Midway
C.A.R.E.S.

Memo

Date: August 20, 2026

To: Mayor, City Council, and Staff

Cc: File

From: Brad Wilson, City Recorder

RE: Minutes of the August 18, 2026, City Council Meeting

Please note that the following minutes await formal approval and are in draft or unapproved form.

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MINUTES OF THE
MIDWAY CITY COUNCIL
(Meeting)

Tuesday, August 18, 2026, 6:00 p.m.
Midway Community Center, Conference "Pie" Room
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; Prayer and/or Inspirational Message

Mayor Simons called the meeting to order at 6:00 p.m.

<u>Members Present</u>

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

<u>Staff Present</u>

Michael Henke, Community Development Director
Wes Johnson, Engineer
Melissa Jones, Community Development Admin (Left at 7:51 p.m.)
Camille Palmer, Mayor's Assistant
Jennifer Sweat, Treasurer
Brad Wilson, Recorder

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

Wes Johnson gave the prayer and/or inspirational message.

2. Consent Agenda

- **a.** Agenda for the August 18, 2026 City Council Meeting
- **b.** Warrants
- **c.** Minutes of the August 4, 2026 City Council Regular Meeting
- **d.** Conclude the warranty period and release the remainder of the bond for the LaBarge Subdivision located at 922 North Pine Canyon Road 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 if all fees due to Midway City for the LaBarge Subdivision had been paid. Wes Johnson responded that they had been paid and money was still left in the out-of-pocket account for the project.

Motion: Council Member Garland moved to approve the consent agenda as presented but only release Midway City's but not the Midway Sanitation District's portion of the subdivision bond.

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	Aye
Council Member Osborne	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

Mr. Johnson asked if the Council wanted to also release the District's portion of the bond. Council Member Garland responded that the Council did not have authority to release a bond on behalf of the District.

Mayor Simons noted that because the City Attorney was out of town the water exchange program would instead be discussed at the next council meeting.

3. **Legislative Development Agreement for Workforce Housing** (Cooper Jenkins – Approximately 20 minutes) – Discuss a legislative development agreement for workforce housing located at 41 West Main Street.

The City Council continued its discussion of a proposed legislative development agreement for 41 West Main Street, involving the conversion of an unfinished basement into six deed-restricted residential units. The proposed units are all under 900 square feet, with five studios and one one-bedroom unit. The initial proposal would restrict the units for 20 years, begin rents at approximately 55% of Area Median Income (AMI), allow annual rent increases of up to 3%, and potentially increase rents to 80% AMI over the 20-year term. Utilities would be included in the rent. The City would also provide certain fee waivers and an M&I water lease as part of the agreement.

Key Discussion Points

Affordability and AMI

- The principal issue was whether the proposed rent structure would provide meaningful long-term affordable housing or simply produce units that are somewhat less expensive than current market rents.
- Council Member Payne argued that the units should remain tied to 55% AMI for the entire affordability period, rather than automatically increasing by 3% annually and eventually reaching 80% AMI. His concern was that the affordability benefit would substantially diminish over time.
- Council Member Orme disagreed with the characterization that the proposed rents were not affordable. Based on local rental experience, she emphasized that $1,300–$1,400 including utilities would be significantly below what many residents currently pay for comparable housing in Midway and the surrounding valley.

Long-term affordability vs. project feasibility

- Council members discussed the need to balance the City's goal of producing truly affordable housing with the developer's need to make the project financially viable.
- Cooper Jenkins, applicant, stated that the current proposal would require approximately $200,000 in investment, while his projected internal rate of return would be only 2–3% if the rents remained at the lower level. He explained that the proposed AMI increases were intended to make the investment viable while still providing affordable housing.
- Council Member Payne emphasized that the City should not be responsible for guaranteeing a developer's return, particularly because ownership or development circumstances could change in the future.
- Mr. Jenkins countered that a legislative development agreement necessarily involves give-and-take and that the project must provide enough financial incentive for the developer to proceed.

Length of the deed restriction

- The proposed 20-year restriction was questioned, with discussion of extending it to 30 years or longer.
- No final term was established during the discussion.

