

**Daniel Town Council Meeting**  
**Monday, May 1, 2023, at 6:00 PM**  
**Wasatch County Services Building, Conference B**  
**55 South 500 East, Heber City, UT**

**Meeting Minutes**

Quorum Present: Mayor Scott Kohler, Council members Jon Blotter, Robyn Pearson, Barry Dixon, and Merry Duggin. Also present were, Planner Eric Bunker, and Clerk/Recorder Kim Crittenden to take minutes.

Members of the Public: Harry and Vickie Weyandt, Jonelle Fitzgerald, John and Terri Call, Dan Ford, Dave Runnell, Reggie Kohler, Dana Kohler, Rich and Mary Martin, Brent Haight, Eric Bennett, Ryan Simpson, Brian Collins, Tabatha Benzler, Pam Skinner, Larry and Mary Ward, Jill Bonner, and Joe Witt.

Mayor Kohler called the meeting to order at 6:00 pm

**1) Public Comment: (please limit to 2 minutes per person)**

There was no public comment.

**2) Health Department Update**

Mayor Kohler turned the time over to the Health Department. Jonelle Fitzgerald, Health Officer from the Wasatch County Health Department reported on their 2022 Annual Report. She reminded all in attendance that the Wasatch County Health Department serves all of the communities in Wasatch County, including the Town of Daniel. She stated that the Board of Health is a nonpartisan organization by statute so that the public health policy and guidance are not swayed by political forces. She stated that five of the seven Board of Health Members have served for nine years and the Chair, Dr. Burton has served for the last four years.

She stated that the annual report shows some of the programs that they focus on as well as the budget. Some of the items she highlighted included: Women infant children, the WIC program is a good service and serves individuals with good nutrition that are low income, with a 3.2-million-dollar budget. She stated that 60% of that comes from state and federal grants, about 22% of their budget expenses are paid for with tax dollars. She continued by stating that the Health Department regularly looks at over 100 health indicators and that the board helps to put together a strategic plan that helps to guide the work that they do. Water and air quality are focused on and are a priority of the Board of Health, especially as the county sees more and more growth. A few of the featured statistics are interesting. She stated that generally negative health indicators are lower in Wasatch County than in the state or the nation. She noted that the Health Department did see a high number of uninsured people in 2022 and so this has been identified as a concern that the board will be addressing. She stated that they had just received a report from the Robert Wood Johnson Foundation Commission and of 28 counties in Utah that were ranked in this County Health Ranking, Wasatch County ranked number one for health outcomes. This measures longevity, length of life as well as, and quality of life. She stated that Wasatch County is a healthy place to live. She then turned the time over to Dr. Burton.

Dr. Burton Stated that Jonelle had been the health officer for about two years now, and has done a wonderful job. Dr. Burton referred to the 21 programs that the Health Department administers or offers services through. He then moved on to discuss the 2020 Ground Water Study and stated that it had been 20 years since the previous one. He stated that while they learned a lot from that there were some data vacuums or places in that study that didn't answer all of their questions, but it answered a lot of them. He stated that one of their goals was to recheck things every three years so that the County does not lose the pristine or near pristine water our communities enjoy. He stated that as the population increases, so does contamination. He stated that the water the aquifer that comes down through the north fields, is a concern. we would like to understand what's happening in those aquifers to a better degree than we now understand them. He stated that they would like to understand what happens between the shallow aquifer and the deep aquifer so they have drilled seven wells, to monitor.

He pointed out that families have gained improved access to WIC benefits. He stated that recipients are issued a WIC e-card that they can go through any checkout line discreetly. He stated that WIC has improved the benefits to children and families in terms of frozen and fresh fruits and vegetables, encouraging them, to align their diet with US Dietary Guidelines. Another program he wanted to highlight is called Stepping. This is an evidence-based program to help senior citizens avoid injuries, especially during the winter. It's an eight-week course that helps them with risks, balance and stretch exercises, home hazards, safe footwear safety, safety in public places, and coping after a fall. He stated that a survey was taken and in Wasatch County 1/3 of our 65 and older citizens have had a fall over the last year and \$65 million was spent on fall-related problems.

