



Memo

Date: 11 January 2023
To:
Cc:
From: Brad Wilson, City Recorder
RE: Minutes of the 6 December 2022 City Council Regular Meeting

Please note that the following minutes await formal approval and are in draft or unapproved form.

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

**Tuesday, 6 December 2022, 6:00 p.m.
Midway Community Center, City 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; Pledge of Allegiance; Prayer and/or Inspirational Message

Mayor Johnson called the meeting to order at 6:09 p.m.

Members Present:

Celeste Johnson, Mayor
Steve Dougherty, Council Member
Jeff Drury, Council Member
Lisa Orme, Council Member
Kevin Payne, Council Member
JC Simonsen, Council Member

Staff Present:

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

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

Mayor Johnson led the Council and meeting attendees in the pledge of allegiance. She gave the prayer and/or inspirational message.

2. Consent Calendar

- a. Agenda for the 6 December 2022 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 15 November 2022 City Council Regular Meeting
- d. Second one-year extension of the final approval for the Pack Subdivision, formerly the Howland Subdivision, located at 600 West 200 North (Zoning is R-1-15).
- e. Conclude the warranty period and release the remainder of the bond for Phase II, of the Appenzell PUD, located at 600 South Center Street, subject to the payment of all fees due to Midway City.
- f. Cancel the 20 December 2022 city council work and regular meetings.
- g. Proclamation 2022-02 proclaiming Arbor Day in Midway City.

Note: Copies of items 2a through 2g are contained in the supplemental file.

Mayor Johnson read the consent calendar.

Council Member Dougherty asked the extenuating circumstances for extending the Pack Subdivision. Michael Henke responded that the plat map was close to being recorded.

Council Member Drury asked if the bond for the Appenzell PUD, Phase II included landscaping. Wes Johnson confirmed that the required landscaping was completed, and he received a document from the homeowners concurring. He confirmed that the remainder of the bond could be returned to Regal Homes.

Motion: Council Member Drury moved to approve the consent calendar with the items listed on the agenda.

Second: Council Member Dougherty seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

3. Public Comment – Comments were taken for items not on the agenda.

Mayor Johnson asked if there were any comments from the public for items not on the agenda. No comments were offered.

4. Department Reports

Boosters / Tasks

Council Member Drury reported that Mayor Johnson had a task list for the Midway Boosters.

Ice Rink

Council Member Drury reported that the ice rink was running with the help of a lot of volunteers.

Thanksgiving Holiday / Restaurants

Council Member Dougherty reported that many restaurants were not open during the

Thanksgiving holiday. He thought that food trucks could fill the gap during the holiday.

Tree Lighting / Times / Candy and Candles

Council Member Orme reported that the events at the tree lighting needed to be better staggered. She also reported that more candy and candles were needed.

Council Member Dougherty thanked Heber Valley Tourism and Economic Development, Grand Valley Bank, Süss Cookies, and the other event sponsors.

HL&P / Power Costs / HVSSD Solar Project

Council Member Dougherty reported that the Heber Light & Power Company was paying a lot for electricity. He also reported on a proposed solar project at the Heber Valley Special Service District's sewer treatment plant.

Homestead Trail / Water and Sewer Line

Wes Johnson reported that the water and sewer lines, along the remaining portion of the Homestead Trail up to Bigler Lane, needed to be replaced. He reported that the work would be done that summer and would be an inconvenience to the public.

Council Member Dougherty noted that a budget amendment would be needed for the additional work.

Mr. Johnson said that a public open house would be held. Council Member Drury emphasized that the project needed to be well coordinated to lessen its impact.

GIS System / Water System

Wes Johnson reported that the Public Works Department requested that the details of the City's water system and roads should be included in a geographic information system (GIS) for the City. He added that the project could be done in conjunction with the Midway Sanitation District and the Midway Irrigation Company. He asked if the Council was interested in the request.