Density and unit configuration

- Council Member Payne suggested that, if additional units could be created while maintaining lower rents, that might provide a better overall affordable-housing outcome.
- The applicant reported that adding more units was not feasible because the existing building is already near the limits for ingress/egress and window requirements.
- The parties generally recognized that the proposed studios are already relatively small, limiting opportunities to further reduce unit size or increase the number of units.

Citywide affordable-housing policy

- Council Member Payne raised a broader concern that the City should establish a clear affordable-housing program or standard rather than negotiating a different definition of affordability with each developer.
- The discussion recognized that the legislative development agreement process gives the City an opportunity to negotiate density, fees, water, and other incentives in exchange

for affordable housing. Staff noted that this is currently one of the City's primary mechanisms for obtaining such housing.
- The Mayor characterized the project as an opportunity to test a workable approach that could potentially be refined and applied to future projects.

Concerns Raised

The primary unresolved concerns were:

- Whether 3% annual rent increases would erode affordability too quickly.
- Whether rents should remain tied to 55% AMI throughout the restriction period.
- Whether the affordability restriction should be 20 or 30 years.
- How much financial assistance or additional development flexibility the City should provide in exchange for the six units.
- How to balance the City's affordable-housing objectives with the developer's financial feasibility.
- Whether the City needs a broader, standardized affordable-housing strategy before approving individual agreements.

Direction and Next Steps

There was no final approval of the development agreement during this discussion. The Mayor expressed support for continuing to pursue the project but urged the Council, staff, and applicant to work collaboratively toward a structure that would be both financially workable and meaningfully affordable. Potential alternatives discussed included modifying the AMI schedule, using a stepped rent structure, extending the restriction to 30 years, and creating incentives for longer affordability.

The matter must proceed to the Planning Commission for review and a public hearing before returning to the City Council for final consideration. Staff indicated that the Council did not need to resolve all the agreement's details at this meeting.

Note: A copy of a presentation given by Michael Henke is contained in the supplemental file.

Motion: Council Member Orme moved that her, Council Member Payne, Cooper Jenkins, and Michael Henke meet and work together to find a proposal that worked before the agreement went before the Planning Commission.

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

4. Town Square (Michael Henke, Community Development Director – Approximately 90 minutes) – Discuss and possibly approve a plan for the Midway Town Square located at 150 West Main Street.

The council discussed the need to move quickly on improvements to the Town Square because the City has been awarded $600,000 in grant funding with spending deadlines approaching. The current grant requires significant expenditures by December 15, although an extension to June would probably be granted. It was emphasized that the City must act quickly to preserve the funding and may need updated drawings if the City changes the previously proposed building design.

Key Discussion Points

- **Town Square vision:** The council agreed that the Square should be designed as a year-round community gathering place rather than being driven primarily by the needs of just the ice rink or Swiss Days. The design should support surrounding businesses, pedestrian movement, community events, Midway's Swiss heritage, and overall visitor experience.

- **Parking and access:** The proposed plan would eliminate approximately 40 of the existing 141 parking spaces. Alternatives discussed included adding parking along First North, and in front of the City Office Building, as well as potentially acquiring nearby property. Maintaining adequate parking, including accessible parking, was identified as an important concern.

- **Ice rink and support building:** The ice rink and a supporting building were identified as the highest priorities. Potential facilities include Zamboni storage, restrooms, concessions, skate storage, and spectator/exhibition space. The group discussed whether the support building should be located in a different configuration from the previously proposed design.

- **Concerns with the previous building design:** Several council members expressed reservations about proceeding with the existing design simply because grant money is available. Members wanted to compare alternative designs and costs and ensure that any investment provides long-term value. There was particular concern about losing open space or creating a building configuration that does not work well for the Square.

- **Phasing:** The council supported developing a long-term master plan and phasing plan while prioritizing the rink and support building. Improvements such as gathering spaces, landscaping, benches, shade structures, stages, parking, and other amenities could be completed in later phases.

- **Grant opportunities:** Nancy O'Toole requested that she be involved in the phasing discussion so projects can be grouped strategically to maximize opportunities for additional grants. She noted that combining related improvements may make them more eligible for outside funding.

- **Public space and amenities:** The council discussed the need for more comfortable gathering areas, including shade, seating, picnic tables, landscaping, bike racks, stages, and potentially temporary or permanent structures. Members suggested experimenting with portable stages and different locations before committing to a permanent design.