He stated that they have partnered with the school district to decrease our absenteeism. He stated that there was not a lot of absenteeism a year ago because we were all masking and isolating. Now that that's not happening and this winter had a very big spike in the flu. The Health Department gave 488 students the flu mist vaccine.

It was asked if the Health Department was still distributing naloxone. He stated that they carry Narcan, which is the brand name of Naloxone. He continued by explaining that if somebody's taking opioids, and they overdose, that Naloxone will knock the opioid off of the receptor and allow them to breathe. He further explained that even if it was a misdiagnosis, and someone is passed out or something and not having an overdose it is not harmful and has no negative side effects. He stated that the Health Department will distribute it for free in training on how to use it and how to recognize an overdose.

It was asked who was working on the mental health crisis in the County. He stated that Wasatch Behavioral Health or Wasatch Family Clinic addresses the mental health needs in the County. He stated that mental health is a public health issue and the Health Department works on suicide prevention and they partner very closely with Wasatch Behavioral. He stated that they are in the middle of a community health assessment right now by attending community meetings distributing surveys and holding some focus groups. He stated that they had brought in a mental, Spanish-speaking mental health therapist, who serves one day at the hospital and one day at the high school. He stated that in his 45 years of practice, it has always been a challenge to get adequate help for mental health.

As he wrapped up his presentation, he noted that Tracy from the Health Department who is over septic systems, also does a great job.

**3) Public Hearing to Consider a Zone Change for Ellis Subdivision Parcel #s 20-2403 and 20-4525 at Approximately HWY-189 and 3000 South from RA-5 to Commercial**

Mayor Kohler asked for a motion to open the public hearing.

***Council Member Blotter made a motion to open the public hearing for the Town Council Meeting on May 1, 2023, to consider a zone change for Ellis Subdivision Parcel #s 20-2403 and 20-4525 at approximately HWY-189 and 3000 South from RA-5 to Commercial. Council Member Duggin seconded the motion. The roll call vote was Blotter yes, Kohler yes, Pearson yes, Dixon yes, and Duggin yes. The motion passed.***

Mayor Kohler addressed the Council and audience before opening it up for discussion stating that his hearing is about a zone change. He asked that comments be limited to the zone change and not a concept plan that has been circulated a bit. He stated that there has been an application for a zone change for the aforementioned parcels from RA-5 to commercial. It was noted that if the parcels were rezoned to commercial, anything that is allowed in the commercial zone could potentially be built.

It was asked what the difference was between Agenda Items Three and Four. It was stated that Agenda Item Three was for a public hearing about the zone change and that Agenda Item Four is for the council to vote on that Ordinance for the zone change.

The members of the public were invited to speak and asked to state their names for the record.

Joe Witt stated that he lives on 3000 South and he expressed concerns about increasing traffic in the Town of Daniel. He stated that regardless of whether the zone change was approved a larger discussion about traffic control should be addressed. He stated that roads can be rerouted and readjusted to affect traffic control. He stated that his sister lives in Summit County and about 15 years ago, they rerouted old ranch road up to 48. He stated that it drastically reduced people cutting through from Park City to try to get over to Home Depot because it became too inconvenient. He discussed other areas in Summit County that also have traffic-reducing measures implemented. He stated that he would like to have a plan in the Town of Daniel to help keep traffic on Daniel Road, 3000 South, and Little Sweden at current levels.

Mayor Kohler asked Mr. Witt if he had seen a significant increase in traffic on 3000 South.

Mr. Witt stated yes and that he had also noticed a speed increase.

It was stated that the Town's partnership with Wasatch County regarding the transfer station is lacking. It was also noted that much of the Town would like to have had a say in the airport expansion plans with Heber City as well since both the Airport and the County Transfer Station border the property in question.

Mr. Witt continued by stating that motorists are cutting through the town making 3000 South and Little Sweden thoroughfares. He discussed that not allowing some right and left-hand turns and increasing the number of stop signs might be a solution.

Brian Collins spoke and stated that he lives on 3000 South about 5 or 10 doors down from the property in question. He stated that he could go either way to supporting the zone change. He stated that he thought the bigger picture he was looking for and considering a detailed Town Master Plan. He discussed the Towns plans to keep commercial development along HWY 189 and HWY 40. He continued by mentioning a neighbor that owns 60 acres that has told him someday he would like to develop this land and that this would also be a concern that could increase traffic on 3000 South. He then went on to discuss traffic routing and deterrent measures.