Council Member Drury indicated that good data was needed along with someone who was a GIS professional. He wanted to know the cost and how it would be split. Mayor Johnson suggested a memorandum of understanding.

Wes Johnson reported that the system would not include private utilities.

Water Age Study

Mayor Johnson asked the status of the study to determine how long the City's culinary water had been underground. Wes Johnson responded that the data had been collected and a report would be given in January.

- 5. South Center Street Gardner Property / CAPS Presentation** (Approximately 10 minutes)
– Receive a presentation from the Wasatch Center for Advanced Professional Studies (CAPS) regarding utilizing the property, at approximately 1415 South Center Street, donated to Midway City by Kem Gardner.

Anne Claire Berg, a student with the CAPS, gave a presentation regarding how the donated property could be used. She reviewed the following specific areas:

- Introduction
- History
- Influence
- Incorporated items
- Layout
- Questions

Note: A copy of Miss Bergs presentation is contained in the supplemental file.

Council Member Dougherty suggested a gift shop and tourism area on the property.

- 6. Ordinance 2022-28 / Animals in Vehicles** (City Attorney – Approximately 15 minutes) – Discuss and possibly adopt Ordinance 2022-28 amending Title 6 (Animal Control) of the Midway City Municipal Code regarding animals in vehicles.

Corbin Gordon explained that because of the complexity of the subject he was unable to prepare a counterproposal.

Motion: Council Member Dougherty moved to continue the item.

Second: Council Member Drury seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

- 7. Hidden Peak Provisions Craft Deli and Market / Conditional Use Permit / Local Consent** (Thomas Thibodeau – Approximately 30 minutes) – Discuss and possibly deny, continue, or grant a conditional use permit and local consent for an alcohol dispensing establishment, call Hidden Peak Provisions Craft Deli and Market, located at 93 West Main Street (Zoning is C-2). Recommended for approval with conditions by the Midway City

Planning Commission. **Public Hearing**

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

- Application summary
- Location of the business
- Pictures of the business
- Possible findings
- Proposed conditions

Mr. Henke also made the following comments:

- The applicant was requesting the same license held by the Café Galleria.
- A proximity variance to parks, etc. was no longer allowed.
- Midway City did not consider Town Square a park.
- Centennial Park was further away from the business than the required minimum 300 feet.
- Received no public comment regarding the requests.
- Heirloom Commons had prohibitions on beer gardens and alcohol related signage.
- The hours for serving alcohol had initially been limited for the Midway Mercantile Restaurant.
- Alcohol conditional uses were specific to the owner and the site.

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

Public Hearing

Mayor Johnson opened the hearing and asked if there were any comments from the public. She closed the hearing when no public comment was offered.

Saran Thibodeau, applicant, made the following comments:

- Wanted to sell beer with the business's sandwiches, soups, and salads.
- Wanted several seats outside in the summer.
- Owned a private chef company for many years.

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

- The business should not be able to host a beer garden on site.
- The applicant should ensure that the taxes from the business would come to Midway.

Motion: Council Member Drury moved to approve a conditional use permit and grant local consent for an alcohol dispensing establishment for beer only with the following findings and conditions:

- The proposed license would allow the selling of closed container alcohol at Hidden Peak Provisions.
- Less than 30% of all restaurant sales could be alcohol.
- Any customer wishing to purchase alcohol would also have to purchase prepared food.
- The State did regulate this type of license and an approval from the Department of Alcoholic Beverage Services was required.
- No alcohol related signage would be visible on the exterior of the building or on the inside, visible from the outside from 100 West.
- The applicant would not have the ability to apply to receive approval for an onsite beer garden.

Second: Council Member Orme seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

8. Resolution 2022-40 / Van Wagoner Subdivision Development Agreement (City Attorney – Approximately 5 minutes) – Discuss and possibly deny, continue, or approve Resolution 2022-40 adopting a development agreement for the Van Wagoner Subdivision located at 160 North 200 East (Zoning is R-1-9 and R-1-15).

