MINUTES OF THE
MIDWAY CITY COUNCIL

(Regular Meeting)

Tuesday, October 20, 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 Community Development 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 (Participated beginning at 6:12 p.m. Participated electronically.)
JC Simonsen, Council Member

Staff Present

Corbin Gordon, Attorney
Michael Henke, Community Development Director
Wes Johnson, Engineer
Camille Palmer, Mayor's Assistant
Nancy Simons, Budget Director
Jennifer Sweat, Treasurer
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 Osborne gave the prayer and/or inspirational message.

2. Consent Agenda

- **a.** Agenda for the October 20, 2026, City Council Regular Meeting
- **b.** Warrants
- **c.** Minutes of the October 6, 2026, City Council Regular Meeting

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

Mayor Simons read the consent agenda

Motion: Council Member Garland moved to approve the consent agenda 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	Aye
Council Member Osborne	Aye
Council Member Payne	Not Present
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.

Michie Lane Park / Hill and Boarder Fence

Austin Corey, a resident whose property borders the south side of Mitchie Park, expressed concerns about recurring damage to his fence caused by park users sledding and biking down the adjacent hill. He explained that the fence has been damaged multiple times each year, resulting in significant repair costs and difficulties obtaining replacement materials. Mr. Corey requested an opportunity to work with the City on a permanent solution to protect his property while maintaining public use of the park. He also offered his professional expertise as a licensed landscape architect to help develop potential solutions.

Mayor Simons acknowledged the ongoing issue, noting at least five reported incidents of fence damage, and committed to finding a solution that protects both park users and neighboring private property. He assured Mr. Corey that he would be included in future discussions. Council Member Simonsen agreed that the damage was an unintended consequence of park activities and emphasized the need for a timely resolution.

No further comments were offered.

Note: Council Member Payne began participating in the meeting electronically at 6:12 p.m.

4. Department Reports

Lisa Orme, Council Member

Council Member Orme provided updates on several community organizations and upcoming events. She reported that the Heber Valley Chamber of Commerce is transitioning away from Heber Valley Economic Development and Tourism to become an independently operated, business-led organization. She also announced that the Midway Business Alliance is

transitioning to Destination Midway, which is actively reaching out to local businesses to encourage participation and community involvement.

Council Member Orme encouraged council members to attend the upcoming Utah League of Cities and Towns conference, emphasizing the value of educational sessions, networking opportunities, and collaboration with other municipalities facing similar challenges. She noted that relationships developed through the organization previously helped Midway preserve its resort tax.

Council Member Orme also reported that the Historic Preservation Committee is assisting a reporter seeking longtime residents willing to share personal memories of Christmas traditions in Midway. Jim Kohler was identified as a potential participant, and council members were encouraged to suggest others.

Andrew Osborne, Council Member

Council Member Osborne provided updates on several committees, commending the Planning Commission for its ongoing work on policy recommendations and code amendments, particularly those involving commercial zoning and short-term rentals. He reported no recent activity from the Visual Architectural Committee or Wasatch Boundary Commission.

Council Member Osborne requested an update on the ice rink resurfacing project. Mayor Simons explained that resurfacing was substantially complete following additional removal of deteriorated material, application of epoxy and sand layers, and installation of a white protective coating. The improvements have addressed previous slipping hazards and eliminated the need for annual painting. The City is collecting concrete bids but, due to costs, anticipates completing only the south side of the rink this year, with additional improvements planned for spring.

Mayor Simons reported that the rink's cooling system is functioning better than in previous years, allowing ice to be maintained in warmer temperatures. The City hopes to open the rink during Christmas on the Square and will assume greater operational responsibility this season.

The Mayor also discussed progress toward a permanent building at the Town Square. The City has approved $10,000 for architectural design work and will continue developing project plans and phasing to meet grant requirements. The estimated building cost is $1.2 million – $1.3 million, including the required grant match. The Boosters have agreed to use temporary trailers for one final season, with plans to eliminate them as permanent facilities are developed.

Nancy Simons, Budget Officer / Financial Report

Nancy Simons presented a financial summary for the first quarter, July 1 through September 30, noting that official quarterly financial statements were being finalized and would be distributed to the Council. She also reported that the annual audit was underway and expected to be completed on time.

Ms. Simons reported that the General Fund had approximately $1.5 million in reserves, with $1.4 million in revenue and reported expenditures of $149,000. The Capital Improvement Fund (CIP) had approximately $8.6 million in reserves, including $4.4 million in restricted funds and $4.25 million in unrestricted funds, with $147,000 in revenue and $273,000 in expenditures. The Water Fund had approximately $6.13 million in available reserves after accounting for obligated projects, with $578,000 in revenue and $510,000 in expenditures. The Ice Sheet Fund had

approximately $234,000 in reserves, earning $2,329 in interest with $613 in utility expenses. The Visitor Center generated approximately $70,000 in revenue and incurred $80,000 in expenses, requiring a City contribution of just under $10,000.

Ms. Simons noted that a budget amendment is being prepared to reflect updated project costs and would be presented for Council approval.

