

Daniel Town Council Meeting

Monday October 4, 2021 @ 6:00 PM
Wasatch County Service Complex,
55 S 500 E, Conference Room B
Heber City, UT 84032

Council Quorum: Council members: Mayor pro tem Eric Bunker, Stefanie Grady, John Glodowski and Merry Duggin. Sherri Price (Treasurer), Shelly Bunker (Water secretary), and Ryan Taylor (Town engineer) also present.

Members of public present: Scott and Stacy Kohler, Jill Bonner, Todd Bonner, Lynne Shindurling, Larry Ward, Pam Skinner, Kim and Barbara Norris.

The meeting was called to order at 6:00 PM by Mayor pro tempore Eric Bunker.

1) **PUBLIC COMMENT:**

Council member Duggin recognized Sherri Price and wished her a "Happy Birthday". Todd Bonner asked if an audit is planned for the town, and it was explained that Daniel performs an annual audit due at the end of each calendar year.

2) **INTERVIEW INTERESTED INDIVIDUALS FOR SUBMITTED LIST**

Mayor pro tempore Bunker announced that he was the only person who had submitted a letter of interest in being considered for the mayoral position vacancy through the end of the year due to the resignation of our former mayor on September 30. Mr. Bunker read his letter and **Council member Glodowski moved to elect Council member Bunker until the town elects a new mayor.**

Discussion of the issue followed with questions from the public. Barbara Norris asked if Mr. Bunker would have to recuse himself from his other responsibilities due to a conflict of interest.

Mayor pro tempore Bunker called for a second of the motion. The motion died for lack of a second.

Kim Norris asked if Mr. Bunker would give up his planner position. (This was answered by Council member Duggin reading Daniel code 1-5-4 A which provides that Council members may be assigned additional duties except that the mayor may not serve as the clerk or treasurer.) Todd Bonner asked if Mr. Bunker would be vacating his council seat or return as a council member after the new mayor is elected in November. Council member Bunker believes that he would serve as mayor temporarily and return to his council seat in January, but he will look into it legally.

In interviewing Mr. Bunker, Council member Duggin asked what pay rate Mr. Bunker would expect as mayor? Mr. Bunker responded that he would accept no additional pay to serve as mayor. Council member Grady asked how Mr. Bunker would find the time with all of his other responsibilities. His response was "It's just what we do."

Council member Glodowski moved to appoint Eric Bunker as the temporary mayor to fill the vacancy left by the resignation of our former mayor. The motion was seconded by Council member Grady.

The motion passed by the following vote: Duggin, aye; Grady, aye; Glodowski, aye; Bunker, aye.

3) FILL THE MUNICIPAL LEGISLATIVE BODY VACANCY

Mayor Bunker then opened the discussion of a vacant Council seat that had just opened. It was determined that the Council will advertise the position and follow the same process outlined under Utah State Code 20A-1-510 that the Council used to replace the mayor position. There was some concern that no one would step forward and volunteer for the position, and the Council might have to govern with an empty seat or appoint a new member.

Council member Grady moved to advertise a short term Daniel Town Council vacancy, and Council member Glodowski seconded the motion. The motion passed by the following vote: Duggin, nay; Grady, aye; Glodowski, aye; Bunker, aye.

4) SET DATE FOR INTERVIEW OF APPOINTED POSITIONS

One person has made application for the town clerk's position. Council member Duggin stated that she thought the mayor (to be elected on November 2) should be involved in the interview and appointment of the clerk's position under the new administration in January, and she would like to advertise and open up applications and start the process again as there has been some confusion about the application process.

5) APPOINT STAFF POSITIONS

Council member Duggin addressed the vacancy of the town clerk/recorder position created by the clerk's resignation effective on September 24. As a former town clerk/recorder she offered to job share with Lynne Shindurling, also a former clerk/recorder, to fill this position without compensation until a new clerk/recorder could be hired and trained under the new administration in January 2022 under the new mayor.

Mayor Bunker thanked her for her offer, but he informed those present that Mary Snyder, who had recently resigned as clerk, had offered to continue until the election. However, she would not come to meetings or take minutes. Mayor Bunker said that she would do everything just as she always has and continue through the end of the year.

Council members Duggin and Grady pointed out that the time frame would not cover the hiring of a new person, that the town's office has moved from Ms. Snyder's office, and that the new mayor would want to appoint a new person with the advice and consent of the council members. Also if Ms. Snyder would not come to meetings or take minutes, then she would not be doing everything as was claimed.

Several members of the public supported accepting the offer of Duggin/Shindurling which would save the town money, but Mayor Bunker wanted to reappoint Mary Snyder even though she had resigned.

Council member Glodowski moved to continue this issue until later in the meeting. Council member Grady seconded the motion. No vote was taken.

6) ZONE CHANGE FOR MD ASSOCIATES; PARCEL 20-4498 3300 S HIGHWAY 40

The Planning Commission has recommended that there should be a 50% dedicated easement on the southern half of this parcel to serve as a buffer zone. We have asked for a legal description and plan of use of this area, and we are still waiting for that from the owner. All zone applications must be acted upon in November according to Daniel Town code.