Corbin Gordon reviewed items that needed to be changed in the agreement including suggestions from Council Member Simonsen.

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

- The meat shop on the property would only be moved if there was a safety problem.
- Setbacks might have to be waived.
- The agreement included language that gave the City the option of requiring that the shop be moved. This language would allow future councils to have the building removed. Future councils should not be given that ability. That sentence would be removed.
- It was not practical to move the shop.
- There would be 25 feet from the road asphalt to the shop.
- The City Engineer was comfortable that the road and layout could be adjusted to meet requirements.
- Setbacks needed to be addressed.

Motion: Council Member Orme moved to approve resolution 2022-40, adopting a development agreement for the Van Wagoner Subdivision, with the change discussed by the City Engineer about the road. Everything else would remain the same.

Second: Council Member Payne seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

9. Watts Remund Farms, Phase 5 / Preliminary Approval (Berg Engineering – Approximately 20 minutes) – Discuss and possibly deny, continue, or grant preliminary approval for Phase 5 of the Watts Remund Farms PUD located at 400 North Farmhouse Way (Zoning is R-1-15). Recommended for approval with conditions by the Midway City Planning Commission. **Public Hearing**

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

- Land use summary
- Location of the development
- Master Plan
- Phasing Plan
- Open Space Plan
- Phase Five Plan
- Landscaping Plan
- Items for discussion
- Water board recommendation
- Possible findings
- Recommended condition

Mr. Henke also made the following comments:

- Sensitive lands could count as open space when the development's master plan was approved.

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

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

- The Council's conditions of approval should include the Army Corps of Engineers conditions. This would allow the City to enforce them if the Corps did not.

Public Hearing

Mayor Johnson opened the hearing and asked if there were any comments from the public.

Ken Giebel

Mr. Giebel made the following comments:

- Was the pasture wetlands? Mr. Henke responded that a wetlands study was done, and a lot of the pasture was not wetlands.
- The old barbwire fence along the south soft trail should be removed because it was a hazard. Mr. Henke responded that the Municipal Code did not prohibit barbwire fences.

Cathy Philpot

Ms. Philpot made the following comments:

- Thanked the City for its support.
- Russ Watts, the applicant, had done quite a bit to solve the water problems.
- He was also helping mitigate the problem caused on her property.
- Requested that water level monitoring continue through the spring. Wes Johnson responded that the piezometers would be measured monthly through the summer of 2023 and then annually or semiannually. He added that the equalization line would remain and be inspected and cleaned by the Midway Sanitation District's contractor at the developments expense. Russ Watts indicated that the piezometers in the development would be measured quarterly.
- Had an agreement with Mr. Watts and that he would follow through on issues.

Mayor Johnson closed the hearing when no further public comment was offered.

Motion: Council Member Payne moved to grant preliminary approval for Phase Five of the Watts Remund Farms PUD located at 400 North Farmhouse Way (Zoning was R-1-15) with the following findings and conditions:

- The proposed plan did meet the requirements of the code for a PUD in the R-1-15 zone.
- The public trail system in the development benefited the entire community by creating trails that connected to existing trails and helped complete the Master Trail Plan.
- The proposal complied with the approved revised master plan for the phase.
- 5.57 acres of open space would be created as part of the development, which would be noted on the plat and restricted from future building or development.
- A wetlands area of 0.034 acres would be encroached upon in Phase Five and a letter had been received from the U.S. Army Corps of Engineers approving the encroachment.
- The applicant would be required to survey the boundary of the wetlands and then install and maintain temporary construction fencing while site improvements were being installed and while homes were under construction.
- The reading of the piezometers would continue as agreed upon.
- The developer would comply with the conditions of the Corps of Engineers.

Second: Council Member Dougherty seconded the motion.