It was noted that the Town of Daniel does have a Master Plan and that the parcels in question are located in the area where the Town Master Plan would like to see commercial development.

It was then stated that the Master Plan Map shows the area as an enterprise zone, which could become commercial rather than it must be commercial.

Mr. Collins ended his comments by stating that he thought a gas station on the aforementioned parcel would be great for the Town and its residents. He further contended that it was unlikely someone would purchase the land for a big home because it borders the airport, HWY 189, and is across from the Wasatch County transfer station.

Harry Weyandt, the owner of both parcels spoke. He stated that he had become before the Town Council and the Planning Commission about 14 years ago and the parcels had been unanimously approved by Town Council and Planning Commission to approve the parcels for commercial development. He stated that those plans did not pan out and the economy got worse. He stated that he thought he had been a good neighbor for the last 15 years and as it was pointed out that no one could build a mansion or something really nice across the street, but the dump or right at the end of the airstrip. He stated that it was only logical that if the Town is going to put a big commercial development it is going to have to have highway access and that hopefully this development will get them in and out quickly and discourage travel through the Town. He said he believes the applicants have exactly that kind of idea. He stated that they have been listening to the Town Council and Planning Commission and revised their tentative plans many times based on this feedback.

He stated that nobody wants a freeway in their backyard but that jobs are important for any community tax base. He stated that this development could double the Towns Current Revenue which could be used to fill potholes and make other improvements throughout the Town. He stated that while he owned the property and thus there was a financial consideration for him, he felt that the most logical place for a development like this was on HWY 189.

He stated that 14 years ago many of the residents in the room were in support of a rezoning for the land to commercial and the Bunkers' land next door is also commercial. He stated that he hoped that this community would once again be supportive because this could produce tax revenues, and jobs, but also be able to tackle the issue of traffic on 3000 South, which is an important consideration for every single person. He continued by stating the applicants had been attending meetings since January and had taken all questions and guidance from the Town Council and the Planning Commission into account. He closed by stating that obviously, he was for the zone change and that it could help solve some of those problems of 3000 South, get people back on the Highway at night, and stop tax revenue going down the street and giving it all to Heber City.

Ryan Simpson spoke next stating that he had lived on 3000 for the last eight years. He stated that whatever is decided that he hopes the Town will pay attention to the traffic on 3000 South. He stated that it has been rumored that there might be bus stops established in the Town and this would also increase traffic. He stated that he was in support of development because of the likely increased revenue. However, he stated that he was still concerned that 3000 South would be used as a shortcut and if it is approved if the Town could work somehow, somehow keep the traffic off 3000 South. He stated that he has kids and cows and wants to make sure they are safe.

Reggie Kohler spoke next. He stated that he has lived on 3000 South for more than 20 years. He stated that he was against the zone change citing traffic concerns and the loss of Daniel being a farming community.

Rich Martin stated that he and his wife Mary had lived in Daniel for seven years. He discussed how the Town had gone from a Town full of Tractors, dogs, and chickens to having hot rods burning down the roads. He stated that Fridays and Saturdays were particularly bad.

Eric Bennett, Planning Commission Vice Chair asked if the mayor would like some perspective and information about the Planning Commission's Recommendation. He was invited to speak. He stated that the Planning Commission did recommend to the Town Council for this zone change. He continued by stating that the Planning Commission had met with the developers several times and that the very first thing that comes up every single time out of everyone's mouth is traffic, traffic, traffic. It's all we care about. And they're doing everything they can to mitigate this. He continued by stating that he can't say the traffic isn't going to go up a little. However, he stated that there are some things that if this happens, we can do to help. He stated that for example, the developers are trying to get an egress out on 189 where cars can drive in and outside so they don't have to use 3000 South. He stated the property is it's right on the borderline of what UDOT will approve and so letters supporting the egress from Town leadership and residents would be helpful. He stated they need to know that having an additional exit onto HWY 189 would be a good thing to keep this traffic off of 3000 South, he continued by discussing the bypass plans. He stated that as far as traffic goes, our biggest concern for everybody here is the bypass road. He stated that three of UDOTs' five proposals directly affect Daniel. He continued by stating that one of the proposals is to take HWY 189 around the airport out of the loop, which he thought would mean that there would be 10 times the traffic get through on 3000 South because there is already the light at the corner which has multiplied the traffic drastically. So those are the bigger concerns, that we can't do very much about at all. He stated that the Planning Commission had spoken to UDOT but they were not very receptive to the Town's concerns.

