



# Memo

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**Date:** March 5, 2026  
**To:** Mayor, Council, and Staff  
**Cc:**  
**From:** Brad Wilson, City Recorder  
**RE:** Minutes of the March 3, 2026 City Council Regular Meeting

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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, 3 March 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 at Midway, 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 6:00 p.m.

**Members Present**

Craig Simons, Mayor  
Andy Garland, Council Member  
Lisa Orme, Council Member  
Andrew Osborne, Council Member  
Kevin Payne, Council Member  
JC Simonsen, Council Member

Michael Henke, Planning Director  
Camille Palmer, Mayor's Assistant (Left at  
7:15 p.m.)  
Jennifer Sweat, Treasurer (Left at 6:50 p.m.)  
Brad Wilson, Recorder

**Staff Present**

Corbin Gordon, Attorney (Arrived at 6:46  
p.m.)

**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 Orme gave the prayer and/or inspirational message.

**2. Consent Agenda**

- a. Agenda for the March 3, 2026 City Council Regular Meeting
- b. Warrants
- c. Minutes of the February 7, 2026 City Council Strategic Planning Meeting
- d. Minutes of the February 7, 2026 City Council Closed Meeting
- e. Minutes of the February 17, 2026 City Council Regular Meeting
- f. Suellen Gregory Winegar as a full member of the Midway City Planning Commission

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

Mayor Simons read the consent agenda.

Council Member Garland thanked staff for responding quickly to his warrant list questions and indicated that the warrant process was improving.

**Motion:** Council Member Garland moved to approve the consent agenda.

**Second:** Council Member Orme seconded the motion.

**Discussion:** Council Member Simonsen was concerned that the February 17 minutes were generated by artificial intelligence (AI). He requested that the Council discuss AI and develop a policy for its use. He asked that item 2e be omitted pending the discussion. Mayor Simons responded that staff would better use their time with digital devices creating minutes.

Brad Wilson indicated that the minutes were created using ClerkMinutes™.

Council Member Garland stated that the minutes were more detailed than required by state law.

Council Member Simonsen noted that he was a software engineer and had been using long language models for years, but the issue warranted discussion. He suggested at least adding a disclaimer to minutes noting when they were generated by AI.

Mayor Simons suggested that the issue be discussed at the Council's next meeting.

**Second Rescinded:** Council Member Orme rescinded her second. She also wanted to discuss AI generated minutes. The motion died for lack of a second.

**Motion:** Council Member Simonsen moved to approve the consent agenda minus item 2e with the following conditions:

- A discussion was held as soon as possible regarding AI.
- A policy was developed regarding AI.
- Any minutes generated by AI include a disclosure notice.

**Second:** Council Member Payne seconded the motion.

**Discussion:** Council Member Garland noted that an audio recording was required for all public meetings and had to be posted within three days of a meeting.

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

Council Member Garland	Aye
Council Member Orme	Aye
Council Member Osborne	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**

Land Use

Michael Henke reported that the Planning Department was working on the final approval for Southill, Phase 3.

**5. Church / Conditional Use Permit** (Michael Henke, Planning Director – Approximately 30 minutes) – Discuss and possibly approve a conditional use permit for a church to be built by The Church of Jesus Christ of Latter-day Saints at 171 East Michie Lane (Zoning is R-1-15). Recommended with conditions 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 requested conditional use permit (CUP) and reviewed the following items:

- Land use summary
- Location of the proposed church
- Site plan
- Elevations
- Discussion items
- Water board recommendation
- Proposed findings
- Proposed conditions

Mr. Henke also made the following comments:

- The property might be subdivided in the future.
- Michie Lane would need to be modified for the entrances into the church.
- The church would be a stake center for The Church of Jesus Christ of Latter-day Saints.
- The proposed steeple would be shorter to meet the City's height limit.
- The applicant declined to use Swiss architecture. Hoped that they would change their minds.
- The island in the middle of Michie Lane would have to be cut to access the church and the property behind it.
- There was not a setback requirement for the church parking lot.
- Swiss or European architecture was not required. The applicant rejected such architecture because it would be costly and was not supported by the local church leader. It could be added later if the applicant changed its mind.

- Only the mitigation of nuisances could be required for a CUP.
- The church had more parking than required so temporary seating could be set up in the building's multipurpose room.
- The property had been owned by the applicant for many years.
- The applicant would continue to use another church just to the northeast of the proposed church.
- An email expressing concerns with the request had been forwarded to the Council.
- The road on the east side of the property would not be built at the same time as the church.
- The request would not subdivide the property.
- Imminent domain could be used to pull property out of a conservation easement, but the same amount of open space had to be created elsewhere.