Discussion: Council Member Simonsen noted that utilities had been installed in the wetlands,

he asked if the Corps' conditions also included the roads. Council Member Dougherty responded that the City would only enforce the conditions if the Corps failed to do so.

Council Member Orme wanted to make sure that Ms. Philpot was comfortable with the approval.

Council Member Payne asked when the piezometer monitoring would decrease. Wes Johnson responded that would happen when the development was completed. He emphasized that decisions would be data driven. He added that eventually the HOA would assume the monitoring. Mr. Watts indicated that his agreement with Ms. Philpot would be for ten years.

Note: The motion was approved with the Council voting as follows:

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

Motion: Without objection, Mayor Johnson recessed the meeting at 8:08 p.m. She reconvened the meeting at 8:18 p.m.

10. Ordinance 2022-31 / Zone Map Amendment (Berg Engineering – Approximately 45 minutes) – Discuss and possibly deny, continue, or adopt Ordinance 2022-31 amending the Midway City Land Use Map to include 5 acres of property, located at 1220 North Interlaken Drive, in the Transient Rental Overlay District (Zoning is RA-1-43). Recommended for denial by the Midway City Planning Commission. **Public Hearing**

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

- Transient Rental Overlay District (TROD)
- Land use summary
- Location
- Pictures
- Land Use Map
- Areas of the City included in the TROD
- History of the property as a bed and breakfast (B&B)
- Surrounding area
- Concept plan
- Items of consideration
- Possible findings

Mr. Henke also made the following comments:

- The TROD included islands because of transient rentals that existed prior to the Districts creation.
- The property could continue to be a B&B.
- It had been a B&B but never a nightly rental.
- The applicants wanted the property included in the TROD so that it could be used for

nightly rentals.

- The change to the Zoning Map was a legislative action with the Council having broad discretion.
- The applicant was not asking to subdivide at that time. In the future the property could be two lots.
- The applicant would need to receive approval from the owners of Interlaken Drive to install certain utilities and change the use.

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

Public Hearing

Mayor Johnson opened the hearing and asked if there were any comments from the public.

Eric Rossi

Mr. Rossi made the following comments:

- Sent a letter to the Council.
- Opposed the proposed property being in the TROD.
- Approving the change would set precedence and make it impossible to deny similar requests in the future.
- Too many transient rentals would make Midway a great place to visit but a lousy place to live.

Steve Kemp

Mr. Kemp made the following comments:

- Was a member of the Deer Ridge Estates HOA Board. Received feedback from the Board and residents and they asked him to represent them.
- The Council should accept the recommendation of the Planning Commission and deny the request.
- The change would be disruptive to the residents' quality of life.
- Not having an owner on site would be problematic.
- The property could become a beer party house.
- It would be problematic for wildlife.
- It risked expanding the TROD.
- Welcomed a B&B at the house.

Leslie Rossi

Ms. Rossi made the following comments:

- Was a full-time resident of Midway.
- Opposed the request

- The Council should follow the recommendation of the Planning Commission and deny the request.
- Did not want nightly rentals and islands of the TROD throughout Midway.
- The Council should not make any special exceptions now or in the future.
- Researched the TROD when moved to Midway.
- The TROD should not be fluid and changing.
- It should only encompass the resorts.
- Most people who benefited from nightly rentals did not live in Midway.

Linda Kownower

Ms. Kownower made the following comments:

- It would be a mistake for the property to be even a B&B.
- The property should be residential.
- The Planning Commission unanimously recommended denial of the request.
- The neighborhood was single family dwellings.
- There was already a lot of traffic in the area.
- The request should be denied, and the zone not allow even B&Bs.
- Midway was a Hallmark setting.

Ellen Albert

Ms. Albert made the following comments:

- The proposal backed up to her new residence.
- Liked the quiet feel of the area.
- Opposed the proposal because it would take away the privacy in the neighborhood.
- Did not want unsupervised people at the property.
- The sound and noise would travel down the hill.
- Transient rental units were not a benefit.
- There were enough resorts in the area where people could stay.