- **Pedestrian safety:** UDOT has indicated that the City can install fencing to discourage pedestrians from crossing 200 West at an unsafe location. This may reduce the need for some of the proposed pedestrian connections.

- **Existing buildings:** Members emphasized that plans should accurately reflect existing Town Square buildings rather than assuming buildings will be demolished or replaced. The existing town hall and city offices are expected to remain, and any future improvements should work with those structures.

- **Transit:** The potential future trolley/transit stop should be considered as part of the Square's design. A Main Street location was discussed because UDOT may be willing to fund improvements there.

Conclusions and Next Steps

The council agreed not to simply proceed with the previous Town Square design. Instead, members will reconsider the overall vision and identify their individual priorities.

The ice rink and support building remain the immediate priorities, primarily because the City needs to use the grant funding and avoid losing the $600,000 award. At the same time, the City intends to develop a broader master plan and phasing strategy so individual improvements fit into a coherent long-term vision.

Each council member will review a hard copy of the plan, markup desired improvements and priorities, and consider what the Square should ultimately look like. The goal is to establish clear marching orders for a design firm by September 1, while also identifying contractors and other parties who may assist with the project.

The overall direction was to “start with the end in mind”—first establish the desired Town Square vision, then determine priorities, phasing, design, and funding rather than allowing the existing plan or grant deadline alone to dictate the outcome.

Note: A copy of a presentation given by Michael Henke is contained in the supplemental file.

5. **Water Exchange Program** (Corbin Gordon, City Attorney – Approximately 30 minutes) – Discuss the water exchange program which allows the culinary water system to be used for irrigation in certain circumstances.

The item was not discussed.

Note: Melissa Jones left at 7:51 p.m.

Motion: Without objection, Mayor Simons recessed the meeting at 7:51 p.m. He reconvened the meeting at 7:57 p.m.

6. **Audio Visual Systems / Award Contract** (Brad Wilson, City Recorder – Approximately 15 minutes) – Discuss and possibly award a contract for the installation and maintenance of audiovisual systems in the Midway City Office Building and the Midway Community Center.

Audiovisual System Contract Discussion

The council reconsidered the proposed audiovisual system after concerns that the original specifications, particularly 65-inch displays and small individual monitors, might not meet the room's needs or justify the cost.

Key discussion points included:

- The existing projector provides useful size but suffers from low brightness and resolution. An upgraded 8,000-lumen projector, estimated at under $6,000, could improve visibility while allowing the lights to remain on.
- Smaller wall-mounted displays may be difficult for the public to see, especially from certain seats. Multiple large displays would improve sightlines but add significant cost and complexity.
- Rearranging audience seating diagonally could improve visibility without major equipment changes.
- Council members considered using fewer, larger shared monitors at the dais instead of individual 10-inch screens.
- The system must support ADA accessibility, including visibility for people who lip-read, accommodations for council members, live closed captioning, and two-way video for remote participants.
- The other meeting rooms primarily need standardized, easy-to-use "plug-and-play" equipment.

Concerns Raised

- The original proposals did not clearly explain screen placement or why each component was necessary.
- Buying numerous screens and individual devices could provide only marginal improvement at substantial cost.
- A projector-only arrangement could limit remote participants' ability to follow presentations or create accessibility issues if not properly integrated.
- Modifying an existing proposal too extensively could require a new procurement process.

Conclusion and Next Steps

- Consult Atkinson Sound, the highest-scoring vendor, for recommendations based on its municipal experience.
- Install a brighter projector and rearranging seating.
- Evaluate whether additional displays or shared council monitors are needed after the initial improvements.
- Complete the audiovisual upgrades by April 2027.

Motion: Council Member Garland moved to award the contract to Atkinson Sound with the following conditions:

- Have them reevaluate the council chambers.
- The final cost could not exceed the cost of their submitted proposal.

Discussion: Mayor Simons noted that later additional monitors could be added and other changes made to meet ADA requirements.

Council Member Garland clarified that the system in the Council Chambers would be revised based on the discussion that evening. He further clarified that the City would pay Atkinson for the cost of that system not to exceed the amount of their original proposal.

Second: Council Member Orme 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

7. Adjournment

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

The meeting was adjourned at 8:28 p.m.

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Craig Simons, Mayor Brad Wilson, Recorder