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

Andrew Wealing, Uncommon Architecture and representing the applicant, made the following comments:

- The church had been moved 100 feet to the west. This was done instead of moving the planned access, to the remainder of the property, from the east to the west side of the property. This would move it away from the house on the east side of the property.
- Someone was considering purchasing the remainder of the property and preserving it as open space.
- Wanted to focus on the church at that time instead of the remainder of the property.
- The culvert along the east of the property would not be built upon.
- The church and the remainder of the property would meet the 100-foot setback requirement.
- The applicants did not want to include Swiss architecture.
- The City Engineer had preliminarily reviewed the proposal. He would need to approve the final plans. Thought that he was satisfied with the proposed entrances. Changes could be made later if necessary.

Council Member Simonsen did not see any major conflicts with the proposal but was concerned about the safety of the entrances and the property's proximity to an elementary school.

**Note:** Corbin Gordon arrived at 6:46 p.m.

### **Public Hearing**

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

### **David Scott**

Mr. Scott made the following comments:

- The church would be in the line of site for his house.
- Was a member of The Church of Jesus Christ of Latter-day Saints.
- Had lived in many places where the Church did not have adequate facilities for its members.
- Supported granting the CUP.
- People would be blessed by the building.

### Rod Frendenberg

Mr. Frendenberg made the following comments:

- His property was adjacent to the south portion of the property.
- Had trails been considered around the property?

Mr. Henke responded that trails had been discussed. He noted that the General Plan was recently amended to remove the trails in that area.

### Doug Jones

Mr. Jones made the following comments:

- Noted that a school was previously proposed for the remainder of the property. This would create a lot of traffic in the area.
- Was a master plan considered for the area?
- The building should have Swiss architecture. It would outlast the local leader who opposed such architecture.

Mr. Henke made the following comments:

- The application for a school on the property was withdrawn. A traffic study and review by staff would be required if it was resubmitted.
- Any development on the remainder property would have to meet all requirements including for access.
- There would not be a crash gate on the property.

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

Council Member Payne noted that the remainder property would only have one access which would be a problem for a school. Michael Henke responded that school districts could use eminent domain.

**Motion:** Council Member Garland moved to approve the LDS Church conditional use permit for a church at 171 East Michie Lane (Zoning was R-1-15) subject to engineering approval with the following findings and conditions:

- The proposal was an allowed use in the R-1-15 zone.
- The proposal complied with setbacks and parking as required by the Municipal Code.

- The proposed structure complied with code height requirements.
- The proposed steeple must be lowered to 70' measured from natural grade.
- All lighting would comply with the Midway dark-sky light requirements.
- All Michie Lane modifications would be approved by the City Engineer and paid for by the applicant.
- The proposed steeple had a height of 71' 2" and did not comply with the height limit of 70', based on a setback of 50' from the front property line. Construction drawings must have the steeple height reduced to 70' to comply with the Code.
- Lighting would comply with the City's current lighting ordinance.
- Swiss architecture was highly recommended for the church.
- The church would have opaque fencing to mitigate headlights from shining onto surrounding properties.

**Discussion:** Doug Jones said that traffic in and out of the church would be a problem. He requested that a police officer direct traffic when the church was in use. Mr. Henke responded that traffic was not an issue at other churches. He added that the request was abnormal when traffic was not an issue.

**Second:** Council Member Osborne seconded the motion.

**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

- 6. Ordinance 2026-08 / Churches in the RA-1-43 Zone** (Katie Villani, Planner – Approximately 30 minutes) – Discuss and possibly adopt Ordinance 2026-08 amending Section 16.12.020.G (RA-1-43 Residential Agricultural Zone) of the Midway City Municipal Code regarding churches. Recommended 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 ordinance and reviewed the following items:

- Discussion
- Possible findings

Mr. Henke also made the following comments:

- The Municipal Code included contradictory language for churches in the RA-1-43 zone.
- The ordinance would correct the language and always make churches a conditional use.
- A proposed ordinance requiring Swiss architecture for all churches would be considered by the Planning Commission.
- Did not have any recommended conditions.

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

Council Member Payne asked if a letter should be sent to The Church of Jesus Christ of Latter-day Saints requesting that its church on Michie Lane have Swiss architecture. Mayor Simons responded that he planned to write such a letter. Council Member Orme asked that each council member sign the letter.

### **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 Payne moved to approve Ordinance 2026-08 regarding churches in the RA-1-43 zone with the following findings:

- The Proposed amendment to Section 16.12.020 G would remove the internally contradictory language in the section (which presently listed churches as both a permitted use and conditional use).
- The Proposed amendment, which made churches a conditional use in the RA-1-43 zone, made the use consistent with and across all other residential zones.
- Conditional use permit applications were subject to review by both the Planning Commission and the Midway City Council.