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

Council Member Orme requested clarification regarding financial reconciliation between the City and the Boosters for ice rink operations. Ms. Simons explained that expenses and reimbursements are reconciled after each skating season. Mayor Simons added that the City is coordinating with the Boosters and Human Resources regarding staffing and requesting three years of financial records to improve transparency and clarify financial responsibilities.

Council Member Garland asked whether the reported figures reflected approximately $600,000 in refunds to The Homestead Resort for impact and building fees. Ms. Simons clarified that the refunds occurred in October and were therefore not included in the first-quarter report.

Mayor Simons concluded with a Public Works update, reporting that seasonal park closures were underway and installation preparations for Main Street lighting were progressing. Streetlight bases were nearing completion, with conduit and wiring available and fixtures awaiting delivery. The new lights will include banner arms and hooks for hanging flower baskets.

5. **Resolution 2026-24 / Conservation Easements Extension** (Hoffman Law – Approximately 5 minutes) – Discuss and possibly approve Resolution 2026-24 extending the deadline for recording conservation easements on Open Space Parcels 1-7 owned by the Homestead Resort located at 700 North Homestead Drive.

Michael Henke presented a request from the Homestead Group to extend the deadline for establishing a conservation easement on approximately 16.5 acres of golf course property west of Homestead Drive, near the Turnberry development. The easement would be held by Summit Land Conservancy. Mr. Henke explained that the property is already designated as required open space, but the conservation easement would provide additional long-term protection against future development through third-party oversight. He noted that neighboring residents have expressed strong support for the easement.

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

Lauren Bolger, legal counsel for the Homestead Group, explained that additional time is needed to coordinate with lenders to ensure the conservation easement takes priority over existing loans. This would protect the easement from being extinguished in the event of foreclosure. The process requires lenders to confirm sufficient collateral remains outside the protected property. The Homestead Group requested an extension through the end of the following year to complete these arrangements.

Motion: Council Member Garland moved to approve Resolution 2026-24 granting a third

extension of the deadline for the Homestead Group LLC to meet the deadline for filing a conservation easement on open space parcels, as was a condition of approval.

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

6. **TAP Tax / Awards** (Camille Palmer, Mayor's Assistant – Approximately 15 minutes) – Discuss and possibly award Trails, Arts, and Parks (TAP) tax revenue to various applicants.

Camille Palmer presented the recommended awards for the second grant cycle, covering applications submitted July 1 through August 31. Four applications were received, compared to the usual eight to eleven. Approximately $122,097 was available, with recommended awards totaling approximately $77,000. Funding was distributed among arts (54.6%), parks (13.3%), and trails (32.2%).

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

Council Member Simonsen questioned the lower number of applications and the amount of funding remaining available. Ms. Palmer explained that organizations typically apply during the January – February cycle when planning annual budgets and summer projects. Council members agreed the decrease appeared to reflect normal seasonal patterns rather than a problem with the program. Ms. Palmer suggested encouraging organizations to apply during different funding cycles to better distribute available resources.

Ms. Palmer noted that applicants have become more familiar with eligible expenses and grant requirements. Some earlier applicants have not returned after learning about the reporting and accountability obligations. Council Member Orme asked whether applicants are required to contribute a portion of project costs. Staff clarified that applications include total project expenditures and that awards are evaluated based on eligible expenses rather than a fixed funding percentage. Mayor Simons confirmed that grant criteria have evolved to encourage applicant investment and exclude certain purchases, such as computers.

Council Member Osborne requested clarification about the Halo Trail. Council members explained that the long-term project envisions a trail system circling the Heber Valley, with the current funding request supporting the Midway portion. The project requires significant funding, landowner agreements, and phased development. Several trail segments are already being pursued, and Midway City has previously contributed to the effort.

Mayor Simons expressed support for the distribution of funding, noting that investments in arts, parks, and trails reflect Midway's community priorities. Council members also praised the collaboration involved in regional trail development.

Motion: Council Member Garland moved to approve the TAP tax awards as presented.

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

7. **Ordinance 2026-27 / C-2 and C-3 Zones** (Michael Henke, Community Development Director – Approximately 30 minutes) – Discuss and possibly adopt Ordinance 2026-27 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 by the Midway City Planning Commission.

Michael Henke presented proposed amendments to the C-2 and C-3 commercial zones following the recently approved zoning boundary adjustments. The changes are intended to preserve Midway's rural, small-town character by encouraging landscaped setbacks, architectural variety, and a more open, boutique-style Main Street rather than continuous building facades.

The proposed C-3 regulations establish a 20-foot front setback, reduced to 15 feet for qualifying covered, open-air porches, along with additional side and rear setbacks. The C-2 zone would require 30-foot front and rear setbacks and 20-foot side setbacks. Both zones would require ground-floor residential uses to be set back 50 feet to preserve street-facing space for commercial uses such as restaurants and retail.

The C-2 zone would require at least 30% of a property to remain landscaped or otherwise meet approved impervious surface standards. A new floor area ratio (FAR) would limit building square footage relative to lot size. These requirements are intended to reduce building mass and maintain open space along Main Street.

