

COMMITTEE TERM LIMITS

ORDINANCE 2025-15

ITEM 12 - CODE TEXT AMENDMENT

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.

BACKGROUND CONTINUED

- 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.

LEGISLATIVE ACTION

- Code text amendments fall under the category of legislative action. Therefore, the City Council has broad discretion regarding the proposal.

ANALYSIS

- Chapter 2.06, Parks and Trails and Trees Advisory Committee. *Propose deleting text in red.*
- 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.*

ANALYSIS

- Chapter 2.07, Vision Architectural Committee. *Propose deleting text in red. Propose adding text in yellow.*
- 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 parson 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.

ANALYSIS

- Chapter 2.09, Historic Preservation Committee.
Propose deleting text in red.
- 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.*

ANALYSIS

- Chapter 2.19 Open Space Advisory Committee. **Propose deleting text in red.**
- 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 twoyear 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.**

ANALYSIS

- Section 2.03.040 Mode of Appointment and Filling Vacancies
- Propose adding a new subsection D as follows:
- 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).

LEGISLATIVE ACTION

- Code text amendments fall under the category of legislative action. Therefore, the City Council has broad discretion regarding the proposal.

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 for 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 or issues arise.

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.
 1. Accept the staff report
 2. List accepted findings
2. Continuance. This action can be taken if the City Council would like to continue exploring potential options for the amendment.
 1. Accept the staff report
 1. List accepted findings
 2. Reasons for continuance
 3. Unresolved issues that must be addressed
 4. 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.
 1. Accept the staff report
 2. List accepted findings
 3. Reasons for denial