



Memo

Date: 14 August 2025
To: Mayor, City Council, and Staff
Cc: File
From: Brad Wilson, City Recorder
RE: Appointment Process

The City Council requested that I prepare a code text amendment regarding the process for appointing members to the City's boards, commissions, and committees. They requested that council members participate in the entire appointment process. The process is outlined in Section 2.03.040 (Mode of Appointment and Filling Vacancies) of the Midway City Municipal Code.

I propose the following changes:

2.03.040 Mode of Appointment and Filling Vacancies

A. Any vacancy in the ~~Commission~~-membership of a board, commission, or committee shall be ~~advertised in a newspaper of general circulation,~~ posted in three public places and on the official Midway City web-site. Applications shall be accepted for a minimum of 14 days following ~~the advertisement and~~ posting. The Mayor, ~~with the advice and consent of and~~ the City Council, ~~may hold interviews as needed and~~ shall appoint ~~a new Commission members~~ after appropriate review of the applications ~~and interviews~~. Reappointments of existing ~~Commission~~ members may be made without ~~advertising-posting~~ the vacancy.

A.—

B. ~~Commission m~~M~~Members~~ shall be selected in accordance with the following policy ~~adopted by the City Council~~.

1. ~~Commission m~~M~~Members~~ shall be ~~full-time~~full-time residents and have lived in Midway City for a period of at least one year immediately prior to their appointment.
2. In making appointments ~~to the Commission~~, the Mayor and the City Council will assure diversity in the membership to the extent practicable by considering all relevant factors such as geographic diversity, socioeconomic factors, cultural influences, and similar criteria.
3. ~~Commission m~~M~~Members~~ shall be selected without respect to political affiliation.

C. The Mayor, ~~with the advice and consent of and~~ the City Council, shall fill the unexpired term of any member whose office becomes vacant.

1. A member's office automatically becomes vacant if the member establishes residence outside of the City, or lives outside of City boundaries for a continuous period of more than 60 days.
2. A member's office automatically becomes vacant if the member misses more than 25 per-cent of the ~~Commission's~~ scheduled meetings during any ~~twelve-month~~twelve-month period. The Mayor, ~~with advice and consent of~~and the City Council, may waive this action should it be determined there are circumstances that so justify.
3. Any member may be removed for cause by the Mayor and City Council upon written charges and after a public hearing, if such a hearing is requested by the ~~Commission~~ member.

D. The Mayor along with the City Council shall vote on all motions related to this section. Each motion must receive a majority of votes. A tie vote shall be considered a denial of the motion.

I have attached the changes in ordinance form. Please contact me if you have any questions.



ORDINANCE 2025-23

AN ORDINANCE AMENDING THE APPOINTMENT PROCESS FOR MEMBERS OF BOARDS, COMMISSIONS, AND COMMITTEES

WHEREAS, pursuant to Utah Code Section 10-8-84 the Midway City Council may adopt ordinances to discharge its duties and powers; and

WHEREAS, the Midway City Council established boards, commissions, and committees as required by law, for effective administration, and to increase input from residents; and

WHEREAS, the Midway City Council desires greater input in the appointment process of members to these boards, commissions, and committees.

NOW THEREFORE, be it hereby **ORDAINED** by the Midway City Council that Section 2.030.040 (Mode of Appointment and Filling Vacancies) shall be amended as follows:

- A. Any vacancy in the membership of a board, commission, or committee shall be posted in three public places and on the official Midway City website. Applications shall be accepted for a minimum of 14 days following posting. The Mayor and the City Council may hold interviews as needed and shall appoint new members after appropriate review of the applications. Reappointments of existing members may be made without posting the vacancy.
- B. Members shall be selected in accordance with the following policy.
 - 1. Members shall be full-time residents and have lived in Midway City for a period of at least one year immediately prior to their appointment.
 - 2. In making appointments, the Mayor and the City Council will assure diversity in the membership to the extent practicable by considering all relevant factors such as geographic diversity, socioeconomic factors, cultural influences, and similar criteria.
 - 3. Members shall be selected without respect to political affiliation.

C. The Mayor and the City Council shall fill the unexpired term of any member whose office becomes vacant.

1. A member's office automatically becomes vacant if the member establishes residence outside of the City, or lives outside of City boundaries for a continuous period of more than 60 days.
2. A member's office automatically becomes vacant if the member misses more than 25 percent of the scheduled meetings during any twelve-month period. The Mayor and the City Council may waive this action should it be determined there are circumstances that so justify.
3. Any member may be removed for cause by the Mayor and City Council upon written charges and after a public hearing, if such a hearing is requested by the member.

D. The Mayor along with the City Council shall vote on all motions related to this section. Each motion must receive a majority of votes. A tie vote shall be considered a denial of the motion.

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

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

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)

STATE OF UTAH)
 :SS
COUNTY OF WASATCH)

The foregoing instrument was acknowledged before me this ____ day of _____, 2025, by Celeste Johnson, who executed the foregoing instrument in her capacity as the Mayor of Midway City, Utah, and by Brad Wilson, who executed the foregoing instrument in his capacity as Midway City Recorder.

NOTARY PUBLIC