

Daniel Town Council Meeting
Monday, August 7, 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, Robyn Pearson, Barry Dixon, and Merry Duggin. Council Member Blotter was not present. Also present were, Planner Eric Bunker, Amelia Pays, and Clerk/Recorder Kim Crittenden to take minutes.

Members of the Public: Gina Williams, Lisa Dinga, Leigh Ann Dresden, Pam Skinner, Heber and Jodi Taylor, Matthew and Ania Sullivan

Mayor Kohler called the meeting to order at 6:00 PM.

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

Pam Skinner addressed the Town Council and asked how long it would take to remove the abandoned RV on Daniel Road next to the trailer court. It was stated that this had been an ongoing issue and was being addressed with the trailer court property owner.

2) DR 2023-08-07 Resolution to Renew Current Town of Daniel Tax Rate

Mayor Kohler stated that the Town of Daniel planned to keep the tax rate the same.

Council Member Duggin moved to approve DR 2023-08-07 and accept the current tax rate at .00398 for FY 2023-2024. The motion was seconded by Council Member Dixon. A roll call vote of Pearson yes, Duggin yes, Kohler yes, and, Dixon yes. The motion passed.

3) Computer Help/IT Provider Discussion

Mayor Kohler discussed the Town's current computer/IT needs. He stated that Aaron Cheatwood, with ACE Rescue Computer Solutions, had been contacted and had given a quote to the Town. He stated that Mr. Cheatwood had met with the Town and discussed the needs and then presented the pricing options that Mr. Cheatwood had presented which ranged from \$200-420 per month depending on what services are required for contracted maintenance with an option of a break/fix rate of \$110 per hour. He stated that it was a much lower estimate than the current rates with Executech. Clerk/Recorder Crittenden reported that the Town could utilize his services and still maintain the current relationship with Executech during a trial period. She noted that this change would not only be within budget but would likely significantly decrease the IT budget. It was preliminarily agreed that the Town would use ACE for 90 days as a trial period and then evaluate whether to transfer all IT over to ACE or to use both companies. It was discussed that Executech serves larger communities such as Heber City and Midway and perhaps the Town would be better served by a company more adaptable to smaller communities.

It was noted by Council Members Duggin and Lisa Dinga that they had great experiences with ACE Rescue Computer Solutions and recommended that the Council move forward with the 90-day trial period. The 90-day trial was approved.

4) Fire District At Large Seat Discussion

Council Member Duggin asked the Council for permission to remain on the Fire District Advisory Board. She reported that the Board had changed and she had been asked to represent the Town of Daniel as the “floating member” seat representing Daniel, Charleston, Wallsburg, and Independence.

The Council was supportive of Council Member Duggin continuing her service with the Fire District and gave permission to represent Daniel and other communities in the role discussed.

5) Water Rate and Impact/Hook-up Fees Discussion

Mayor Kohler asked Planner Bunker to discuss current water rates in the Town and like communities across the State.

He briefly discussed examples of water rates throughout the state. While the Daniel Water System allows 20,000 gallons for the \$35 monthly rate most places with the same water rates are for 10,000 gallons per month. He stated that any overage is billed at an accelerated rate and that there are residents who have an \$800 water bill per month who understand they are using the water and just pay the bill. He further gave examples of water rates for other small communities that range from \$52-75 for 5,000-6,000 gallons. He also stated that some small communities have chosen to take a conservation type of billing and charge from the first gallon. It was noted later that the 20,000-gallon base for the Town of Daniel was lowered from 30,000 in 2009.

It was noted that water rates have not changed for 10 years. It was asked if the impact fees had changed and Planner Bunker stated that there had been an increase based on a study by Ardurra (then T-O Engineering) in the last few years.

Mayor Kohler stated that he understands there are residents on fixed income and he is sensitive to this.

Council Member Duggin gave a history of the billing, revenue generation, and bonds for the Town of Daniel. She stated that while for most years the revenue generally covers maintenance and repairs, the water systems do not generate enough revenue to cover the cost of an employee to oversee the water systems. She continued by stating the Town should have had incremental increases, but that not has happened.

It was noted that if the water systems are not generating enough income, it will disqualify the Town from some potential grant funding.

Council Member Dixon asked how the Council should come up with a fair amount to increase. It was reported that Rural Water is willing to come to a Council Meeting to report to and educate the Town Council.

It was decided that the conversation would continue in following meetings.