It was asked how many people serve on the Planning Commission and it was stated that 7 currently serve.

He continued by stating that the Planning Commission and the developers have talked at length and if it's going to be developed, the developers seem pretty good. He noted that originally the zoning change request included industrial which was recommended against and so the complete change of the parcels to a commercial zone seemed like a good compromise. He then was asked questions.

Council Member Blotter took to the public comment and stated that as he looked to the benefits and costs the only benefit that he could see would be an increased tax base. He argued that

the Town “runs in the black” and so thus did not need more money. He stated that his concern was for his grandkids, other people’s grandkids, and kids being affected by increased traffic. He stated his opposition to having a gas station at the entrance to Daniel. He reiterated that changes in the traffic would be significant. He further stated that he disagreed with Mr. Bennett stating that we as a Town can try to affect the bypass, and he would go down trying to do this. He stated that if these parcels are zoned commercial this would be a significant downfall, or potential downfall in changing our town. He ended his comments by stating he is strongly opposed to it.

Next John Call spoke. He stated that he had purchased bumper dump property and had been vaguely aware of the zoning situation on the parcels. He stated that one of the reasons he decided to it was because they wouldn’t allow the zoning commercial on the property. He stated that he had been in Heber for 20 years, built a business here and sold it, and wanted to stay I was on Mill Road for 18 years, but Heber City rezoned it and it became a thoroughfare. He stated that he got tired of the traffic. He stated that he had also briefly lived in Crazy Acres. He stated that his daughter had been one of the girls killed on the highway at the intersection of HWY 189 and 3000 South. He stated that he moved to Daniel to be in a rural community and state and that is what he would like to see for Daniel. He continued by stating that he was a businessman and so he got why these parcels would be good for commercial development. He stated that before he lived near the parcels, he did not get why it had not been developed commercially, however now that I live four doors down, I do not want traffic coming up and down my road. He ended by saying that he had personally seen what traffic can do and was thus against the zoning changing to commercial.

Next Larry Ward spoke. He stated that the accident described was caused by confusion about lanes in the intersection. He stated that s growing up he loved it the way it was. He suggested the 25-mile-an-hour speed limit be reinstated and this should be studied. He stated he was opposed to the zone change.

Mayor Kohler stated that the public hearing was to hear from the public and that if everyone had spoken, the public hearing should be closed and the Town Council would then discuss the matter before voting.

***Council Member Duggin made a motion to close the public hearing for the Town Council Meeting on May 1, 2023, to consider a zone change for Ellis Subdivision Parcel #s 20-2403 and 20-4525 at approximately HWY-189 and 3000 South from RA-5 to Commercial. Council Member Blotter seconded the motion. The roll call vote was Blotter yes, Kohler yes, Pearson yes, Dixon yes, and Duggin yes. The motion passed.***

Council Member Pearson stated that several months ago the Town of Charleston had come to the Town Council stating that they wanted to build a rather elaborate truck stop facility on the opposite side of the highway in Charleston. He stated there were many concerns voiced by the Town Council then about why this may or may not make sense for the town. He further stated that the Town of Charleston wanted to get water from the Town of Daniel. He stated that that was a deal breaker for him. He stated that he has listened in meetings and tried to be as objective as possible. He stated that he had a lot of mixed emotions, because he spent his career doing local government work, and he understands the value of a tax base. He stated that this should not be the most important factor and that the quality of our community should be.

He then asked the developer if the property might sell at some point and if they would be running the development. Mr. Ford stated that it could be sold at some point and he and his group would not be running the development once built.

