

**MINUTES OF THE  
MIDWAY CITY COUNCIL  
(Meeting)**

**Tuesday, 10 December 2024, 10:00 a.m.  
Midway Community Center, 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 City Council, City Engineer, City Attorney, Planning Director, and The Wasatch Wave. The public notice/agenda was published on the Utah State Public Notice Website and the City's website. A copy of the public notice/agenda is contained in the supplemental file.

**1. Call to Order**

Mayor Johnson called the meeting to order at 10:08 p.m.

**Members Present:**

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

**Staff Present:**

Michael Henke, Planning Director  
Wes Johnson, Engineer  
Katie Villani, Planner  
Brad Wilson, Recorder

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

**2. Consent Agenda**

- a. Agenda for the 10 December 2025 City Council Meeting

**Note:** A copy of item 2a is contained in the supplemental file.

**Motion:** Council Member Orme moved to accept the consent agenda item.

**Second:** Council Member Drury seconded the motion.

**Discussion:** None

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

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Aye

**3. Lundin Property / Grant Language** (Approximately 2 hours) – Discuss and possibly finalize the grant language for the use of Midway open space bond funds for the Lundin property located at approximately 900 West Bigler Lane.

Mayor Johnson made the following comments:

- Council Member Payne in a previous meeting made a motion regarding open space funds for the Lundin property. He requested that the issue be considered again to clear up confusion.
- A year ago the Council approved \$1 million to preserve the property. Using the property for an evacuation route and trail was discussed at that time.
- The City's support for the project had not changed.
- It was felt that the south portion of the emergency access route was ambiguous.
- Wanted to conclude the project successfully.

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

- A crash gate should be approved at each end of the evacuation route.
- There was a concern with the southern default route being 20 feet wide instead of 10 feet. The wider the road the greater the cut and fill would be on the side of the hill.
- Should the route from Lucerne Drive be eliminated as the default? Should it be the route from Olympic Way? Switchbacks and moving irrigation lines should be avoided. The City should pay to move any lines.
- The Lundin family preferred the route starting from Sunburst Ranch, Phase 3. This was everyone's preferred route.
- Any temporary route would require moving back infrastructure when it was no longer needed.
- Some portions of the routes being considered were already drivable.
- The City standard for a road was 60 feet wide.
- Evacuees would need to be able to visually follow the evacuation route. Signage might be needed to show the route.
- A route from Olympic Way to Bigler Lane would eliminate a half-acre of agricultural land.
- An alternative route was needed because it could take a long time to acquire all the right-of-way for the preferred route along the old Probst ditch.
- Any agreement should include incentives for the preferred route to be used.
- The City preferred the least costly route.
- All parties should work together.

Brandon Mark, Parsons Behle & Latimer and representing members of the Lundin family, made the following comments:

- Was provided draft documents the day before Thanksgiving and responded the day after Thanksgiving. Additional items were added since the last meeting.

- The first draft said there was no alternative to the route from Lucerne Drive which would be 20 feet wide.
- His clients did not want to scar the hill.
- Wendy Fisher, Utah Open Lands Executive Director, represented the interests of the buyers.
- The Lucerne route would be more than 10 feet wide. Leaving it “as is” created an incentive to you use the route along the Probst ditch.
- The City would negotiate the right-of-way on the south and north of the conserved property.
- The Probst ditch route allowed for a wider width and a trail.
- The Lucerne route was satisfactory for an emergency access but would require sensitive lands approval from Wasatch County which would take time. The Lundins needed to complete the deal by that Friday.

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

- The Lundins opposed a route from Olympic Way even if it was only ten feet wide. The Lucerne route was better.
- The Olympic route was the only route that did not require a right-of-way from a third party. The Lucerne route might not require third party approval.
- Some routes required more fencing.
- The City had the power to condemn property for an access.
- Dozers were used to create access for fire equipment when there was a wildfire in the area. The same would happen if there was another fire.
- The Lundins would not accept the Lucerne route with a 20-foot width in exchange for the City using its condemnation power.
- The existing Lucerne route could be maintained without issues. Improving it would cause problems with funding.
- Historic trees should not be removed for an access.
- Gravel roads were prone to erosion.
- Routes could be left “as is” with signage directing evacuees.

**Motion:** Without objection, Mayor Johnson recessed the meeting at 10:56 a.m. She reconvened the meeting at 11:18 a.m.

Mr. Mark made the following additional comments:

- The Lundins wanted the exact path of the Olympic route to be defined.
- The City should have a duty to use condemnation for the Sunburst, Phase 3 route.
- Immunity should be provided to the Lundins.
- The trail should not be allowed until the Phase 3 route was completed.

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

- Wildland and fire access needed to be included in the documents.
- A trail could only run along the Probst ditch.
- The City would not require an improved trail. The backcountry trail standard could be used. Fencing might be needed.

- The Probst ditch route would not be used if access to the south and north was unavailable.
- Any maintenance by the City should require prior notification of the Lundins.
- It was a concern that work on the access and trail would be limited to just maintenance.
- Any access or trail could not be done until the conservation easement was recorded. That could be as long as three years.
- Any fencing along the access and trail would have to be maintained.
- The material for an access, like gravel, might have to be certified by the Natural Resources Conservation Service which might provide funding for the open space. Maintenance could be done with native material.
- The City should only release the default access when the Probst route was completed.
- The Olympic default route should not survive in the conservation easement. The language could be in the purchase agreement.
- The City did not know the route through Sunburst, Phase 3, so the language was left vague.
- Angler or man access could be used for the trail while maintaining the crash gates.
- Use of the trail could be limited to human powered vehicles.
- The trail would be closed when the Lundins moved their cattle.

**Motion:** Council Member Payne moved to amend the original motion to what had been discussed and mutually agreed upon by both the City and the Lundins that day.

**Second:** Council Member Simons seconded the motion.

**Discussion:** None

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

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simons	Aye
Council Member Simonsen	Aye

#### 4. **Closed Meeting** (As needed)

A closed meeting for any purpose as allowed in UCA 52-4-25.

A closed meeting was not held.

#### 5. **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 12:04 p.m.

  
Celeste Johnson, Mayor

  
Brad Wilson, Recorder