

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

**Tuesday, April 21, 2026, 6:00 p.m.
Midway Community Center, City 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. He excused Council Member Orme.

Members Present

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

Staff Present

Michael Henke, Planning Director
Wes Johnson, Engineer
Camille Palmer, Mayor's Assistant
Jennifer Sweat, Treasurer
Brad Wilson, Recorder

Members Excused

Lisa Orme, Council Member

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 April 21, 2026 City Council Regular Meeting
- b. Warrants
- c. Minutes of the April 7, 2026 City Council Regular Meeting
- d. Conclude the warranty period and release the remainder of the bond for the Farm Meadows Subdivision located 550 North Pine Canyon Road, Midway subject to the payment of all fees due to Midway City.

Note: Copies of items 2a through 2d are contained in the supplemental file for the meeting.

Mayor Simons read the consent agenda.

Council Member Garland asked staff to verify that all fees had been paid by the developer of the Farm Meadows Subdivision.

Motion: Council Member Garland moved to approve the consent agenda and verify that all fees were paid for the Farm Meadows Subdivision.

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	Excused from the Meeting
Council Member Osborne	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

Law Enforcement

Lieutenant Rigby with the Heber City Police Department reported on the following items:

- Upcoming Independence Day activities
- Abandoned vehicles
- Recent Immigration and Customs Enforcement (ICE) activities in Wasatch County

Andrew Osborne, Council Member

Council Member Osborne reported on the following items:

- Planning Commission and a joint meeting with the Council
- Vision Architecture Committee (VAC)
- Midway Boosters
- Heber bypass road

Land Use

Michael Henke reported on the following items:

- Master plan amendment for Sunburst Ranch PUD
- Updating flood plain maps

Council Member Garland suggested a joint meeting with the Council and Planning Commission to review the flood plain revisions.

5. Ordinance 2026-11 / Discharge of Fireworks (Corbin Gordon, Attorney – Approximately 20 minutes) – Discuss and possibly adopt Ordinance 2026-11 prohibiting the discharge of fireworks within the Midway City limits.

The Council, staff, and meeting attendees discussed the proposed ordinance. They specifically reviewed the map included with it. They made the following comments:

- Midway City needed to be a voice of reason because of the dry conditions.
- The map needed to have better contrasting.
- More of the maps, showing where fireworks were not allowed, needed to be put up around the City.

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

Motion: Council Member Garland moved to adopt Ordinance 2026-11 an ordinance enacting certain restrictions on the discharge and use of fireworks in Midway City.

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	Excused from the Meeting
Council Member Osborne	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

6. Resolution 2026-08 / FY 2026 Budget Amendment (Brad Wilson, City Recorder – Approximately 10 minutes) – Discuss and possibly approve Resolution 2026-08 amending the FY 2026 Budget for Midway City regarding audiovisual improvements and other items.
Public Hearing – Public comment must be related to this item on the agenda.

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

- Introduction

- General Fund revenue
- General Fund expenditures
- Municipal Building Authority (MBA) Fund revenue
- MBA Fund expenditures
- Capital Improvement Projects (CIP) Fund revenue
- CIP Fund expenditures
- Water Fund revenue
- Water Fund expenditures
- Ice Sheet Fund revenue
- Ice Sheet Fund expenditures
- Souvenir Shop Fund revenue
- Souvenir Shop Fund expenditures

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:

- Transfer of excess revenue from the General Fund to the CIP Fund.
- Water projects for calendar year 2025 and calendar year 2026.

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 Garland moved to approve Resolution 2026-08 of the City of Midway, County of Wasatch, Utah amending the Fiscal Year 2026 Budget as presented.

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	Excused from the Meeting
Council Member Osborne	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

7. Grant B. Kohler Trust Annexation / Further Consideration (Michael Henke, Planning Director – Approximately 15 minutes) – Discuss and possibly approve for further consideration the Grant B. Kohler Annexation located at approximately 970 South River Road.