Council Member Pearson stated that the current owners have the developer here but not people who ultimately invest money into the property to make it work. He stated those people are not here and they're not listening to our concerns. He continued by stating that they may not even care about how to mitigate the traffic issues. He stated that this type of traffic study has to be done in advance. He stated that this would be what would be necessary to discuss traffic patterns and mitigation intelligently. He continued by stating that the Town does not have sidewalks, turn lanes, or shoulders on our roads, but we have use traffic. Such as farm equipment, and people on bicycles. He noted that recently, a favorite place to ride is down throughout 3000 South and onto Little Sweden, He stated with increasing speeds this seems like an accident waiting to happen.

He agreed that the developers seem to be just top-notch, but that they are not going to be the ones that Town might be working with. He again stated that he would like to see a traffic plan and study that does everything humanly possible to limit and control traffic. He stated that he would like to see that before any change in the zoning because once the zoning is changed, anything can be developed that is allowed in a commercial zone. He pointed out that the developers had stated that they would be willing to fund a traffic study. He further stated that he would like to meet with their engineers and express his concerns and then come back to the Town Council and ask if it was enough traffic mitigation. He continued by stating that the unknown factor is what's going to happen with your real realignment or the bypass road. None of us know. He then referenced the previous discussion about the 3 of the 5 bypass options that greatly affect Daniel.

Dan Ford asked when he would be allowed to address the Council. He stated that he would love to address these questions. He continued by stating that this meeting was just for a zone change which was like the first domino.

It was asked if once you approve a zoning change, anything that's allowed in that commercial would be available to be put on the property. It was answered yes that the Town would not be able to stop this, He stated that his team does have somebody willing to help them mitigate our traffic, or what we're what we perceive as a traffic problem. He stated that everyone is going to ask for traffic lights between the relevant 3000 South and to run up the canyon of Daniels Canyon. He stated that every one of them is going to add three to five more lights along that road to get there and this will have a much bigger impact than anything that is being discussed tonight. The discussion went back and forth about what making the parcels zoned commercial could ever potentially bring.

Council Member Pearson stated that he had been the director of the Chamber of Commerce here for 13 years. He stated that a lot of people that the traffic isn't from the Heber Valley and there is a huge amount of pass-through traffic. He stated that a good share of those folks are looking for a place to get gas to fuel, get a big Chill, worms or whatever it is that you need to get, and then on your way you go. And as the population grows on the Wasatch Front, there will be more and more of a prevalence.

Mr. Ford introduced himself and stated that he has worked with developers, and that he has appreciated the comments. He stated that Council Member Blotters had been very open with

him from the beginning and that while they don't necessarily agree on everything, he appreciated him being open and willing to talk with me. A couple of others had also reached out and he expressed his appreciation. He stated that as far as the zone change, he hasn't heard a single comment or complaint about the types of uses in the zone. It was stated that this was not true and some had asked that nothing happen with the property. He stated that the majority of the comments have been more on how this is going to interact with the city, meaning specifically traffic on 3000. He stated that after our last meeting, we did engage an engineer Hills Engineering. He stated that his team had been as open as possible about the questions and concerns that Daniel with impacted and directed on to 3000 South. He stated that they had them engaged in a couple of ideas that they presented. He stated that the reason he didn't bring it tonight was because the traffic impact study is very specific on what is going to be approved. And since there was not a public hearing on the concept it was premature. He stated, for example, if a service station went into the corner, the traffic impact study or the traffic engineer what is it typical traffic behavior of this versus a Starbucks versus an office building? He stated again that the first step was to have the zone approved. He continued by stating that the Town would still have control over site plan approval and all traffic mitigation efforts. He stated that he had talked to these traffic engineers, and had thrown out several ideas about how we can encourage traffic to go back onto 189. He stated that it was completely critical to have Town leadership and residents encourage UDOT, to have a second access next to the airport. He stated that the property is only 100 ft short of the UDOT 1000 feet rule between accesses. He also stated that having second access could increase safety.

