

Daniel Town Council Meeting Minutes

Monday November 1, 2021 @ 6:00 PM

Wasatch County Service Complex,

55 S 500 E, Conference Room B

Heber City, UT 84032

Council Quorum: Interim Mayor Eric Bunker, Council members: Stefanie Grady, John Glodowski and Merry Duggin.

Town officers present: Sherri Price, Treasurer and Ryan Taylor, Town Engineer.
Mary Snyder was not present

Members of public: Scott Kohler, Stacy Kohler, Jill Bonner, Todd Bonner, Mark Haroldsen, Barbara Norris, Kim Norris, Mike Duggin, Jordan Givens, Julie Givens, Mick Kohler, Gary Weight, Amelia Pays, Jon Blotter, Ryan Simpson, Pam Skinner

Council member Merry Duggin was asked to record the minutes.

The meeting was called to order at 6:06 PM by Interim Mayor Eric Bunker.

1) PUBLIC COMMENT:

Council member Stefanie Grady wished all of the election candidates good luck.

Council member Duggin informed the public that there had been some complaints about issues with the mail in ballots, and she encouraged anyone that was having a problem with a ballot to vote in person on Election Day at the Wasatch County Event Center.

2) COUNCIL SEAT INTERVIEWS

Mayor Bunker explained that the Council seat opened by his move into the mayoral position had been advertised, and 2 persons (John Wetsel and Jill Bonner) had contacted the town in regard to filling the seat. Ms. Barbara Norris stated that she also had emailed the Town through Mary Snyder that she was interested in being considered for the Council seat. Mayor Bunker indicated that he had not received that email, but he and the Council members agreed that she should also be interviewed and considered. Council members asked the candidates the following questions: 1) Why do you want to serve on the Council? 2) What are your qualifications? 3) Are you familiar with the Town budget and issues facing the Town?

3) DISCUSSION/POSSIBLE APPOINTMENT OF COUNCIL VACANCY

Based on the answers of all 3 candidates, the Council determined that all of them were qualified and would have a difficult time choosing one over the others. In lieu of a closed session to discuss the candidates (Mr. Kim Norris specifically said that as a citizen he did not want the Council to go into a closed session, and he preferred that the choice be made in public for transparency.), the Council decided to draw a name from a hat. Council member Duggin asked if the candidates would approve of this method of selection, and they indicated that they would. The name drawn was Barbara Norris, and she took her seat as an interim Council member. She will serve through the end of 2021 and until the newly elected Council member takes office in January 2022.

4) DISCUSSION/POSSIBLE APPROVAL: ZONE CHANGE RA-5 TO COMMERCIAL/MD ASSOCIATES/MARK HAROLDSEN; PARCEL 20-4498, 3300 S HIGHWAY 40

Mr. Mark Haroldsen was present to represent himself. Mayor Bunker distributed to the Council several documents relating to the zone change request including a legal description and map of a proposed buffer zone on the property and the Planning Commission recommendation regarding this property. Mayor Bunker then stated that on advice of our legal counsel, he would be recusing himself from this discussion and action. He asked Council member Grady to chair this portion of the agenda, and he left the room.

Council member Grady read the Planning Commission recommendation to the Council (attached to these minutes).

Council member Barbara Norris asked about a maintenance plan for the property. Town Engineer Ryan Taylor responded that they do not currently have a detailed maintenance plan, but a motion to approve the zone change should include that the property owners develop one and other conditions, as the owner still has many steps to complete for development including approval from UDOT.

Council member Duggin asked if the final owner would be Daniels Highway Storage, LLC as is indicated on the paperwork, and Mr. Haroldsen indicated that to be the case. A discussion concerning access to the buffer zone from Little Sweden Road followed. Mr. Haroldsen stated that there is no intent to access this property for commercial purposes from Little Sweden Road. Mr. Scott Kohler asked what sort of commercial development was being approved. Mr. Haroldsen stated that this would include mini storage units and some commercial buildings similar to another property close by. Ryan Taylor stated that this concept could change as once the commercial zone is granted, any commercial development permitted in our code would be eligible to be developed on this property.

There being no further questions, ***Council member Grady moved to approve a commercial zone change on parcel 20-4498 with the following conditions: that a maintenance plan for the buffer zone be developed, approval of the concept drawing occur, legal review of the legal description of the deed restriction and recordation be completed, approval of UDOT be completed, a water/sewer concept be completed and approved, and approval of the site plan be completed. Council member Glodowski seconded the motion. The motion passed with the following vote: Grady, aye; Duggin, aye; Norris, aye; Glodowski, aye; Bunker, recused and absent from the room.***

5) ENGAGEMENT LETTER FROM GILBERT & STEWART

Mayor Bunker returned to the room and explained that this engagement letter is necessary to hire a CPA for the required "agreed upon procedure" that the Town must complete in lieu of a full audit. This is a procedure designed by the state for entities with annual budgets below \$1,000,000.

Council member Glodowski moved to accept the engagement letter from Gilbert and Stewart for the agreed upon procedure for \$3,800. Council member Grady seconded the motion. The motion passed with the following vote: Grady, aye; Duggin, aye; Norris, aye; Glodowski, aye; Bunker, aye.