Michael Henke gave a presentation regarding the proposed annexation and reviewed the

following items:

- Annexation process
- Further consideration
- Land use summary
- Location of the annexation
- Annexation plat map
- Proposed subdivision
- Items of consideration
- Possible findings

Mr. Henke also made the following comments:

- Would do a detailed analysis later in the annexation process.
- The proposed subdivision would be considered if the annexation was approved.
- The house proposed for the property would connect to the City's culinary water system.
- Additional water rights would be turned into the City for the proposed house.
- The property was not part of the Albert Kohler open space conservation easement.
- The City could adjust the setbacks as part of an annexation approval.
- The City's policy was that if someone wanted to connect to culinary water then they should also annex their property if possible.

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

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

- The applicants did not want the new house to access from the private lane but understood that could be a city requirement.
- Sewer would have to be extended from the east.
- The Council could approve the annexation or issue a will-serve letter allowing the applicant to connect to the City's culinary water system.
- One of Grant Kohler's daughters would live in the proposed house.

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

- Were other houses in the area on the culinary water system and should they be included in the annexation? The proposed annexation would not force any of those houses into the City. Annexing those houses would not change the demand on the culinary water system. No new city roads or culinary water infrastructure would be needed for the houses. Other issues like the dairy would come up if the other houses were also annexed.
- 20 to 30 houses were currently on the City's culinary system but outside of the city limits. The houses that had been connected to the system for some time did not pay any additional cost for the water service.
- The annexation was a net benefit to the City.
- The annexation would help the City control one of its entry corridors.
- The Kohler family that lived on the property and owned the dairy had contributed to the community for generations.

Motion: Council Member Simonsen moved to approve the Grant B. Kohler Trust Annexation, located at approximately 970 South River Road, for further consideration.

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	Excused from the Meeting
Council Member Osborne	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

8. Ordinance 2026-14 / Annexation Petition Signature Requirements (Brad Wilson, Recorder – Approximately 10 minutes) – Discuss and possibly adopt Ordinance 2026-14 amending Title 9 (Annexation) of the Midway City Municipal Code regarding the requirement for local governments to sign annexation petitions.

Brad Wilson gave a presentation regarding the proposed ordinance and reviewed the current and proposed code language. He indicated that the proposal would only clarify the current 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:

- The language should be removed from the Municipal Code. State code would then determine who should sign the petition base on the area and value of each property.
- The current requirement that governments had to sign a petition, if any of their property was included in an annexation, gave them veto power.
- How did the City signing a plat map benefit Midway?
- A government could refuse to sign a petition which would prevent the annexation.
- Governments should have the same rights as any other landowner in an annexation.

Motion: Council Member Osborne moved to adopt Ordinance 2026-14 with the change that it eliminated rather than amended the requirement for governments to sign annexation petitions.

Second: Council Member Payne seconded the motion.

Discussion: None

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

Council Member Garland	Aye
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Council Member Orme	Excused from the Meeting
Council Member Osborne	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

9. TAP Requests Review Committee / Assignments (Camille Palmer, Mayor’s Assistant – Approximately 5 minutes) – Discuss and possibly approve assignments to be on the committee that reviews trails, arts, and parks (TAP) funding requests and makes recommendations to the City Council regarding the requests.

Camille Palmer gave a presentation regarding the proposed assignments and made the following comments:

- The mayor and two council members would serve on the review committee.
- A council member would serve on the committee for two rounds then be replaced by another council member.
- The terms of each council member would be staggered.

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

Motion: Council Member Garland moved to approve the assignments.

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	Excused from the Meeting
Council Member Osborne	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

10. Ameyalli / Assignment Documents (Corbin Gordon, Attorney – Approximately 15 minutes) – Discuss and possibly approve documents related to the assignment of the rights and responsibilities for Ameyalli Resort located at 800 North 200 East.

The item was not considered.

11. Closed Meeting (As needed)

A closed meeting was not held.

12. Adjournment

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

The meeting was adjourned at 7:18 p.m.



Craig Simons, Mayor



Brad Wilson, Recorder