He stated that his next step, if successful with the zone change after there would be a site plan submitted to the Town and that there would likely be changes to the one previously submitted. He stated that they had already engaged a firm to do traffic counts and traffic studies. He brought up the option of a deed restriction that would place certain restrictions on every future owner. He continued by stating that the Town has control over site plan approval and permitting. He acknowledged that while the Town can't restrict the use, for example, a coffee place, because of community values the Town can require a dedicated right-hand turn lane and the like. He continued by stating the State of Utah has control and jurisdiction over HWY 189 and changes to it are at the discretion of the State.

He was asked why this piece of property was chosen and he stated it is a fantastic location for their concept, much better than HWY 40 because it would appeal to recreational users and traffic coming from Utah County into Wasatch County. He also said that the potential tax revenue would be much more significant on this piece of property.

It was asked if the County should be brought into the discussion because of the significant traffic that the transfer station brings, particularly on Fridays and Saturdays. He stated that when they do their second traffic study, they will include the transfer station in the data collection. He reiterated that even with the zone change there would be site plans, permitting, and business licensing to get through.

Dave Runnell addressed the Council and stated that the group does have a heart and that when new developments go into the neighborhoods, it will have a potential impact. He asked the Council for a vote on the zone change during the meeting stating that they have already invested a large amount of capital and it's impossible for us as developers to move forward unless we either have a zoning change or not. He stated that the Town would have another chance to influence the development at the sight plan stage.



It was asked if a site plan approval was the same as a conditional use. It was stated the next step would be a site plan and for that for a site plan, the group will lay out what they want to do on the property and that there would be approvals and discussion going back and forth. However, it was noted that if the group wants to put something in that is allowed in the zone, there will not be a great deal of recourse. It was also noted that if the parcels were to be rezoned as commercial, they could be sold tomorrow.

***Council Member Blotter made a motion to deny a zone change for Ellis Subdivision Parcel #s 20-2403 and 20-4525 at approximately HWY-189 and 3000 South from RA-5 to Commercial. Council Member Pearson seconded the motion.***

Council Member Duggin asked to make a few comments. She pointed out that while the preponderance of comments in the public hearing had been negative that she had also spoken to many residents that were in favor of the zone change and that everyone's options are welcome and need to be considered. She stated that she was the Town Clerk/Recorder when the parcels were previously zoned in 2008 and reverted back to RA-5 in 2013. She stated that this was bad planning because it caused an island of residential in the middle of commercial properties. She stated that at some point, this is going to be developed and felt that the town had a good person to will work with, and that hasn't always been the case. She stated that the Town Council is also looking into all the mitigating factors that the Town could influence. She continued by stating that once that stoplight went in and everyone's using GPS there was nothing anyone can do about it. She stated that she was going to be a yes vote tonight because she knows that the town needs revenue. She pointed out that Mr. Witt filled had even filled some potholes on his own for the Town. She stated that the Town needs revenue to hire people to do necessary work and that compromises have had to be made.

Council Member Dixon noted that there is an industrial use property across the street, the Heber Airport on the other end, and a commercial-zoned property next to the parcels, and thus a residential island did not make sense to them.

Mayor Kohler called for a vote

***The roll call vote was Blotter yes, Kohler no, Pearson yes, Dixon no, and Duggin no. The motion failed.***

Mayor Kohler called for a new motion

***Council Member Duggin made a motion to approve a zone change for Ellis Subdivision Parcel #s 20-2403 and 20-4525 at approximately HWY-189 and 3000 South from RA-5 to Commercial. Council Member Dixon seconded the motion. The roll call vote was Blotter no, Kohler yes, Pearson no, Dixon yes, and Duggin yes. The motion passed.***

Mayor Kohler read TO 2023-05-01, Short Title: Zone change from RA-5 Zone to the Commercial Zone for Ellis Subdivision Parcel #s 20-2403 and 20-4525 at Approximately HWY 189 and 3000 South.

- 4) Discussion and Possibly Set a Public Hearing about the Recommendations from the Planning Commission about Changes to The Daniel Town Code 8.10 Regarding Storage in the Commercial Zone**

It was stated that this code change is in response to Heber cities on storage buildings and facilities which seems to have driven the business into Daniel. The Planning Commission had put a four-month moratorium on all storage applications while reviewing and suggesting changes to the code. It was noted that storage facilities per se are not allowed in the Town Code however some of the code allowed for workarounds and the Planning Commission would like clearer and tighter language surrounding this issue. It was discussed that storage for a business home or commercial is allowed, but that renting to a third party is not allowed. It was noted that storage is also allowed in the industrial zone.