**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

- 7. Storyboard / Sign** (Michael Henke, Planning Director – Approximately 15 minutes) – Discuss and possibly determine that a sign at Storyboard, located at 201 East Main Street, is historical and may continue to be used.

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

- Non-conforming signs
- Historic preservation committee motion

Mr. Henke also made the following comments:

- The Municipal Code allowed certain historical signs to continue to be used even though they did not meet current requirements.
- The sign structure at Storyboard had been in place for many decades.

- Recommended that the sign structure remain and continue to be used.
- The sign in the structure would have to meet all code requirements.
- The Council was only considering the sign structure and not the actual sign.
- Lighted signs were allowed except for backlighted signs.

Galen DeKemper and Claire Carusillo, applicants, gave a presentation and reviewed the following items:

- Goals
- Samples

They also made the following comments:

- Were working with Signarama Wasatch Back.
- Wanted the sign to be effective and attractive.
- Would work with the Vision Architecture Committee (VAC).
- The sign structure was shorter than the associated building and the streetlights along Main Street.
- There would be lights on both sides and they would face the sign.

**Note:** A copy of the two presentations is contained in the supplemental file for the meeting.

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

- The Council should have input on signs.
- It was important for the Council to see the sign before it approved the structure.
- Signs should be tied to Swiss architecture and requirements for historical structures.
- The historical structure should be preserved.
- The request could be continued and brought back with the sign.

**Motion:** Council Member Garland moved to continue the request until the applicants came back whenever reasonably possible with a more specific design that the Council could consider.

**Second:** Council Member Payne seconded the motion.

**Discussion:** Ms. Carusillo indicated that the sign for the previous owners' business was vinyl. Council Member Simonsen responded that he preferred a sign which had a historical feel. He added that the Council wanted to know what it would get.

Council Member Payne said that the sign did not need to be three dimensional. He added that three-dimensional signs were more appropriate for monument signs. Ms. Carusillo suggested a hammered metal sign. Council Member Osborne agreed and said the sign should be special because it was in a special place.

**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

Council Member Orme thanked the applicants for their work.

Mayor Simons indicated that the process for sign approvals should be revisited. Council Member Garland said that all items that went before the VAC should be considered by the Council.

**8. Open and Public Meetings / Training** (Brad Wilson, Recorder – Approximately 5 minutes)  
– Review training requirements for the Utah Open and Public Meetings Act.

Brad Wilson reviewed the requirements for training on the Open and Public Meetings Act.

Mayor Simons asked that the Planning Commission complete the same training. Council Member Garland indicated that all boards and committees should complete the training because they were subject to the Act.

**9. Closed Meeting to Discuss the Character, Professional Competence, or Physical or Mental Health of an Individual and the Purchase, Exchange, or Lease of Real Property**

**Motion:** Council Member Orme moved to go into a closed meeting to discuss the character, professional competence, or physical or mental health of an individual and the purchase, exchange, or lease of real property.

**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

**Note:** As allowed by Utah Code Ann. § 52-4-206 the closed meeting was recorded but written minutes were not kept. Access to the recording must be obtained through a court of law.

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

**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

## **Department Reports (Continue)**

### Heber Valley Corridor / Joint Letter

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

- A draft letter was sent to the Council regarding the Heber Valley Corridor.
- The Council should read it and decide how to respond.
- A unified response was best regarding the proposed Heber Valley Corridor route.
- The Council could respond to Mayor Simons. The Mayor and Council Member Payne could then meet with Erik Rowland, Wasatch County Council Member, who proposed the letter.
- Midway Lane should be safe, functional, and efficient.
- The deadline to submit the letter was March 9<sup>th</sup>. The Council should hold a meeting before then to determine its position.

The Council scheduled a meeting for Friday, March 6, at 12:00 p.m. in the Community Center to determine its position.

Michael Henke gave a presentation regarding the Corridor and made the following comments:

- The proposed letter supported the route that followed next to North Highway 40.
- The City previously sent a letter supporting this route
- This route would protect more of the north fields.

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

- The route next to the highway would be more costly because more houses and structures would be affected.
- The route created a barrier to protect the north fields.
- Dissecting the north fields with a highway was bad for wildlife and water quality.
- The municipality proposed for the north fields was on hold until a feasibility study was paid for.

## **10. Adjournment**

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

The meeting was adjourned at 7:49 p.m.

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Craig Simons, Mayor

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Brad Wilson, Recorder

DRAFT