6) Daniel Municipal Code Update Discussion

Mayor Kohler stated that the Planning Commission is continually looking at the Town of Daniel Code during their meetings and as issues come up, they are doing their best to address them and make recommendations to the Town for appropriate changes. Mayor Kohler also stated that the Planning Commission also has to address changes to the State Code changes and to make sure the Town Code aligns with those changes. Code enforcement was brought up and it was noted that Code Enforcement is the responsibility of the Mayor.

7) Business License Renewal

a. New

i. Hungry Bunny Bakery- Matt Sullivan and Anna Gorkiewicz-Sullivan

b. Renewal

i. Givens Grooming- Julie Givens

ii. Givens Gravel and Dumping Services- Nick Givens

Mayor Kohler asked if there had been any complaints on the Givens family renewals and Planner Bunker stated there had not.

Mayor Kohler then invited the Sullivans up to present their business plan and address the Council. They stated that they were a small custom bakery and would be sharing space with the Pretzel Company and Cloudy Owl. Mr. Sullivan stated that this would be the permanent address and thus all retail sales taxes would be retained by the Town of Daniel.

Council Member Dixon moved to approve the new and renewed business licenses for Hungry Bunny Bakery, Givens Grooming, and Given Gravel and Dumping Services. The motion was seconded by Council Member Pearson. A roll call vote of Pearson yes, Duggin yes, Kohler yes, and, Dixon yes. The motion passed.

8) Council Reports/Updates

Council Member Pearson passed out a document that discussed how grant opportunities could and could not be used. He stated that he had been working with Amelia from Ardurra with grant funding opportunities. He also stated that he contacts the Division of drinking water regularly to make sure they are aware of our interest in applicable grants.

Council Member Dixon reminded members about the upcoming interlocal meeting.

Mayor Kohler discussed the 9/11 Day of Service. He stated the Town of Daniel would be clearing brush and debris in the Storm Haven area. He continued by stating that he had lined up volunteers with chainsaws, trucks, dump trailers, and chippers to assist in the project.

Council Member Duggin reported that State Representative John Curtis will be in Heber City from 1-2 PM. She reported that the Board of Appeals hearing had occurred on July 11, 2023 and went very well. She introduced the newly elected BOA Chair Heber Taylor and stated that David Hilton had been elected as BOA Vice Chair.

9) Engineer Reports/Updates

Amelia Pays passed out documents that discuss testing and grant writing. She stated that it would be ridiculously expensive for Ardurra to provide grant writing for funding for the Storm Haven System. She then stated that Ardurra also does not have the capacity to be the sole grant writer for the Town. She did reiterate that Ardurra would happily provide any necessary support to the Town in grant writing/funding efforts.

10) Planner Report/Updates

Planner Bunker presented his report and answered questions. It was noted that the complaints about the abandoned RV on Daniel Road had already been addressed.

11) Daniel Municipal Water and Storm Haven Water Systems Report/Updates

He noted that there is a new Flood Plain assessment going on from Wasatch County. He stated that he had been working with Core and Main to install the larger meters, such as at the elementary school, as well as a few home meters.

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

Clerk/Recorder Crittenden reported that Ardurra's large bill was due to permitting and inspections. She also stated that the monthly Adobe fee had increased from \$15 to \$20 per month. She noted that the Express Bill Pay had increased but that the increase was now being attributed to the water systems rather than the general fund. It was further noted that the Town is paying part of the convenience fee for the service.

Council Member Duggin moved to approve the July 2023 Warrants. The motion was seconded by Council Member Dixon. A roll call vote of Pearson yes, Duggin yes, Kohler yes, and, Dixon yes. The motion passed.

13) Approval of Meeting Minutes for June 5 and July 10, 2023, Town Council Meetings

Council Member Pearson asked that there be a change to the minutes to include the Westenskow property on the reporting he had requested.

Council Member Pearson moved to approve the June 5, 2023 Meeting with proposed changes. The motion was seconded by Council Member Duggin. A roll call vote of Pearson yes, Duggin yes, Kohler yes, and, Dixon yes. The motion passed

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

Council Member Dixon moved to open a closed session to discuss current and pending legal issues. The motion was seconded by Council Member Duggin. A roll call vote of Pearson yes, Duggin yes, Kohler yes, and, Dixon yes. The motion passed.

15) Adjourn

Council Member Dixon moved to adjourn. The motion was seconded by Council Member Dixon. A roll call vote of Pearson yes, Duggin yes, Kohler yes, and, Dixon yes. The motion passed.

The meeting adjourned at 8:13 PM

Kim Crittenden
Clerk/Recorder