

MINUTES OF THE MIDWAY CITY COUNCIL

(Work Meeting)

Tuesday, 1 June 2021, 5:00 p.m.
Midway Community Center, 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, 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 5:01 p.m.

Members Present:

Celeste Johnson, Mayor
Steve Dougherty, Council Member (Arrived
at 5:32 p.m.)
Jeff Drury, Council Member
Lisa Orme, Council Member
Kevin Payne, Council Member
JC Simonsen, Council Member

Staff Present:

Tex Couch, Building Official
Corbin Gordon, Attorney
Michael Henke, Planning Director
Wes Johnson, Engineer
Brad Wilson, Recorder/Financial Officer

2. Moratorium / Water

The Council and meeting attendees discussed a moratorium on new developments and water flows because of the drought. They made the following comments:

- Other communities had imposed moratoriums because of a lack of water.
- Developers would rush to submit applications before a moratorium was imposed.
- A moratorium could only be imposed to address a specific need.
- The City's water situation, especially for culinary water, should be reviewed at the next council meeting. This should include how it was monitored, if future flows could be predicted, and current capacity versus expected buildout.
- The Midway Irrigation Company had leased additional water in Jordanelle Reservoir because of the drought.
- What could fundamentally change the water situation?
- The Irrigation Company had in the past restricted water usage for agriculture.
- The City had 240,000 gallons of fire storage.

Corbin Gordan explained the water that came from the Ontario and Snake Creek tunnels.

3. **Ordinance 2021-11 / Hot Springs Annexation** (Berg Engineering – Approximately 30 minutes) – Discuss Ordinance 2021-11 approving the Hot Springs Annexation located at 1477 North Pine Canyon Road. Recommended with conditions by the Midway City Planning Commission.

4. **Resolution 2021-11 / Hot Springs Annexation Agreement** (City Attorney – Approximately 30 minutes) – Discuss Resolution 2021-11 adopting an agreement for the Hot Springs Annexation located at 1477 North Pine Canyon Road.

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

- Land use summary
- Location
- Land use map
- Annexation plat map
- Sensitive lands
- Concept plan
- Trail easement
- Items for consideration
- Donation for parks
- Planning commission recommendation
- Possible findings
- Proposed conditions

Mr. Henke also made the following comments:

- A municipality could annex property within an unincorporated island.
- The City already maintained the section of Pine Canyon Road in the island.
- The petitioner would need to come back for master plan approval of the proposed development.
- The petitioner should provide funds for the City to build the trail along his property and Pine Canyon Road.
- The parks donation per acre had increased because it was now an average of previous donations. It was not based on the value of the property.
- If the property was developed in the County, then it could have up to nine or ten lots with some nonresidential uses.
- Residential development was allowed in the resort zone which included the property. Any limitation on residential uses would have to be included in the annexation agreement.
- The height of the buildings could be up to 55 feet under certain conditions. Any additional height limitation could be in the annexation agreement.

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

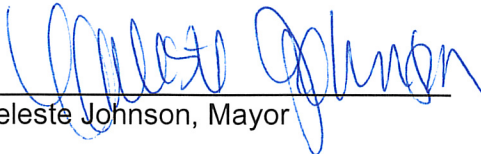
Note: Council Member Dougherty arrived at 5:32 p.m.

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

- The cost of land for parks had increased.
- The City should have a more firm way of determining the amount donated for parks.
- The current culinary water pressure at the property was 28 psi. The property would have to be connected to the Cottages on the Green pressure zone to reach 70 psi.
- The property could not be developed without connecting to the City's culinary water system.
- The annexation agreement should state that the City was only interested in the property for resort development.
- The annexation agreement could be amended in the future to allow residential development.
- Should the agreement allow the property owner to utilize the unused density?
- The proposal had changed from a family gathering place to a resort. Could it further change to include a private home and limited public use?
- The development should be open to the public when the first building was built.
- Residential development should be prohibited on the property including a caretaker residence. A caretaker residence might be needed. Any residential use should be related to the commercial uses.
- The resort should be the first phase developed.
- The City should set minimum requirements and then the land owners should be able to do what they wanted within the limits of the resort zone.
- Any concept plan in the annexation agreement would be binding.
- The Council should discuss making land use decisions based on preserving the resort communities tax.

5. Adjournment

The meeting was adjourned at 6:05 p.m.



Celeste Johnson, Mayor



Brad Wilson, Recorder