

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

**Tuesday, 3 February 2026, 6:00 p.m.
Midway Community Center, Council Chambers
160 West Main Street, Midway, Utah**

Note: Notices/agendas were posted at 7-Eleven, The Market Express, the United States Post Office, the Midway City Office Building, and the Midway Community Center. Notices/agendas were provided to the Mayor, City Council, City Engineer, City Attorney, and Planning Director. The public notice/agenda was published on the Utah State Public Notice Website and on the City's website. A copy of the public notice/agenda is contained in the supplemental file for the meeting.

1. Call to Order; Pledge of Allegiance; Prayer and/or Inspirational Message

Mayor Simons called the meeting to order at 6:01 p.m.

Members Present

Craig Simons, Mayor
Andy Garland, Council Member
Lisa Orme, Council Member
Andrew Osborne, Council Member (Sworn
in and began participating as a council
member at approximately 7:45 p.m.)
Kevin Payne, Council Member
JC Simonsen, Council Member

Staff Present

Corbin Gordon, Attorney
Michael Henke, Planning Director
Tracy Larson, Administrative Assistant
Camille Palmer, Mayor's Assistant
Nancy Simons, Budget Director
Jennifer Sweat, Treasurer
Katie Villani, Planner
Brad Wilson, Recorder

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

Mayor Simons led the Council and meeting attendees in the pledge of allegiance. Council Member Payne gave the prayer and/or inspirational message.

2. Consent Agenda

- a. Agenda for the 3 February 2026 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 20 January 2026 City Council Regular Meeting
- d. Minutes of the 20 January 2026 City Council Closed Meeting
- e. Appoint Kim Facer as a full member of the Midway City Planning Commission
- f. Appoint Steve Farrell as an alternate member of the Midway City Planning Commission
- g. Reappoint Paulette Tillman as a member of the Midway City Parks, Trails, and Trees Advisory Committee

- h. Appoint Lisa Barkdull as a full member of the Midway City Parks, Trails, and Trees Advisory Committee
- i. Appoint Thomas Haus as an alternate member of the Midway Historic Preservation Committee

Note: Copies of items 2a, 2b, 2c, 2e, 2f, 2g, 2h, and 2i are contained in the supplemental file for the meeting.

Mayor Simons read the consent agenda.

Motion: Council Member Orme moved to approve the consent agenda “as is”.

Second: Council Member Payne seconded the motion.

Discussion: None

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

Council Member Garland	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 Simons asked if there were any comments from the public about items that were not on the agenda. No comments were offered.

4. Department Reports

Legislative

Katie Villani reported on the state legislative session and proposed legislation regarding property taxes, building codes, and e-bikes. She also reported on the effort to repeal Proposition 4 regarding a boundary commission.

5. Midterm Vacancy (Mayor Craig Simons – Approximately 90 minutes)

Mayor Simons thanked the applicants and indicated that the Council had reviewed their applications.

Corbin Gordon reviewed the process to fill a midterm vacancy.

5a. Interviews – Interview individuals to fill a midterm vacancy on the Midway City Council.

Mayor Simons asked the applicants what they would do to deal with parking in downtown Midway.

Tom Wardle made the following comments:

- Work with and compensate landowners to use spare property for parking.
- Use taxpayer funds to acquire land for parking.
- Build parking structures that had character and looked nice.

Andrew Osborne made the following comments:

- Was a member of the City's planning commission for five years.
- The issue of parking was discussed by the Planning Commission.
- Liked the underground parking at Southhill.
- Main Street should be preserved.
- It was nice to have farm animals along Main Street
- Paid parking was inevitable.

Bix DiMeo made the following comments:

- Paid parking should be at the forefront of the discussion. Third parties could help manage the parking. It would generate revenue and get money from visitors. It could be limited to certain times.
- Property could be purchased for parking.
- Parking structures could be designed to look like buildings.

Genevieve Probst-Miles made the following comments:

- Lived in Midway for a long time.
- Loved the businesses in Midway.
- Property could be acquired for more parking.
- Studies could be done.
- The impact on the neighborhoods around downtown should be considered.
- Parking could be shared.
- Underground parking would not hurt the look and feel of Midway.
- Leaders could work together to find solutions.

Stephanie Wilcox made the following comments:

- Satellite parking and public transit could be implemented. This would reduce traffic and improve safety.
- A village concept should be used.

Nancy O'Toole made the following comments:

- Micro transit should be increased. Grants were available for the increase. This could reduce worker parking.
- Paid parking should be limited to Main Street.
- The City should work with UDOT to install calming measures and flashing lights at crosswalks.