***Council Member Duggin made a motion to set a public hearing for June 5, 2023, to consider the Planning Commissions' recommended changes to the Daniel Town Code. Council Member Dixon seconded the motion. The roll call vote was Blotter yes, Kohler yes, Pearson yes, Dixon yes, and Duggin yes. The motion passed.***

**5) Business License Renewal:**

- a. Wes' Auto Shop

***Council Member Blotter made a motion to approve the Business License Renew of Wes's Auto Shop. Council Member Dixon seconded the motion. The roll call vote was Blotter yes, Kohler yes, Pearson yes, Dixon yes, and Duggin yes. The motion passed.***

**6) Planning Commission Update**

There was no discussion all items had been addressed previously.

**7) Council Reports/Updates**

Council Member Pearson reported that he is on the County Weed Board and the Town needs to decide whether to enter into an interlocal agreement with the County or do the spraying ourselves. It was noted that the County would charge \$1,000 per day plus the cost of the weed spray. After discussion, it was decided that Planning Director Eric Bunker would do any necessary spraying since he has the proper credentials and equipment. The Town will purchase any necessary weed spray.

Clerk/recorder Kim Crittenden was asked about a possible claim for the Daniel Water chlorinator failure and she stated that she would follow up.

The Mayor reported that several members of the community came together to fill sandbags and clear out some trees and debris from the Storm Haven area.

**8) Engineer Reports/Updates**

It was noted that Amelia Pays from Arudurra was unable to attend but Planner Bunker reported that he had been in contact with Town Engineer Ryan Taylor, about the upcoming joint chip seal bid with Heber City on Mill Road.

**9) Planner Report**

Planner Bunker presented his planning report. He noted that the Haroldson property was still waiting for the UDOT letter approval. Additionally, the Fire Department had not signed off and

was still asking for a second access, which would be on Little Sweden. Lastly, there may be some engineering issues with the original soil study because it was for a one-story rather than a two-story building.

#### **10) Daniel Municipal Water**

Planner Bunker stated that meters are once again being read and that they are defective meters are still being changed out, with just a few more left. It was noted that any overages during the unread months were just charged at the standard fee. There is a list of six significantly overdue individuals that will need to make arrangements with the Town. He noted that as some power lines were being changed out on Little Sweden, there was a line break but it was not Daniel Culinary Water System or Daniel Irrigation and instead Twin Creeks repaired the break. He also noted that chlorination testing was normal.

#### **11) Storm Haven Water**

See above.

#### **12) Recorder's Office: Warrants approval, Announcements, etc.**

Clerk/Recorder Kim Crittenden presented the warrants. She noted that there would be a final budget amendment next month along with approving the budget for FY 2023-2024. It was noted that there was an additional error at the end of the report that needed to be corrected.

***Council Member Blotter made a motion to approve the April 2023 Warrants. Council Member Duggin seconded the motion. The roll call vote was Blotter yes, Kohler yes, Pearson yes, Dixon yes, and Duggin yes. The motion passed.***

#### **13) Approval of Meeting Minutes for April 3, 2023, Town Council Meeting**

***Council Member Blotter made a motion to approve the April 3, 2023 Minutes. Council Member Duggin seconded the motion. The roll call vote was Blotter yes, Kohler yes, Pearson yes, Dixon yes, and Duggin yes. The motion passed.***

#### **14) Possible closed session as permitted by UCA 52-4-205**

***Council Member Duggin made a motion to move into a closed session to discuss potential pending legal matters and contracts. Council Member Blotter seconded the motion. The roll call vote was Blotter yes, Kohler yes, Pearson yes, Dixon yes, and Duggin yes. The motion passed.***

#### **15) Adjourn**

***Council Member Duggin made a motion to adjourn. Council Member Blotter seconded the motion. The roll call vote was Blotter yes, Kohler yes, Pearson yes, Dixon yes, and Duggin yes. The motion passed.***

The Meeting was adjourned at 9:05 PM

*Kim Crittenden,*  
Clerk/Recorder