

MINUTES OF THE MIDWAY CITY COUNCIL

(Meeting)

**Monday, September 14, 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.

Members Present

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

Staff Present

Michael Henke, Community Development
Director
Wes Johnson, Engineer
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.

Council Member Garland gave the prayer and/or inspirational message.

2. Consent Agenda

- a.** Agenda for the September 14, 2026, City Council Work Meeting
- b.** Warrants
- c.** Minutes of the September 1, 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 printed.

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

3. Ordinance 2026-25 / Home Occupations (Michael Henke, Community Development Director – Approximately 10 minutes) – Discuss and possibly adopt Ordinance 2026-25 amending Section 16.13.270 (Home Occupations) of the Midway City Municipal Code regarding home occupations. Recommended for adoption without conditions by the Midway City Planning Commission.

Michael Henke gave a presentation regarding the proposed ordinance.

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

The City Council reviewed proposed limits on vehicles and trailers associated with home occupations. The draft uses a tiered system based on lot size:

- Less than 0.5 acre: up to 3 visible vehicles or trailers outside a garage
- 0.5 to 1 acre: up to 4
- More than 1 acre: up to 5

All counted vehicles would need to be parked on a hard surface, including gravel. The restrictions would apply only to home occupations—not all residences or cottage industries—and are intended to preserve the residential character of neighborhoods while still allowing residents to operate businesses from home.

Key concerns included:

- Whether unregistered or non-operational vehicles should count toward the limit
- What qualifies as a “vehicle,” particularly motorcycles, ATVs, and side-by-sides
- Whether the proposed limits are too restrictive, especially for larger or unusually configured lots
- The need to balance property rights with the impact of crowded, business-like parking on neighbors
- Whether lot layout, screening, and vehicle visibility may matter as much as acreage

Several members favored adopting an enforceable standard now and revisiting it if complaints or unintended restrictions arise. Others suggested raising the limits, such as allowing four vehicles on lots under half an acre and higher totals on larger properties.

Motion: Council Member Simonsen moved to adopt Ordinance 2026-25 with the following changes:

- 0.5 to 1 acre: up to 5 visible vehicles plus whatever was in the garage.
- More than 1 acre: up to 8 visible vehicles plus whatever was in the garage.
- Visible vehicles included registered and unregistered vehicles.

Discussion: Michael Henke clarified that vehicles did not include golf carts, ATVs, and similar machines. Council Member Simonsen agreed.

Second: Council Member Orme seconded the motion.

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

Council Member Garland	Nay
Council Member Orme	Aye
Council Member Osborne	Aye
Council Member Payne	Nay
Council Member Simonsen	Aye

Council Member Garland indicated that he voted against the motion because the number of allowed vehicles was too high.

Council Member Garland asked that complaints made to the City be provided to the Council monthly. Mr. Henke responded that he would provide that information. He added that most complaints were against nightly rentals. He also added that existing home occupations were not grandfathered and they would have to comply with the new regulations.

4. Town Square / Dogs (Michael Henke, Community Development Director – Approximately 30 minutes) – Discuss regulations regarding dogs on the Midway Town Square located at 150 West Main Street.

Michael Henke gave a presentation regarding the issue.

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

The City Council reviewed rules governing animals, particularly dogs, on the Town Square. The current code prohibits all animals on the Square unless specifically authorized by the City. Members agreed that the square warrants stricter rules because it hosts large public events.

Key concerns included:

- Waste left by dogs and inconsistent owner responsibility
- Safety risks, including dogs entering others' space or biting people
- Possible city liability when animals are permitted at events
- Allergies, fear of dogs, and maintaining a safe public gathering space
- Distinguishing legitimate service animals from emotional-support animals

- Uncertainty over who may approve exceptions under the phrase “permitted by the city”
- Balancing community preferences with enforcement practicality
- Clarifying that the restriction applies to the town square itself, not surrounding sidewalks, trails, or other parks

Members supported exceptions for approved event-related animals, such as reindeer, livestock displays, or organized dog activities. They also favored visible signs and practical, complaint-based enforcement rather than aggressively policing casual violations.

The Council concluded that no code amendment was currently necessary. Staff will add an animal-related question to event applications, restore signs stating that animals are prohibited, and allow the mayor to approve routine exceptions, with controversial requests referred to the Council. The City Attorney will be consulted regarding approval authority and potential liability.

The Council briefly discussed the approved ice-skating rink project and the urgent need to complete its surface. Council Member Orme asked whether the surfacing work required a formal request-for-proposals process and whether additional Council approval was needed.

Mayor Simons said there may be only one contractor capable of installing the surface correctly. He expected more information within a few days and agreed to update Council members individually because of the limited timeline.

Council Member Orme suggested authorizing the mayor to proceed so the project would not be delayed, while acknowledging that the matter was not listed for action.

5. Closed Meeting – Closed Executive Session to Discuss the Character, Professional Competence or Physical or Mental Health of an Individual.

Motion: Council Member Garland moved to go into a 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

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

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

Second: Council Member Osborne seconded the motion.

Discussion: None

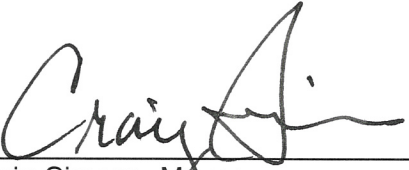
Vote: The motion was approved with the Council voting as follows:

Council Member Garland	Aye
Council Member Orme	Aye
Council Member Osborne	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

6. Adjournment

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

The meeting was adjourned at 6:46 p.m.



Craig Simons, Mayor



Brad Wilson, Recorder