Sheila Siggard made the following comments:

- Grew up in Midway and was shocked by the changes.
- Parking could be rented from schools and churches.
- Trolleys and horse drawn carriages could be used.

Council Member Simonsen asked the following questions:

- What was the most effective way to encourage affordable housing?
- How do you balance affordability with maintaining a rural atmosphere?
- Was affordable housing or a rural atmosphere more important?

Andrew Osborne made the following comments:

- The transient rental overlay district (TROD) competed with affordable housing.
- Long-term rentals should be encouraged.
- Midway's growth boundary should be expanded to meet Heber City's growth.
- Midway did not need to follow Wasatch County and Heber City.
- Midway was unique because it was rural.
- Quality was more important than quantity.

Bix DiMeo made the following comments:

- Midway could not have it all. It had to decide between competing goals.
- Had managed 700 rental units.
- What did Midway want to be?
- What was affordable?
- Developers should be compelled to add affordable housing to their projects.
- An affordable housing commission could do a lottery for affordable housing.
- Workers could not be part of the community if housing was unaffordable.

Genevieve Probst-Miles made the following comments:

- Affordable housing was the most difficult question.
- The average house price in Wasatch County was \$1.7 million.
- Solutions from other cities could be used.
- In-fill lots and house kits could be allowed.
- Wanted residents' children to be able to live in Midway.

Stephanie Wilcox made the following comments:

- Was passionate about maintaining a rural community.
- Moved from urban sprawl.
- We could not have everything that we wanted.
- What was affordable?
- Zoning should not prohibit families from having housing for their children.
- Unconnected accessory buildings should be allowed in certain circumstances.

Nancy O'Toole made the following comments:

- The City should work with the State, State Legislature, and developers regarding affordable housing.
- Developers had to be willing to build affordable housing. Incentives could be given.
- What was affordable?
- A community needed to care for its workers.

Sheila Siggard made the following comments:

- Developers should be compelled to build affordable housing.
- Loved the area's rural atmosphere and it needed to be protected.
- Open space bonds were important.

Tom Wardle made the following comments:

- Was attracted to Midway because of its rural character.
- There needed to be a balance.
- The General Plan had a good section on affordable housing as required by state law.
- Both incentives and requirements could be used for developers to create affordable housing. Zoning and tax incentives could be used.

Council Member Orme asked why the individuals applied and what they would bring to the Council.

Bix DiMeo made the following comments:

- A lot of the issues faced by Midway had already been addressed on the east coast where he used to live.
- Was a member of the New Jersey Agricultural Commission.
- Understood how government worked.
- Had a unique perspective. Sometimes a different perspective was good.
- Could provide innovative ways to solve problems.

Genevieve Probst-Miles made the following comments:

- Midway experienced a lot of changes.
- Loved Midway. It had given her and her family a lot. Wanted to give back to the community.
- Wanted to serve and represent the citizens.
- Ran for the City Council and received 900 votes.
- Was the zoning administrator and code enforcement officer for Heber City.

Stephanie Wilcox made the following comments:

- Had been involved behind the scenes.
- Knew a lot of people but was not well known.
- Was an organizer.
- Observed, listened, and paid attention.
- Community engagement was needed.

- Applied because people supported her.

Nancy O'Toole made the following comments:

- Wanted to serve the community.
- Worked well with everyone.
- Was a negotiator.
- Was an environmental engineer and served on a lot of boards and committees.
- Would listen and find out what the community needed.

Sheila Siggard made the following comments:

- Several friends encouraged her to apply.
- Had worked with youth groups and Volksmarch.
- Midway was her core.
- Loved the peace and rural atmosphere of Midway.
- Was happy to serve.
- Had been before the Council many times.

Tom Wardle made the following comments:

- Traveled a lot and loved to come home to Midway.
- Wanted to bring people together as a team.
- Would listen, help make decisions, and then act.
- Understood finances.

Andrew Osborne made the following comments:

- Liked being on the Planning Commission and took it seriously. Had only missed two meetings.
- The City should adhere to its General Plan which had been vetted and approved.
- Loved serving at Swiss Days.
- Spend his free time at local meetings.
- Was not a fan of rushed decisions.
- Wanted to make decisions not recommendations.

Council Member Payne asked the applicants what preserve Midway meant to them and to give an example of a regulation that did not go far enough to preserve it.