7) POSSIBLE APPROVAL OF RESOLUTION: DR 2021-10-04: T-O ENGINEER FEES SCHEDULE

Mayor Bunker read the resolution adopting 2021 fees. **Council member Grady moved to approve DR 2021-10-04 Base Fee Schedule. The motion was seconded by Council member**

Glodowski, and the motion passed by the following vote: Duggin, aye; Grady, aye; Glodowski, aye; Bunker, aye.

8) BUSINESS LICENSE(S)

NEW: DK Auto Detailing, Russ & Cathy Witt Family Trust, LLC

Council member Glodowski moved to approve these new licenses, and the motion was seconded by Council member Duggin. The motion passed: Duggin, aye; Grady, aye; Glodowski, aye; Bunker, aye.

9) COUNCIL REPORTS

Council member Grady reported on the interlocal meeting of September 22 including the Heber Valley Corridor EIS meetings scheduled for October 5th and 6th which will present 13 options for the Heber Valley Bypass. Public input will be accepted to determine which options will be carried forward.

She also reported on the airport update reading a summary of the comments made by airport manager Travis Biggs and comment by Council member Duggin concerning encroachment of the airport upgrade which may intrude upon Town of Daniel properties.

Council member Grady discussed the RAP (Recreation, Arts, and Parks) tax that will be on the county wide ballot November 2 (a 1/10 of 1% sales tax which is expected to generate \$800,000 revenue for maintenance of public facilities in the first year). She also mentioned the CRA (Community Renewal Agency) which is looking to sign an interlocal agreement between Heber City and Wasatch County School District designed to dedicate some tax revenues to revitalizing some local businesses within the business district designated by Heber City.

Council member Duggin volunteered to attend the mandatory CDBG meeting scheduled for October 13 with Amelia Pays of T-O.

10) DANIEL MUNICIPAL WATER

Secretary Shelly Bunker reported that everything is going well. The Sanitary Survey has been completed with some paperwork that needs follow up. The fencing exception around the steep area above the springs has been applied for but not answered. Several meters are not reading properly and will be examined next month and replaced if necessary. The new Church and School meters have arrived but have not been installed. Ryan Taylor is recommending that the chlorinator be replaced and perhaps purchase some spare parts.

11) STORM HAVEN WATER:

No problems reported.

12) APPROVAL OF COUNCIL MEETING MINUTES; SEPTEMBER 13, 2021

Council member Duggin requested a spelling correction of "discussion" in item number 2 and "Storm Haven" in item #7, and she requested a rewording in item #5 clarifying the statement to read "Council member Duggin stated that the Wasatch County Taxpayers Association has discovered that approximately 1/3 of Wasatch County properties have not been reassessed in at least 10 years." ***Council member Duggin moved to approve the minutes with the corrections requested, and the motion was seconded by Council member Grady. The motion passed with the following vote: Duggin, aye; Grady, aye; Glodowski, aye; Bunker, aye.***

13) RECORDER'S OFFICE: WARRANTS APPROVAL, ANNOUNCEMENTS, ETC.

Mayor Bunker read the warrants. **Council member Grady moved to approve the warrants for September 2021. The motion was seconded by Council member Glodowski. The motion passed with the following vote: Duggin, aye; Grady, aye; Glodowski, aye; Bunker, aye.** The quarterly budget update was presented with no questions from the Council members.

5) COUNCIL RETURNED TO AGENDA ITEM 5

Mayor Bunker asked the Council to support his decision to keep Mary Snyder in the clerk's position as he wants to hand over to the new mayor in January a smooth transition. Todd Bonner stated that this might be a smoother transition for Mayor Bunker but not for a new mayor. He repeated that Ms. Snyder had resigned. Jill Bonner stated that it seemed like a "no brainer" to choose the option that would save the Town's money. Council member Glodowski felt that the Mayor should be able to choose the person he wants to work with for continuity. **Mayor Bunker called for the vote: Duggin, nay; Grady, nay; Glodowski, aye; Bunker, aye. The motion does not pass.** Mayor Bunker said, "We don't have the consent of the Council; we won't make that appointment."

14) POSSIBLE CLOSED SESSION

Council member Grady moved to go into closed session to discuss personnel (character and competence of an individual). The motion was seconded by Council member Duggin. With a unanimous vote, the Council went into closed session at 8:45 PM.

Council member Glodowski moved to come out of closed session into regular session. The motion was seconded by Council member Grady. With a unanimous vote, the Council returned to open session at 9:20 PM.

In open session there was discussion regarding special meeting dates but nothing was determined.

15) ADJOURN

Council member Glodowski moved to adjourn and was seconded by Council member Grady. The Council vote: Duggin, aye; Grady, aye; Glodowski, aye; Bunker, aye. The meeting was adjourned at 9:45 PM.

Merry Duggin

Council member