Midway**

## **ORDINANCE 2025-15**

### **AN ORDINANCE TO AMEND SECTIONS OF THE MIDWAY CITY CODE TO REMOVE TERM LIMIT PROVISIONS FOR CERTAIN COMMITTEES.**

**WHEREAS**, pursuant to Utah Code Section 10-9a-509 the Midway City Council may formally initiate proceedings to amend city ordinances; and

**WHEREAS**, the Midway City Code currently contains term limit provisions for advisory committees, such as the Open Space Committee and Historic Preservation Committee; and

**WHEREAS**, in a small city like Midway, maintaining full membership on committees can be challenging; and

**WHEREAS**, the City now desires to remove term limit provisions in the Code for its Parks and Trails Committee, Vision Architectural Committee, Open Space Committee, and Historic Preservation Committee.

**NOW THEREFORE**, be it ordained by the City Council of Midway City, Utah:

The following sections of the Midway City Code shall be amended as follows:

#### **Chapter 2.06 Parks, Trails, and Trees Advisory Committee**

##### **2.06.020 Appointment and Terms of Members**

- C. The terms of office for the seven appointed Parks, Trails, and Trees Advisory Committee members shall be four years. Any vacancies in these positions shall be filled by a recommendation to and confirmation by the City Council. The appointment will be for the remaining time of the member whose vacancy is being filled. ~~Two consecutive four year terms shall be the limit for regular membership. Partial terms shall not be considered in determining whether a person has served two consecutive terms.~~

## **Chapter 2.07 Vision Architectural Committee**

### **2.07.010 Establishment**

There is hereby established a Vision Architectural Committee (hereinafter known as the “VAC”) for Midway City. The VAC shall consist of five members appointed by the Mayor, with the advice and consent of the City Council. ~~Two consecutive four year terms shall be the limit for membership. Partial terms shall not be considered in determining whether a person has served two consecutive terms.~~ A Town Architect(s) will also be appointed by the Mayor, with the advice and consent of the City Council. The Town Architect(s) will be appointed for a four-year term. ~~There are no term limits for the Town Architect.~~

## **Chapter 2.09 Historic Preservation Committee**

### **2.09.010 Establishment**

- A. Members. The HPC shall consist of seven members appointed by the Mayor, with the advice and consent of the City Council. ~~Members are limited to two consecutive four year terms. Partial terms shall not be considered in determining whether a person has served two consecutive terms.~~

## **Chapter 2.19 Open Space Advisory Committee**

### **2.19.020 Appointment and Terms of Members**

- C. The terms of office for the seven appointed Open Space Advisory Committee members shall be four years, except for the initial appointment of the members when the Open Space Advisory Committee is established. For the initial establishment of the advisory committee, four members will have four-year terms and three members will have two-year terms. Any vacancies in these positions shall be filled by a recommendation to and confirmation by the City Council. The Appointment will be for the remaining time of the member whose vacancy is being filled. ~~Two consecutive four year terms shall be the limit for regular membership. Partial terms shall not be considered in determining whether a person has served two consecutive terms.~~

### **2.03.040 Mode of Appointment and Filling Vacancies**

- D. Terms of Office are four years. The City Council, at its discretion, may reappoint a member at the expiration of a term for additional four-year terms(s).

This ordinance shall take effect upon publication as required by law.

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**PASSED AND ADOPTED** by the City Council of Midway City, Wasatch County, Utah  
this \_\_\_\_ day of \_\_\_\_\_, 2025.

	AYE	NAY
Council Member Jeff Drury	_____	_____
Council Member Lisa Orme	_____	_____
Council Member Kevin Payne	_____	_____
Council Member Craig Simons	_____	_____
Council Member JC Simonsen	_____	_____

APPROVED:

\_\_\_\_\_  
Celeste Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Brad Wilson, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
Corbin Gordon, City Attorney

(SEAL)