Genee Probst made the following comments:

- Watching Midway change was rough for someone who had lived here all their life.
- Midway was built out.
- No more developers would propose 50-unit developments.
- Previous councils and commissions did a good job preserving Midway.
- Encouraged landowners to preserve their property.
- Main Street and the TROD needed to be addressed.

Stephanie Wilcox made the following comments:

- Agriculture should be preserved.
- Liked seeing livestock.
- Midway water, soil, and resources should be preserved.
- Midway should be a leader in Utah for regenerating its land.
- Current residents should be protected and given preference over tourism.

Nancy O'Toole made the following comments:

- There were many aspects to preservation.
- There needed to be balance and management.
- Mixed use buildings with apartments on the second floor should be encouraged along Main Street.
- The rural preservation subdivision was a good model for preservation.

Sheila Siggard made the following comments:

- Open space should be guarded. The Heart of Midway open space project was a good example of preservation.
- Would not leave Midway because she could not take her barn with her.
- Development needed water and infrastructure.

Tom Wardle made the following comments:

- Midway should have strong family values, a sense of community, good schools, and preserve its Swiss heritage.
- It had world class access to outdoor opportunities.
- It was becoming a retirement community. Accommodations should be made for families.
- Its architectural character should be strengthened.

Andrew Osborne made the following comments:

- Was vocal about preserving Midway.
- Setbacks should be maximized.
- Would listen to the community.
- Trails access and open space should be preserved.
- The TROD should be improved.
- The City's growth boundary and zoning should be a focus to preserve the North Fields.
- The City should work with the Bypass Committee.
- Proposed amendments to the commercial zones were important.

Bix DiMeo made the following comments:

- People were coming to Midway.
- Midway needed to be preserved.
- Midway should be careful when preserving open space.
- The City needed a way to increase income without further burdening its taxpayers.
- The City needed to understand and plan.

Council Member Garland thanked the applicants and asked how they would continue to be involved if they were not selected.

Stephanie Wilcox made the following comments:

- Would continue to engage with her neighbors and residents.
- Would fight to make Midway a better place for its residents.
- Applying forced her out of the shadows.
- Her supporters stepped up with her.

Nancy O'Toole made the following comments:

- Would continue to do what she had always done and that would not change.
- Cared about all of Wasatch County.

Sheila Siggard made the following comments:

- Was grateful for the opportunity to apply.
- Would have fewer meetings if she was not chosen.
- Supported animal rights, Midway's values, and its Swiss heritage.

Tom Wardle made the following comments:

- Wanted to be involved.
- Applied to be on the Planning Commission.
- Was willing to help with topics like the budget.
- Money made the City work and had to be managed correctly.

Andrew Osborne made the following comments:

- Asked for the Council's vote.
- Would continue to serve on the Planning Commission
- Wanted to preserve the dark sky.
- A ski resort could now be seen from Midway.

Bix DiMeo made the following comments:

- Was the new face of Midway and wanted to live here for the rest of his life.
- Saw things differently which was an advantage.
- Had experience with state government, affordable housing, and agriculture.
- Was available to serve on committees.
- Asked for the Council's vote.

Genevieve Probst-Miles made the following comments:

- Liked being on the Planning Commission.
- Ran for City Council.
- Was passionate about Midway.
- Was willing to serve.
- Had learned a lot.

- Loved getting to know the community.

Mayor Simons thanked the applicants and noted how well they represented Midway.

Motion: Without objection, Mayor Simons recessed the meeting at 7:22 p.m. He reconvened the meeting at 7:30 p.m.

5b. Appointment – Discuss and possibly appoint an individual to fill the midterm vacancy.

Corbin Gordon collected the ballots that he previously distributed to the Council. He and Brad Wilson left the room and counted the ballots.

Vote: The Council voted as follows:

Mayor Simons	Tom Wardle
Council Member Garland	Tom Wardle
Council Member Orme	Genene Probst-Miles
Council Member Payne	Stephanie Wilcox
Council Member Simonsen	Andrew Osborne

The three candidates with one vote were reduced to Andrew Osborne using coin tosses. The Council voted by ballot between Mr. Wardle and Mr. Osborne. Mr. Gordon and Mr. Wilson left the room and counted the ballots.

Vote: The Council voted as follows:

Mayor Simons	Tom Wardle
Council Member Garland	Tom Wardle
Council Member Orme	Andrew Osborne
Council Member Payne	Andrew Osborne
Council Member Simonsen	Andrew Osborne

Mr. Osborne was declared the winner.

5c. Oath of Office – Administer the oath of office to the individual appointed to fill the midterm vacancy.

Brad Wilson administered the oath of office to Andrew Osborne as a member of the Midway City Council.