Mayor Johnson closed the hearing when no further public comment was offered.

Paul Berg, Berg Engineering Resource Group and representing the applicants, made the following comments:

- Appreciated the Council's flexibility.
- Designed and loved all the surrounding neighborhoods.
- The applicant could still subdivide the property even if the request was denied.
- A B&B was a conditional use and still had to be approved.
- B&Bs were an old vacation model.
- Homes were now preferred vacation spots for families.
- A B&B would have more traffic and multiple rooms rented.
- The Municipal Code capped how many people could stay at a transient rental.
- Some areas of the TROD included old B&Bs.

- The property had historically been operated as a B&B.
- Approving the request would help keep the Resort Communities Tax which was a significant source of revenue.
- Transient rentals were a better product for the owners and the neighbors.
- Asked that the item be tabled because he wanted to gather more information.
- Had not heard all the Council's questions.
- The letter sent to the Council was not sent to the Planning Commission.
- The request was based on more than revenue. The owner would not have to stay at the transient rental unit but could hire a local transient rental manager instead.
- The TROD was established seven years after the property was annexed into the City.

Darrell Miller made the following comments:

- Appreciated the Council.
- Did not do a good job of explaining his proposal at the Planning Commission.
- Was a small business owner.
- Owned and managed other properties.
- Success was based on relationships.
- A B&B would have higher traffic by non-related people.
- A transient rental unit could be a gathering place for a family for three nights. There would be a local property manager.
- The building was built as a B&B.
- A transient rental unit would be awkward with an on-site manager.
- The property was unique and did not border any neighborhoods.
- Other B&Bs had been included in the TROD.
- The proposal would restore a historic landmark.
- Did not intend for multiple pools and courts.
- Wanted to operate the property with less impact than a B&B.
- The property could still be subdivided if the building was a B&B.
- The proposal was attractive because Midway was a small town.
- It was smart to require a transient rental manager that was based in Midway.
- It would be ideal for him to build his house next to the building that would be the transient rental.

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

- The property could be subdivided.
- People worried about transient rentals and envisioned frat parties.
- B&Bs self-policed themselves because guests did not want to bother each other.
- A one family unit could have more impact than a B&B.
- The property was far from other areas of the TROD.
- All units on the property could be transient rentals if the request was approved.
- A house had to be on two acres to be a B&B.
- No traffic study had been done for the proposal.
- The City used traffic numbers from the State. Did not think that the amount of traffic would change significantly.
- Families or groups that rented houses could have a lot of cars.
- The current B&B code was successful even though that type of lodging was old-fashioned.

- No TROD islands had been created during the current Mayor’s tenure. The TROD had been expanded in contiguous areas.
- Transient rentals competed with affordable housing.
- The current council had not been involved in creating any of the existing TROD islands.
- The greatest objection to the proposal was the creation of a TROD island.
- Some people who rented a transient unit wanted to vacation, have fun, and make noise.
- The proposal would require an access agreement with the owners of Interlaken Drive.
- The Cascades at Soldier Hollow eventually prohibited transient rentals.
- The City should not consider the specific applicant when deciding because the property could be sold to someone else.
- B&Bs should not be allowed in residential zones.
- The City should not spot zone or create zoning islands.
- Maintaining the resort tax should not drive land use decisions.
- People bought single-family houses thinking that they would be surrounded by other single-family houses.
- Traffic was not an issue.
- The locations of the TROD should be decided as a whole and not one request at a time.
- The General Plan did not propose expanding the TROD.
- The use of Interlaken Drive should be decided before the Council made a decision.
- The other TROD islands did not have development around them when they were created.

Motion: Council Member Drury moved to deny Ordinance 2022-31, a zone map amendment, with the following findings:

- The proposed property was not contiguous to the TROD.
- The City Council was under no obligation to approve the proposal.
- The Council, as part of the update of the General Plan, needed to address all TROD boundaries across the entire City to meet the Plan’s objectives.

