

MINUTES OF THE MIDWAY CITY COUNCIL

(Meeting)

Wednesday, 17 December 2025, 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 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 Johnson called the meeting to order at 6:03 p.m. She excused Council Member Drury.

Members Present

Celeste Johnson, Mayor
Lisa Orme, Council Member
Kevin Payne, Council Member
Craig Simons, Council Member
JC Simonsen, Council Member

Staff Present

Corbin Gordon, City Attorney
Michael Henke, City Planning Director
Camille Palmer, Mayor's Assistant
Brad Wilson, City Recorder

Members Excused

Jeff Drury, Council Member

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

Mayor Johnson 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 17 December 2025 City Council Meeting
- b. Warrants
- c. Minutes of the 2 December 2025 City Council Regular Meeting
- d. Conclude the warranty period and release the remainder of the bond for the Scotch Fields PUD, Phases 4 and 5, located at 1400 North Canyon View Road subject to the payment of all fees due to Midway City.

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

Mayor Johnson read the consent agenda.

Motion: Council Member Simons moved to accept the consent agenda items 2a through 2d as listed.

Second: Council Member Orme seconded the motion.

Discussion: None

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

Council Member Drury	Excused from the Meeting
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Aye

3. Appeal of Administrative Decision / Homestead Golf Course Site Disturbance (Norm Henderson, Chalets on the Creek HOA President – Approximately 20 minutes) – Deliberate and possibly decide on an appeal, by the Chalets on the Creek HOA, of the issuance by the Midway City Planner of a site disturbance permit for the Homestead Golf Course located at 700 North Homestead Drive. **Continued from the 2 December 2025 Council Regular Meeting.**

Mayor Johnson made the following comments:

- The appeal was continued from the December 2nd council meeting.
- The Council, acting as an appeals board, would deliberate that evening.
- It would only consider the appeal of the site disturbance permit.
- The appellant, the Chalets on the Creek HOA, had been given 10 days to submit a written rebuttal.
- No oral presentation would be allowed that evening.

Council Member Simons made the following comments:

- Information presented regarding his relationship with the Homestead Resort was not correct.
- However, to be transparent he would recuse himself from consideration of the appeal and leave the room.

Note: Council Member Simons left at 6:08 p.m.

Council Member Orme made the following comments:

- Read all the information provided to the Council.

- Did not have any questions.

Council Member Simonsen stated that he read and understood the information provided.

Council Member Payne made the following comments:

- Read all the information provided to the Council.
- Believed that the site disturbance permit was issued properly.
- The appellant's claim that the Homestead Golf Course was illegally approved was 38 years too late.

Motion: Council Member Payne moved to deny the appeal, to include in the motion all the findings from Corbin Gordon's presentation at the December 2nd council meeting, and to direct Mr. Gordon to draft the decision in written form to be approved by the administrative appeal board at the next council meeting.

Second: Council Member Orme seconded the motion.

Discussion: None

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

Council Member Drury	Excused from the Meeting
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Recused and Not Present

Note: Council Member Simons returned at 6:12 p.m.

4. Lunding Property / Revised Documents (Corbin Gordon, City Attorney – Approximately 30 minutes) – Discuss and possibly approve revised documents related to the Lundin property, located at 900 West Bigler Lane, and its preservation as open space.

Corbin Gordon made the following comments:

- The City had worked for a year to prepare acceptable terms for a conservation easement on the Lundins' property.
- Received an email from the Lundins' attorney indicating that no further action could be taken because a settlement agreement with Ronnie Lundin, a brother, and Terry Lundin, a sister-in-law, had expired.
- Did the Council want him to spend any more time on the issue?
- The Lundin family did not have the authority to enter into any agreements because the family's settlement agreement had lapsed.
- Did not provide the updated documents to the Council.
- All the documents had been drafted but were not finalized because of the email from the Lundins' attorney.

Wendy Fisher, Utah Open Lands Executive Director, made the following comments:

- Did not represent the Lundins.
- Acknowledge Mr. Gordon's time revising the needed documents.
- The parties were close to agreeing on terms to preserve the property as open space.
- The Lundins needed to know that there were final documents that all parties would sign.
- Requested several changes to the documents.
- The Lundin family would execute the documents when they had authority.
- Section 2.3 should state that the water rights were part of the conservation easement.
- Utah Open Lands would co-own but not directly own the water rights.