Council Member Osborne took his seat on the rostrum and participated in the remainder of the meeting.

6. Mayor Pro Tempore (Mayor Craig Simons – Approximately 3 minutes) – Discuss and possibly appoint a council member to serve as the mayor pro tempore.

Mayor Simons indicated that a mayor pro tempore would be elected for one year. He added that Council Member Payne had agreed to continue in the position.

Motion: Council Member Garland moved to approve Kevin Payne as the mayor pro tempore for 2026.

Second: Council Member Simonsen seconded the motion.

Discussion: None

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

Council Member Garland	Aye
Council Member Orme	Aye
Council Member Osborne	Aye
Council Member Payne	Abstained
Council Member Simonsen	Aye

7. High Valley Arts Foundation / TAP Grant (Sue Waldrip – Approximately 10 minutes) – Receive a report on Trails, Arts, and Parks (TAP) funds received by High Valley Arts Foundation.

Sue Waldrip gave a presentation on how the TAP grant was used and made the following comments:

- Was grateful for the grant.
- The money allowed High Valley Arts (HVA) to expand.
- 2000 guests had viewed its performances.
- New people participated in its performances.
- The performances built community.
- Thanked Camille Palmer with the City for her help.
- Used the new risers purchased by the City.

Ms. Waldrip showed a video with segments from one of HVA's performances.

Mayor Simons thanked Ms. Waldrip for what she and HVA did for the community.

8. Ordinance 2026-07 / Commercial Zones (Michael Henke, Planning Director – Approximately 20 minutes) – Discuss and possibly adopt Ordinance 2026-07 amending Chapter 16.05 (Commercial C-2 and C-3 Zones) of the Midway City Municipal Code regarding commercial zones. Recommended for adoption by the Midway City Planning Commission. **Public Hearing** – Public comment must be related to this item on the agenda.

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

- Uses in commercial zones
- Zoning Map
- Differences between the two commercial zones
- General Plan
- Uses
- Changes recommended by the Planning Commission
- Possible findings

Mr. Henke made the following comments:

- The commercial zones would be reviewed more in the future.
- Smaller stores like Ballerina Farms were considered retail and would be allowed.
- Spacing of commercial buildings would be discussed in the future.
- Mobile detailing was allowed but could not have a physical location in the City.
- The Planning Commission measured the buildings along Main Street and decided upon the footprint limit of 6,000 square feet.
- Expanding the C-3 zone would be considered in the future.
- Recreational activity businesses included the rental of motorized vehicles.
- It was hard to find a location that did not affect residential areas.
- Industrial uses were not allowed in the commercial zones.

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

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

- Renting e-bikes should be allowed in the C-2 zone.
- The Utah Code did not classify e-bikes as motorized vehicles.
- A property by the Granary was proposed for a mortuary. This would be prohibited by the proposed ordinance.
- A lockout should be defined as another unit.
- Prohibiting parking within 50 feet of the front property line limited the effort to create more parking downtown.
- The new public parking lot had too many signs, which reduced the rural feel.
- It was nice to have repair shops nearby.
- The Planning Commission had put a lot of thought into the uses that they recommended for prohibition.
- There were facilities in the resort zone and owned by the City that could be used for events.

Public Hearing

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

Celeste Johnson

Ms. Johnson complemented the work that had been done on the commercial zones.

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

Motion: Council Member Payne moved to adopt Ordinance 2026-07 amending Chapter 16.05 (Commercial C-2 and C-3 Zones) of the Midway City Municipal Code regarding commercial zones with the discussed edits and the following findings:

- The proposed amendments to the C-2 and C-3 zones would better match the City's vision of Main Street as described in the General Plan.
- The addition of the proposed ordinance would better promote the City's Vision Statement.
- The proposed changes would help the scale of businesses to match the size of the community by requiring smaller retail and other commercial structures.
- Proposed changes would limit the location of some uses on the ground level so that uses that create vibrancy and activity were located near the sidewalk.

Second: Council Member Garland seconded the motion.

Discussion: None

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

Council Member Garland	Aye
Council Member Orme	Aye
Council Member Osborne	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

- 9. Ordinance 2026-04 / Accessory Buildings** (Katie Villani, City Planner – Approximately 20 minutes) – Discuss and possibly adopt Ordinance 2026-04 amending Section 16.13.060 (Accessory Buildings Prohibited as Living Quarters) of the Midway City Municipal Code regarding accessory buildings. Recommended for adoption by the Midway City Planning Commission. **Public Hearing** – Public comment must be related to this item on the agenda.

