

Daniel Town Council Meeting

Monday, April 1, 2024 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, Eric Bennett Jon Blotter, and Gary Walton. Council Member Blotter was excused. Also, present Planner Eric Bunker, and Clerk/Recorder Kim Crittenden to take minutes.

Members of the Public: Heber Taylor, Jodi Taylor, Pam Skinner, Lisa Dinga, Dale Harris, and Sherri Price

Mayor Kohler called the meeting to order at 6:15 pm.

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

There was no public comment.

2) **ARPA Funds Allocation Discussion**

Mayor Kohler briefly explained what ARPA Funds could be used for and that the deadline for the annual report was the end of April and must include a plan for the funds which would lock in the use(s) for the \$127,646 balance of funds the Town of Daniel received. He stated that while the money needed to be allocated in the April reporting, the Town would have until December 31, 2026, to spend the monies.

Mayor Kohler then turned the time over to Planning Director, Eric Bunker who presented a handout that presented some of the options which had been discussed in previous meetings and would meet the criteria for allowable projects. (See attached handout). He stated that unlike other funding that the Town receives the ARPA funds could be used to offset some or all of the costs that homeowners would be required to pay if the homeowner decided to replace pipes on their side of the culinary meters to meet new lead and copper requirements. He stated that the Treasury set incomes of less than \$65,880 are considered to be impacted residents and incomes of \$40,626 are considered disproportionately impacted residents. He stated that for example if it were allocated generally to the water infrastructure then it could be moved around a bit as long as it was for improvements to the water system until the contract(s) is finalized by December of 2024. Planner Bunker also directed attention to a handout that was prepared and presented by Merry Duggin previously. He also noted that while the Town was seeking grant funding to help pay for pipe replacements due to the lead and copper requirements this funding was available for costs to the Town only.

Council Member Blotter asked for comments from Planner Bunker and Planning Commissioner Skinner to comment on what they thought were the most urgent needs.

Commissioner Skinner stated that she thought that the water system and roads in the

Town sounded like the most urgent needs. She agreed that it would be good to have a way to help residents replace pipes due to lead and copper requirements.

Planner Bunker stated that there was also an urgent need to replace the bridge in Storm Haven because if it failed it would trap residents. He also stated that Storm Haven does not have internet except by satellite since Utah Broad Band had not yet run their lines to the Storm Haven area.

Council Member Walton then discussed a quote submitted by Core and Main to replace registers which would cost about \$.83 per reading per meter to be transmitted to the cloud instead of the current way of reading meters. He stated that the quote was for \$100,122.50 or \$164 per meter for the estimate of 250 meters. Planner Bunker stated that 264 meters are being read so the estimate is short 14 meters. It was also noted that installation would be an additional \$20 per meter and to replace the entire meter it would be an additional \$40 per meter.

Council Member Blotter stated that spending this money on meters would only benefit residents on the culinary water system and not residents who use wells.

Planner Bunker was asked what the cost was to read the meters under the current system and he replied that it cost \$200 per month. It was noted that this was slightly cheaper than the upgrade to read the meters.

There was continued discussions about additional needs and it was noted that it would likely cost the entire ARPA allotment for this plan. Council Member Walton stated that Core and Main would be happy to send a representative if the Council would like to further explore this option.

Mayor Kohler stated that he would like to have a motion to allocate the money this evening. Council Member Blotter asked what road projects could be funded by the ARPA monies. Mayor Kohler reported his discussion with Kevin Davis from Wasatch County about several projects and repairs that are most in need of addressing this spring. He stated that Big Hollow needed repairs and there is a need to put a berm and gravel fill along roads need it in Storm Haven He stated that the Town does receive some road funds from state taxes but generally you have to save them up for a few years to complete a project. He stated that the County charges \$171 per hour plus supplies for road maintenance and repairs, but the Town would likely have to put any large project(s) up for bid. He continued by stating that the Town did a cost share for chip seal along Wheeler Road with Heber City and that they may be interested in along with the County on cost-sharing repairs on Big Hollow Road since it is owned by all three jurisdictions. Council Member Pearson agreed that this would be a good option. It was noted that Wasatch County owns the part of the upper road with the culvert and bridge and would not let the Town put it on their FEMA Plan. It was further noted that perhaps there would be a way to piggyback on repairs that Midway City is undertaking as another cost-cutting option.

Council Member Walton asked the last time a major chip seal was done and Mayor Kohler stated it had been three or four years ago and that the firm was out of Ogden and did not warrant their work for the area that it did not adhere properly.

Council Member Pearson stated that Storm Haven needs a water storage system and

that the money could be used as a Town match to possible grant funding from the Division of Drinking Water. He stated that generally there is a 50/50 match for projects like this, however, the Town is also considering increasing our water rates so this may make up the difference in a required match from the Town. He continued by reporting that there had been some discussion about using some donated land from the Okelberrys in exchange for some additional connections on their land. He also stated that Staker Parsons had offered to donate an acre of land, which had better elevation, for a water storage tank, but noted had happened yet because it was a bit premature. It then discussed other options including a different type of tank or satellite tanks. It was noted that it would likely cost about a half of million dollars.

Council Member Blotter asked what projects could benefit the entire Town instead of just one group.

Council Member Blotter made a motion to split the ARPA funds equally with a 50/50 split between the water systems and roads. Council Member Bennett seconded the motion.