Second: Council Member Payne seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

Mayor Johnson recommended that the applicant work with Interlaken and the road owners before coming back with a B&B request.

11. Kay’s Landing Subdivision / Preliminary Approval (Berg Engineering – Approximately 30 minutes) – Discuss and possibly deny, continue, or grant preliminary approval for the Kay’s

Landing Subdivision located at approximately 1375 South Stringtown Road (Zoning is RA-1-43). Recommended for approval with conditions by the Midway City Planning Commission.

Public Hearing

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

- Land use summary
- Location of the development
- Existing conditions
- Proposed subdivision
- Open space
- Rural cross-section
- Storm drainage
- Items of consideration
- Recommended water requirements
- Possible findings
- Proposed conditions

Mr. Henke also made the following comments:

- The development was seen during the annexation process.
- The proposal did not show the specific location of the open space. The City had never approved a development without specifically knowing where the open space would be.
- The open space had to be all on one lot.
- Not knowing the location of the open space tied the hands of the City.
- Suggested reducing the trail to a width of six feet.

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

Council Member Payne explained that he was involved in purchasing the property to the north of the development. He asked if he needed to recuse himself. Corbin Gordon and Mayor Johnson recommended that he recuse himself just to be safe.

Public Hearing

Mayor Johnson opened the hearing and asked if there were any comments from the public. She closed the hearing when no public comment was offered.

Wes Johnson indicated that the applicant needed to dedicate a portion of Stringtown Road to the City. Paul Berg, Berg Engineering Resource Group and representing the applicant, thought that the property had already been dedicated.

Mr. Berg indicated that the location of the open space would be shown during final approval.

Motion: Council Member Dougherty moved to grant preliminary approval to the Kay's Landing Subdivision with the following findings and conditions:

- The proposal did meet the intent of the General Plan for the RA-1-43 zoning district.
- The proposal did comply with the land use requirements of the RA-1-43 zoning district.
- 1.67 acres of open space would be created as part of the development, which would be noted on the plat and restricted from future building or development.
- The property was restricted to five lots by a private deed restriction and by the annexation agreement.
- The duration of final approval would be one year from the date of final approval of the development by the City Council. Should a final plat not be recorded by the County Recorder within the one-year period of time, the development's approval would be voided, and both preliminary and final approvals would have to be re-obtained, unless, on a showing of extenuating circumstances, the City Council extended the time limit for plat recording, with or without conditions.
- A geotechnical study would be submitted with the final application submittal.
- 15% open space would be designated on the plans.
- The applicant would contribute to the planned bike lane in an amount approved by the City Engineer before the plat was recorded.
- The trail would be six instead of eight feet wide.

Second: Council Member Drury seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Recused
Council Member Simonsen	Aye

Motion: Council Member Drury moved to continue the meeting to consider the next item on the agenda.

Second: Council Member Simonsen seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

12. Alpenhof Park / RFPs

Council Member Simonsen reported that two proposals were received to oversee the

improvements to Alpenhof Park. He asked if the Council needed to approve one of the proposals and authorize a contract. He indicated that the cost could be up to \$50,000. Brad Wilson responded that the item needed to be placed on an agenda for authorization.

13. Closed Session to Discuss the Deployment of Security Personnel, Devices, or Systems and Pending or Reasonably Imminent Litigation

Motion: Council Member Drury moved to go into a closed meeting.

Second: Council Member Dougherty seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

Note: Closed meeting minutes are sealed and strictly confidential. Access to such minutes must be obtained through a court of law.

Motion: Council Member Dougherty moved to go out of the closed meeting.

Second: Council Member Payne seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

14. Adjournment

Motion: Council Member Dougherty moved to adjourn the meeting. Council Member Orme seconded the motion. The motion passed unanimously.

The meeting was adjourned at 10:26 p.m.

DRAFT