Katie Villani gave a presentation regarding the proposed ordinance and reviewed the following items:

- Purpose
- Background
- Existing code
- Proposed amendments
- Discussion
- Planning commission recommendation
- Possible findings for approval
- Possible findings against approval

Ms. Villani indicated that all living spaces had to meet the residential setbacks.

Note: A copy of Ms. Villani's presentation is contained in the supplemental file for the meeting.

Michael Henke indicated that a barn or garage could have living space if it complied with the residential setbacks.

Public Hearing

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

Motion: Council Member Osborne moved to approve Ordinance 2026-04 regarding accessory buildings with the following findings:

- The Proposed amendment to Section 16.13.060 would clarify that no building permit would be issued for construction of living space in any accessory structure until after completion of construction and issuance of a certificate of occupancy for the main dwelling.
- The Proposed amendment addressed issues/potential issues of owners seeking to live in accessory structures, irrespective of compliance with main dwelling setbacks, pending construction of a main dwelling, which might or might not occur, and for which there might be no timeframe.
- The Proposed amendment was consistent with the intent, language, and construction of the existing Midway City Code, including Section 16.13.060.
- A building with living space could still be built and lived in provided that it complied with setbacks for a main dwelling. If the main dwelling was constructed at a later date, the first building might become part of the main dwelling if attached or an accessory structure if detached, but in either event would meet setbacks. If a traditional main dwelling was not built, this building would become the de facto main building and would meet setbacks.
- The proposed amendment simply removed the situation where a garage or barn or other traditional “accessory structure” was built before there was any building to which it was “accessory” and did not meet the setbacks for a stand-alone residence, which might or might not be built.

Second: Council Member Orme seconded the motion.

Discussion: None

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

Council Member Garland	Aye
Council Member Orme	Aye
Council Member Osborne	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

10. Resolution 2026-04 / HL&P Organization Agreement Amendment (Corbin Gordon, City Attorney – Approximately 10 minutes) – Discuss and possibly approve Resolution 2026-04

authorizing an amendment to the Heber Light & Power Company Organization Agreement regarding distributable income.

Brad Wilson gave a presentation regarding the proposed resolution and reviewed the following items:

- Summary
- Proposed language

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

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

- Midway and none of the other owners of HL&P had received a dividend for some time. This was exacerbated by the requirement to account for depreciation before calculating dividends.
- Who determined HL&P's self-insured assets and their value?
- HL&P did not maintain the required reserves. The recent 13% increase helped with this issue.
- The proposed amendment would facilitate the payment of dividends.
- Wasatch County and Daniel Town also received street light rebates even though they were not company owners.

Mayor Simons indicated that he was comfortable with the resolution.

Motion: Council Member Garland moved to adopt Resolution 2026-04 authorizing an amendment to the Heber Light & Power Company Organization Agreement regarding distributable income.

Second: Council Member Osborne seconded the motion.

Discussion: None

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

Council Member Garland	Aye
Council Member Orme	Aye
Council Member Osborne	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

11. Resolution 2026-05 / Midway Utah250 Committee (Camille Palmer, Mayoral Assistant – Approximately 5 minutes) – Discuss and possibly approve Resolution 2026-05 recognizing Midway Utah250 Community Committee as its official committee for America250.

Camille Palmer made the following comments:

- 2026 was America's semiquincentennial.

- Midway should be part of other entities in Utah celebrating the event.
- Midway wanted to join America250 Utah and form a celebratory committee.
- The committee would consist of five to ten people.
- Adoption of the proposed resolution would allow the City to use the associated logo and request minimal funding.
- The Utah Symphony would present a full production on the Town Square on Independence Day. It would also do valley-wide education the week before. It would not advertise outside of the area.

Note: A copy of Ms. Palmer’s presentation is contained in the supplemental file for the meeting.

Motion: Council Member Orme moved to adopt Resolution 2026-05 recognizing the Midway Utah250 Community Committee.

Second: Council Member Garland seconded the motion.

Discussion: None

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

Council Member Garland	Aye
Council Member Orme	Aye
Council Member Osborne	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

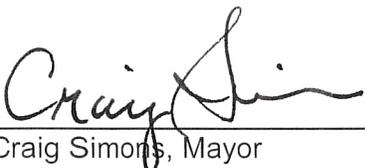
12. Closed Meeting (As needed)

A closed meeting was not held.

13. Adjournment

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

The meeting was adjourned at 9:07 p.m.



 Craig Simons, Mayor



 Brad Wilson, Recorder