There was a discussion about what uses would be permissible under the water system and several options were discussed that had been previously discussed and it was noted that it would be wise to keep the water system allocation as general as possible now and that we will have to firm up the specifics by December.

The roll call vote was Walton no, Kohler yes, Pearson no, Blotter yes and Bennett yes. The motion passed with a 3 to 2 vote.

3) Planning Commission Seat Appointment and Possible Swearing In

Mayor Kohler stated that the Town had noticed the open Planning Commission Seat and that the only applicant was Heber Taylor. He read the letter of interest that Mr. Taylor submitted to the Town. It stated that Mr. Taylor had been a resident of the Town for 40 years, that he supports the Town's RA-5 zoning, and that he wanted to learn about the Town Code and get involved in future development in the Town.

Council Member Walton made a motion to appoint Heber Taylor to the Town of Daniel Planning Commission. Council Member Blotter seconded the motion. The roll call vote was Walton yes, Kohler yes, Pearson yes, Blotter yes, and Bennett yes. The motion passed.

Mr. Taylor was sworn in by Clerk/Recorder Crittenden. He then asked what would happen to his Appeals Board Member position and it was stated that it would be noticed and the Town would be accepting letters of interest until the position was filled.

- 4) Business License Approval(s)
 - a. New
 - b. Renew
 - i. Sweat Automotive Repair

Council Member Walton made a motion to approve the Sweat Automotive Repair Business License renewal. Council Member Blotter seconded the motion. The roll call vote was Walton yes, Kohler yes, Pearson yes, Blotter yes, and Bennett yes. The motion passed.

5) Water Rates Discussion

Mayor Kohler stated that he asked for this to be on the agenda to follow-up on the presentation from last month from Janell Braithwaite with Rural Water. He stated that he was not looking for a vote on the subject, but that this issue would remain on the agenda for the next few months. Planner Bunker stated that he suggested that the Town get some type of raise sooner rather than later while discussions continued. Council Members Bennett and Blotter expressed concerns about raising the rates each year. There was much discussion about whether it would be wiser to raise it a little each year for a few years or to make a larger raise for just one year.

It was noted that Janell had provided a Google Sheet that could be manipulated to show what different scenarios in raising rates. It was also noted that Janell would be happy to walk through the sheet with anyone and could do it in real time since it was a Google Sheet. Council Member Pearson reminded the Council that Janell had also discussed the need for the Town to maintain an emergency fund equal to two years of operating costs. It was noted that grant funding would likely require both a raise of rates and maintaining the suggested emergency fund.

6) Engineer Report/Updates

There was not report

7) Planner Report/Updates

Council Member Bennett asked Planner Bunker about the Subdivision Application from Nephi Trunnell. Planner Bunker stated that he had put in a Small-Scale Subdivision Application so that he could sell part(s) of his building and that he had also submitted an application for a change to the Town Code to allow condominiums in the commercial zone. It was noted that the public hearing was set for April 17, 2024. Council Member Pearson asked if there was living quarters in the building and Planner Bunker stated that there were not. Council Member Pearson continued by asking about separate utilities and if it had ample parking. Planner Bunker stated Mr. Trunnell had built the building with separate metered utilities and that it did have ample parking. He noted that Twin Creek was supplying both the water and sewer to the building and that Mr. Trunnell had burrowed under the highway to get sewer to the building. It was further stated that each owner would need to have a Town business license and their own liability insurance.

Clerk/Recorder Crittenden reported that she had been contacted by a potential renter who was interested in opening a family recreation center and that the potential renter would be submitting a business license application. She further shared with the potential renter that there would likely be concerns about increasing traffic on Little Sweden and that it would be wise to address directing traffic to enter and exit.

It was noted that the Mumford residence had received their CO.

Council Member Bennett asked what Skyriver was and Planner Bunker stated it was an application for an outdoor micro-school that was now allowed in the RA-5 zone due to recent changes handed down by the State Legislature. He stated that the micro-school would have 15 students or less.

Planner Bunker reported on the complaint submitted by a neighbor of McGuire Storage about smoke-laden tar containers. He stated that after a second complaint, he did investigate and it was verified that it was occurring. It was stated that it generally leaves about 6-6:30 AM and that based on his investigation it could possibly be classified as a nuisance. Planner Bunker stated that the McGuires had not yet been aware of the complaint but he would be followed up on with a copy of the complaint with the name of the complainant redacted, if requested. Mayor Kohler asked Planner Bunker to follow up with the McGuires and further stated that the first complaint was registered by the same complainant last fall. Additionally, there was a brief discussion about a complaint about trailers at 1840 Little Sweden Road.

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

Council Member Pearson asked about a \$400 payroll cost under Daniel Municipal and if it was for water meter reading. Planner Bunker stated that it was not and that it was for chlorine and pump checks and then directed them to the line below that accounted for the meter reading.

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

9) Approval of Meeting Minutes for March 4, 2024

Council Member Walton made a motion to approve the March 4, 2024 Meeting Minutes. Council Member Pearson seconded the motion. The roll call vote was Walton yes, Kohler yes, Pearson yes, Blotter absent and Bennett yes. The motion passed.

10) Possible closed session as permitted by UCA 52-4-05

No closed session

11) Adjourn

Council Member Bennett made a motion to adjourn. Council Member Walton seconded the motion. The roll call vote was Walton yes, Kohler yes, Pearson yes, Blotter absent and Bennett yes. The motion passed.

Meeting adjourned at 7:51 PM

Kim Crittenden

Clerk/Recorder