

MIDWAY CITY COUNCIL REGULAR MEETING

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

Participation is available electronically.
Instructions can be found at www.midwaycityut.gov.

Our vision for the City of Midway is to be a place where citizens, businesses and civic leaders are partners in building a city that is family-oriented, aesthetically pleasing, safe, walkable and visitor friendly. A community that proudly enhances its small-town Swiss character & natural environment, as well as remaining fiscally responsible.

1. Call to Order

a. Pledge of Allegiance

b. Prayer and/or Inspirational Message (Kevin Payne, Council Member)

Any Midway resident interested in giving a prayer and/or an inspirational message may contact the City Recorder at bwilson@midwaycityut.gov or 435-654-3223 x118.

2. Consent Agenda

Be it hereby moved that the following consent agenda items stand approved:

- a. Agenda for the October 6, 2026, City Council Regular Meeting
- b. Warrants
- c. Minutes of the September 14, 2026, City Council Meeting
- d. Minutes of the September 14, 2026, City Council Closed Meeting
- e. Resolution 2026-18 authorizing the Mayor to sign a perpetual easement permitting the Utah Department of Transportation to replace and maintain a culvert under SR 113 at approximately 1250 South.
- f. Reappoint Cathy Philpot to a second and final term as a member of the Midway Historic Preservation Committee
- g. Reappoint Athina Koumarela to a second and final term as a member of the Midway Historic Preservation Committee
- h. Reappoint Diann Glenn to a second and final term as a member of the Midway Historic Preservation Committee
- i. Reappoint Mike Glenn to a second and final term as a member of the Midway Historic Preservation Committee
- j. Reappoint Jim Kohler to a second and final term as a member of the Midway Historic Preservation Committee
- k. Reappoint Kelly Lineback to a second and final term as a member of the Midway City Planning Commission
- l. Reappoint Steve Stevens to a third term as a member of the Midway Open Space Committee
- m. Second one-year extension of the final approval for the Probst Meadow Small Scale Subdivision located at 305 West Main Street (Zoning is R-1-9)

3. Public Comment (At the discretion of the Mayor)

All public comment shall: 1) only be made by those physically present at the City Council meeting and only after the person states his or her name and address for the record; 2) may last no longer than 1 minute unless otherwise allowed by the Mayor;

3) must be germane to the authority of the City Council and be directly related to city programs, projects, services or events; and 4) may not address an item already on the agenda.

4. **Department Reports** (Approximately 30 minutes)
 - a. Law Enforcement (Heber City Police Department)
 - b. Public Works, Midway Irrigation Company, Heber Light & Power Company, Budget, Personnel, Heber Valley Railroad, Heber Valley Special Service District, Midway Sanitation District, Midway Water Advisory Board, Utah League of Cities and Towns, and Mountainland Association of Governments (Craig Simons, Mayor)
 - c. Interlocal, Midway Water Advisory Board, Animal Services, Parks, Trails, and Trees Committee, and Code Enforcement (JC Simonsen, Council Member)
5. **Ordinance 2026-23 / Legislative Development Agreement for 41 West Main Street** (Cooper Jenkins, Applicant – Approximately 30 minutes) – Discuss and possibly adopt Ordinance 2026-23 approving a legislative development agreement (LDA) for workforce housing located at 41 West Main Street (Zoning is C-2). Recommended without conditions by the Midway City Planning Commission.
6. **Conditional Use Permit / Nightly Rental** (Darin Heckel, Applicant – Approximately 10 minutes) – Discuss and possibly approve a conditional use permit for a nightly rental located at 60 West 100 South (Zoning is R-1-7, C-2, and TROD). Recommended for approval with conditions by the Midway City Planning Commission. **Public Hearing** - Public comment must be related to this item on the agenda.
7. **Conditional Use Permit / Nightly Rental** (Mark Nelson, Applicant – Approximately 10 minutes) – Discuss and possibly approve a conditional use permit for a nightly rental located at 70 West 100 South (Zoning is R-1-7 and TROD). Recommended for approval with conditions by the Midway City Planning Commission. **Public Hearing** - Public comment must be related to this item on the agenda.
8. **Conditional Use Permit / Nightly Rental** (Scot and Jan Lythgoe, Applicants – Approximately 10 minutes) – Discuss and possibly approve a conditional use permit for a nightly rental located at 85 South 100 West (Zoning is R-1-7 and TROD). Recommended for approval with conditions by the Midway City Planning Commission. **Public Hearing** - Public comment must be related to this item on the agenda.
9. **Conditional Use Permit and Local Consent / Alcohol Dispensing Establishments** (Hector Moreno, Alpenhaus Resort, LLC – Approximately 10 minutes) – Discuss and possibly approve conditional use permits and grant local consent for alcohol dispensing establishments at the Zermatt Resort located at 784 West Resort Drive (Zoning is Resort). Recommended for approval with conditions by the Midway City Planning Commission. **Public Hearing** - Public comment must be related to this item on the agenda.
10. **Ordinance 2026-21 / C-2 and C-3 Zones** (Michael Henke, Community Development Director – Approximately 20 minutes) – Discuss and possibly adopt Ordinance 2026-21 amending Section 16.05 (Commercial C-2 and C-3 Zones) of the Midway City Municipal Code regarding the C-2 and C-3 zones. Recommended for approval without conditions by the Midway City Planning Commission. **Public Hearing** - Public comment must be related to this item on the agenda.

11. **Resolution 2026-21 / Cemetery Operational Suspension** (City Attorney – Approximately 10 minutes) – Discuss and possibly approve Resolution 2026-21 continuing an operational suspension of the sale of cemetery plots in the Midway City Cemetery located at 700 West 500 South.
12. **Resolution 2026-22 / Cemetery Forms** (City Attorney – Approximately 10 minutes) – Discuss and possibly approve Resolution 2026-21 adopting forms for the operation of the Midway City Cemetery located at 700 West 500 South.
13. **Ordinance 2026-22 / Vision Architectural Committee** (Michael Henke, Community Development Director – Approximately 15 minutes) – Discuss and possibly adopt Ordinance 2026-22 amending Chapter 2.07 (Vision Architectural Committee) of the Midway City Code.
14. **Closed Meeting** (As needed) - Closed Executive Session to Discuss Pending or Reasonably Imminent Litigation, Purchase, Exchange or Lease of Property and/or the Character, Professional Competence or Physical or Mental Health of an Individual.
15. **Adjournment**

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The order of individual items on this agenda is subject to change up to 24 hours in advance.
All times are approximate.

For those individuals needing special assistance in accordance with the Americans with Disabilities Act, please contact Brad Wilson at the Midway City Office Building, at 75 North 100 West, Midway, UT 84049, 1-435-654-3223 x118, or by email at: bwilson@midwaycityut.gov.