6) APPROVAL DR 2021-11-01: COOPERATIVE AGREEMENT FOR SNOW REMOVAL WITH WASATCH COUNTY PUBLIC WORKS

This is an annual interlocal agreement between Wasatch County and Town of Daniel for snow removal and sign replacement/repair. The fees charged by Wasatch County are \$160.30 per hour for snow plowing services and \$41 per cubic yard of salt that the County uses on Daniel

roads. Sign repair and/or replacement will be charged at \$67.79 per hour plus materials. Mayor Bunker read the resolution.

Council member Grady moved to approve DR 2021-11-01, and the second came from Council member Norris. The motion passed with the following vote: Grady, aye; Duggin, aye; Norris, aye; Glodowski, aye; Bunker, aye.

7) BUSINESS LICENSES:

NEW:

Green House Group, LLC. Located at 501W 3000 S, this is a residential construction and general contracting business which will require an office and administrative location only and expects no outside staff or visitors.

Givens Dump Trailer Service, located at 464 W 3000 S. This business was added to the agenda, and Julie Givens was present to represent this family owned business involving a dump trailer being parked on their property and used by the property owner.

RENEWALS: Doctor Fix IT, Daybreak Pasture LLC. There have been no complaints about these businesses.

Council member Glodowski moved to approve the new licenses for Green House Group and Givens Dump Trailer Service and renewal of the licenses for Doctor Fix It and Daybreak Pasture LLC. Council member Duggin seconded the motion. The motion passed by the following vote: Grady, aye; Duggin, aye; Norris, aye; Glodowski, aye; Bunker, aye.

8) COUNCIL REPORTS/UPDATES:

Council member Grady stated that she is interested in learning about the issues concerning the trailer park located at the corner of 3000 S and Daniel Rd. and has been trying to contact Tracy Richardson at the Wasatch County Health Department for information. Mayor Bunker stated that the new owner seems to be making efforts to make improvements on the property and working with the Town. Julie Givens complained that the fence surrounding the property needs repair and dogs are running around. Stacy Kohler asked if the trailer park is in compliance with health department regulations. Mayor Bunker explained that the new owner has complied with and received approval from the Wasatch County Health Department. Kim Norris stated that the town should provide low income housing, and the trailer park is a start.

Council member Duggin reported that she had attended the CDBG mandatory meeting on October 13, and the Town is now beginning the application process for grant money by holding a public hearing. She also attended a MAG Predisaster Mitigation meeting on October 13, and she reported that the main topic was air pollution in Wasatch County.

9) DANIEL MUNICIPAL WATER:

The recently completed sanitary survey has some things that can be resolved quickly, but the Cross Connection training has not been completed, and we have been assessed points for that. DMW currently has 55 points which is fewer than last year. We have submitted our annual Consumer Confidence report. The spring flow has remained relatively consistent at 90-100 gpm.

Council member Grady has been contacted by Hugh Barker of Daniel Irrigation regarding a statement he received from Daniel Municipal Water. Ryan Taylor explained that this is an itemized list of inspections and meetings and is a pass through of charges from T-O Engineering.

Mayor Bunker explained that DIC has signed an interlocal agreement with Town of Daniel agreeing to pay these charges in regard to the inspections within the Town's right of way for the irrigation line installation. Mr. Barker should contact T-O if he still has questions. Council member Duggin brought up the issue of the DMW chlorinator that was a carryover from the meeting in October. The chlorinator is still working, and it has been determined that if it needs to be replaced, that should be the determination of the next administration as the bid for replacement is higher than we hoped it would be. It will be monitored to be sure that it continues to work.

10) STORM HAVEN WATER:

There are no major issues to report. Mayor Bunker would like to install T- posts to mark the well area to avoid any snow pushing operation problems.

11) APPROVAL of COUNCIL MEETING MINUTES: October 4, 2021

Council member Duggin requested a change in item #6 to replace "western" with "southern".

Council member Glodowski made a motion to approve the meeting minutes for October 4, 2021, with the change requested, seconded by Council member Norris. The motion passed with the following vote: Grady, aye; Duggin, aye; Norris, aye; Glodowski, aye; Bunker, aye.

12) RECORDER'S OFFICE: Warrant approval, announcements, etc.

Council member Norris moved to approve the October warrants, seconded by Council member Glodowski.

In discussion Council member Duggin objected to paying Mary Snyder full compensation of \$2000 on the grounds that she had not performed all of the duties of the job. Council member Duggin felt that Mayor Bunker should negotiate with Ms. Snyder to work out an arrangement for what Ms. Snyder should be paid. Mayor Bunker asked what the Council thought she should be paid, and Council member Grady moved to pay her \$1,500. This motion failed for lack of a second.

Council member Duggin reminded Mayor Bunker that there was a motion and a second for payment of the October warrants, and Mayor Bunker called for the vote.

The motion failed with the following vote: Grady, nay; Duggin, nay; Norris, nay; Glodowski, aye, Bunker, aye.

Council member Duggin moved to approve the October warrants except for the full amount of \$2,000 payroll for Mary Snyder. This motion was seconded by Council member Grady. It passed with the following vote: Grady, aye; Duggin, aye; Norris, aye; Glodowski, nay; Bunker, nay.

13) POSSIBLE CLOSED SESSION:

There was no closed session.

14) ADJOURN:

Council member Glodowski made a motion to adjourn, seconded by Council member Norris. With the following vote: Grady, aye; Duggin, aye; Norris, aye; Glodowski, aye; Bunker, aye, the meeting was adjourned by Mayor Bunker at 8:05 PM.

Merry Duggin,
Council member

APPROVED 12-6-2021