Proposed regulations require street-facing building walls exceeding 40 feet to incorporate a minimum 10-foot-deep stagger to break up long facades. Council Member Simonsen questioned language requiring recessed sections to extend 40 feet, expressing concern that it could unnecessarily restrict voluntary architectural variations. Mr. Henke acknowledged the concern and clarified that applicants could request exceptions from the City Council for setbacks and staggering requirements.

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

Council Member Simonsen raised concerns about large developments using uniform exterior colors, suggesting architectural guidelines encourage color variation to create more visually

appealing buildings. Other council members supported greater architectural oversight, noting that the City Council's expanded review authority through the Visual Architectural Committee process would provide opportunities to address these concerns.

Mr. Henke continued that the amendments include a minimum 30% fenestration requirement for street-facing facades, restrictions on bright or vivid roof colors, screening or painting of exposed galvanized vents and hoods, and a minimum roof pitch of 9:12. Illustrations were also incorporated into the code to help applicants understand the city's desired architectural character.

Motion: Council Member Osborne moved to approve Ordinance 2026-27 for the C-2 and C-3 zones with the following findings and conditions:

- The zones are amended as has been discussed over several months.
- The proposed amendments to the C-2 and C-3 zones will better match the City's vision of Main Street as described in the General Plan.
- The addition of the proposed ordinance will better promote the City's Vision Statement.
- The proposed changes will help the scale of businesses to match the size of the community by requiring smaller retail and other commercial structures.
- Proposed changes will limit the location of some uses on the ground level so that uses that create vibrancy and activity are located near the sidewalk.
- Consider regulating monotone coloring and the facing of buildings.

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

8. **Parking / Discussion** (Michael Henke, Community Development Director – Approximately 30 minutes) – Discuss parking in Midway City.

Michael Henke presented several opportunities to increase downtown parking and requested council direction to begin budgeting. Proposed improvements included approximately 14 spaces near the parking lot for The Market at Midway, 37 angled spaces along the north side of Centennial Park, and eight parallel spaces along Center Street and Centennial Park, potentially adding 59 spaces. Reconfiguring and restriping existing parking lots could provide additional capacity.

Council Member Simonsen questioned signs restricting public parking near the Market. Mr. Henke explained that an existing agreement allows general public use of most of the lot, with certain spaces reserved for adjacent businesses. Council members also raised concerns about vehicles obstructing access and emphasized maintaining visibility at intersections. The council generally favored improvements along the north side of Centennial Park and near the Market,

while considering Center Street spaces a lower priority due to limited benefits and potential impacts.

Council Member Garland requested cost estimates for the proposed improvements. Mr. Henke acknowledged that estimates had not yet been prepared and that additional expertise would be needed. Council members agreed that costs should be evaluated before prioritizing projects and incorporating them into the city budget.

Mr. Henke identified a privately owned vacant lot northeast of the City Office Building as a potential property acquisition for public parking. Council Member Garland suggested using such areas for employee parking to preserve spaces near businesses for customers. Council Member Osborne also proposed considering multilevel or underground parking structures as part of the city's long-term planning. Other council members supported evaluating strategic parking locations that could accommodate future expansion.

Mr. Henke discussed implementing metered parking around Town Square and in heavily used public lots, particularly the lot south of the Mercantile. Council members considered time limits, payment systems, enforcement costs, and the need to preserve convenient short-term parking for City Office Building visitors. Council Member Simonsen suggested exploring resident permits or reduced-cost options so year-round residents would not face excessive parking expenses.

Council Member Osborne suggested coordinating future parking facilities with the proposed city trolley system. Mayor Simons explained that the trolley concept includes connecting resorts, parks, downtown businesses, and potentially remote parking areas. Transportation funding associated with the upcoming Olympics could support future expansion. Council members supported the concept as a way to reduce downtown traffic and improve transportation options for visitors staying at local resorts.

Mr. Henke emphasized that Midway's General Plan encourages shared parking facilities serving multiple businesses, reducing the need for individual parking lots and preserving valuable land. He suggested exploring parking areas within the interiors of downtown blocks to maintain attractive commercial street fronts. Council members reinforced the importance of protecting Midway's rural charm and distinctive appearance as parking and transportation improvements are developed.

The council expressed general support for exploring additional parking, particularly improvements that could be implemented with minimal disruption. Staff were directed to obtain cost estimates, evaluate potential parking locations, and consider long-term parking structures and transportation connections.

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

9. **Closed Meeting** (As needed) - Closed Executive Session to Discuss the Purchase, Exchange or Lease of Real Property.

Motion: Council Member Orme moved to go into a closed meeting to discuss the purchase, exchange or lease of real property.

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

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

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

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

10. Adjournment

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

The meeting was adjourned at 7:30 p.m.

Craig Simons (Nov 18, 2026 12:41:48 MST)

Craig Simons, Mayor

Brad Wilson (Nov 19, 2026 12:15:33 MST)

Brad Wilson, Recorder