Note: Nora Lundin arrived at 6:18 p.m.

- Section 2.2.1 should clarify that the Lundins could pay back Wasatch County.
- Section 2.3.2 should clarify that Utah Open Lands would co-hold the water rights.
- Section 3.1 needed to include Ronnie and Terry.
- Section 4.5 should state that the Lundins could record the conservation easement as soon as they determined additional funds would not be available.
- Conceptually the documents could be finalized, executed by all parties, and Midway City and Wasatch County would pay their committed money to the Lundins. Ronnie and Terry would then be paid, and the rest of the family could seek additional funding.

Mr. Gordon made the following additional comments:

- Could update the documents with Ms. Fisher's changes.
- The City could not leave its offer open indefinitely.
- Did not want to go through more negotiations and have the Lundins refuse to sign the documents.
- Could finalize the documents in a form that the Council could approve.

Council Member Payne indicated that the documents should prohibit the Lundins from selling the associated water rights.

Nora Lundin made the following comments:

- Needed the City's help to complete the preservation of the property.
- Could not go back and ask Ronnie and Terry for more time.
- Mr. Gordon needed to indicate to the Lundins' attorney that executable documents were ready. Their attorney could then talk to Ronnie and Terry's attorney.
- Mr. Gordon needed to help Wasatch County complete the proposal.
- Thought that Ronnie and Terry would sign if they knew they would be paid within 48 hours.
- Wanted to have everything completed by Christmas but needed it done by the end of the year.

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

- Any timeline for completion needed to be accurate and met.
- Did the documents need to be brought back before the Council for approval? Mr. Gordon preferred that the documents be finalized and then brought back to the Council.
- The revised documents could be provided to John Woodard, Wasatch County Attorney's office. Mr. Gordon indicated that they could be finalized by the end of the week and then

provided to Mr. Woodard.

Mr. Gordon made the following additional comments regarding recent changes to the documents:

- References to the since resolved lawsuit regarding the property had been removed.
- The water rights would be held in escrow, but the Lundins would not sign the certificates.
- A notice of interest would be filed with the Midway Irrigation Company regarding the certificates. It would require both the City and the County to approve any changes to the water rights.
- If additional funding, including from the NRCS, was not received within three years and 180 days then the money paid by the City and County would be returned with interest and the conservation easement would be invalidated. Ms. Lundin clarified that after that time the conservation easement would be recorded. This would guarantee that the Lundins could not hold up the process.

Council Member Payne asked if the Council could approve the documents that evening and authorize the Mayor to sign them based on the discussion. Mr. Gordon responded that it could.

Mayor Johnson indicated that she would be available the next and then the following Mondays to sign the documents.

Mr. Gordon asked how long it would take the City to pay the Lundins. Brad Wilson thought 24 business hours.

Ms. Lundin said that she spoke to County Council Member Colleen Bonner who said the next County Council meeting would be in January. She again asked Mr. Gordon to work with the County to expedite the process. Mr. Gordon responded that he would work as quickly as possible.

Ms. Lundin thought that Ronnie and Terry would authorize the deal if they knew that they would be paid immediately. She did not think that executable documents would be enough of an incentive.

Motion: Council Member Payne moved to approve the documents based on the explanation given that evening and authorized the Mayor to sign them.

Second: Council Member Orme seconded the motion.

Discussion: Mayor Johnson noted that the County also had to approve the deal before the City should pay any money.

Council Member Simonsen approved of the County also making minor edits.

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

Council Member Drury	Excused from the Meeting
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Aye

Mayor Johnson thanked Ms. Lundin.

- 5. Wildland Urban Interface Modifications / Map** (Mayor Johnson – Approximately 5 minutes) – Receive a report on modifications to wildland urban interfaces and adopting an associated map.

Mayor Johnson made the following comments:


- The State of Utah adopted new requirements for wildland urban interfaces.
- She and Council Member Simons attended a meeting regarding the new requirements.
- The State would create an urban interface map.
- Everyone would have to pay for mitigation efforts, but those in the interface areas would have to pay more.
- The State wanted local governments to adopt a resolution supporting the map, but the map had not yet been completed.
- The City was on record that it would consider a resolution when the map was completed.

6. Adjournment

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

The meeting was adjourned at 6:44 p.m.



Craig Simons, Mayor

Brad Wilson, Recorder