

Daniel Town Council Meeting

Monday, June 3, 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, and Gary Walton (joined late). Council Member Blotter was excused. Also, present Planner Eric Bunker, and Clerk/Recorder Kim Crittenden to take minutes.

Members of the Public: Gina Williams, Lisa Dinga, Karen and Rex Reeder, Merry Duggin, Marcia Birch, Barbara Norris, Stephanie Grady, Heber Taylor and Cal Johnson.

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

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

Merry Duggin addressed the Town Council and audience to remind them of the upcoming Republican Caucus

2) Public Hearing for Zone Change on Keele Property and Possible Action

Council Member Bennett made a motion to open the Public Hearing for the Keele Property Zone Change Application. Council Member Pearson seconded the motion. The roll call vote was Kohler yes, Pearson yes, Walton absent, and Bennett yes. The motion passed.

Mr. Keele did not attend the meeting and no one on his behalf spoke. Stephanie Grady addressed the council and stated that she did not support the zone change and then read a letter into the record from neighbor Myrna Vernon, who was also opposed to the zone change. Several other attendees spoke against the zone change including Barbara Norris, Lisa Dinga, Karen Reeder, and Marcia Birch. There were no audience members in support of the zone change.

Council Member Pearson made a motion to close the Public Hearing for the Keele Property Zone Change Application. Council Member Bennett seconded the motion. The roll call vote was Kohler yes, Pearson yes, Walton absent, and Bennett yes. The motion passed.

Council Member Pearson made a motion to not approve the Keele Property Zone Change Application. Council Member Bennett seconded the motion. The roll call vote was Kohler yes, Pearson yes, Walton absent, and Bennett yes. The motion passed.

3) Public Hearing for Final Town 2023-2024 Budget Amendment and Possible Action

Council Member Bennett made a motion to open the Public Hearing for the Final 2023-2024 Town Budget Amendment. Council Member Pearson seconded the motion. The roll call vote was Kohler yes, Pearson yes, Walton absent, and Bennett yes. The motion passed.

The Council and audience members reviewed the proposed amendment to the current fiscal year budget and next year's proposed budget while Mayor Kohler read it into the record. Ms.

Duggin noted that the Town had had an excess of funds in the General Fund during the previous fiscal year and stated that the Town would need to watch this and transfer funds as necessary to the Capital or other appropriate funds. Council Member Walton asked about the Water Bond Payments which did not appear on the handouts. It was stated that this would be addressed with the final budget amendment and passage of the final FY 2024-2025 Budget. (See Attached)

It was noted that the changes to the current budget included increases in expenses to the Office Rental, Admin Utilities, and Admin Engineering and a decrease to the Admin Legal to balance the General Budget. There were also increases in the Monthly/Quarterly Fees to the Daniel and Storm Haven Water System Budgets. Both the Budget Amendment and the FY 2024-2025 were discussed in the public hearing.

Clerk/Recorder Crittenden went through each increase and decrease line per line for both the Final Budget Amendment and the FY 2024-2025. It was noted that the 2023-2024 was very close to what the Town spent this year and is looking like it would be good for next year with the exceptions noted.

Council Member Walton asked why the Water Bonds were not on the report and Clerk/Recorder Crittenden stated that they had never been on the report, but that she would get one for the final budget meeting. It was noted the report would be provided at a later date.

Former Council Member Duggin commented that by raising the budgeted tax it may require a truth-in-taxation hearing. She was asked about the ARPA Funds and stated that we have received them but they are not allocated to a project so they are still in the General Fund balance.

Council Member Bennett made a motion to close the Public Hearing for the Final Budget Amendment for 2024-2025. Council Member Walton seconded the motion. The roll call vote was Kohler yes, Pearson yes, Walton yes, and Bennett yes. The motion passed.

4) Public Hearing for 2024-2025 Town Budget and Possible Action

Council Member Bennett made a motion to open the Public Hearing for the Final 2024-2025 Town Budget. Council Member Pearson seconded the motion. The roll call vote was Kohler yes, Pearson yes, Walton yes, and Bennett yes. The motion passed.

It was further noted that the FY 2024-2025 budget was largely the same with increases to the Office Rental, Admin Utilities, and Admin Engineering and corresponding increases to Tax Revenue and Interest Earnings revenues to balance the budget. Increased expenses to Monthly/quarterly fees and Utilities to both water systems and to the Storm Haven Mileage Expense. Increases to Salaries/Wages and Employee Benefits were noted TBA. (See attached for details.

Ms. Duggin commented that last year we were very close on how much we could have in the General Fund and encouraged us to explore whether the Town needed to transfer some funds from the General Fund to another fund to comply next year.

Council Member Bennett made a motion to close the Public Hearing for the Budget for 2024-2025. Council Member Walton seconded the motion. The roll call vote was Kohler yes, Pearson yes, Walton yes, and Bennett yes. The motion passed.

Council Member Pearson made a motion to approve the FY 2024-2025 Town Budget as presented. Council Member Bennett seconded the motion. The roll call vote

as Kohler yes, Pearson yes, Walton yes, and Bennett yes. The motion passed.

5) Council Report

Council Member Bennett asked what would happen if Mr. Keele continued with construction despite the Zone Change being denied. It was noted that once a complaint in writing was received the Town would issue a Stop Work Order.

Council Member Walton asked why the Town noticed both the Town Council and the Planning Commission for the Public Hearings. Planner Bunker stated that it is part of the Town Code to have separate Public Hearings. It was noted that there were multiple public notices because of contention over the Zone Change. It was further noted that going forward the Town would list both Public Hearings for the Planning Commission and the Town Council to prevent confusion and save on noticing. It was noted that the Town would be changing the way it would be noticed to avoid confusion about the public needing to be at the both the Planning Commission Meeting and Town Council Meeting for zoning changes and other types of Public Hearings.

6) Engineer Report/Updates

No report

7) Planner Report/Updates

Planner Bunker presented his report. He was asked about the Trunnell property and the current efforts that Mr. Trunnell was applying to turn his property into business condominiums. It was noted that Mr. Trunnell had not moved forward on his application. It was clarified that this would only be in the Commercial Zone and would not apply to the Residential and Industrial Zones. Planner Bunker stated that the Interlocal Meeting would be held July 1st and could be attended online.

Council Member Bennett asked about the progress on the CMC Cement Plant Berms. It was reported they had planted it and asphalt laid to keep down dust.

Mayor Kohler asked for a report on the Storm Haven and Daniel Water systems. Planner Bunker stated that the leak in Storm Haven was fixed. He reported that the chlorinator is installed and working in the Daniel System. He reported that the springs were running at 129 gallons per minute and that no runoff was going into the ditch. He noted that the fence needs to be repaired for the Daniel system. Mayor Kohler stated that the company would guarantee the chlorinator if the Town agreed to pay \$500 per year for maintenance and that will be discussed in a future meeting. Planner Bunker stated currently 34 meters that were not reading, but that was likely due to age and they would need to be replaced.

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

Clerk/Recorder Crittenden presented the May warrants. Council Member Pearson asked about a comparison from month to month. It was noted that if anything were unusual Kim flags it and discusses it with Mayor Kohler. She noted that this report would be presented next month. Mayor Kohler spoke about the unusual charge that was paid to Chris Anderson for his IT and discussed that this was mostly for the water systems due to replacing the modem at the pump house and to work on the water meter reading computer. It was stated that Mr. Anderson works on an "as-needed" basis but if the Town needs him for more than this it would be discussed about putting him under a contract.

Council Member Pearson made a motion to approve the May 2024 Warrants as presented. Council Member Bennett seconded the motion. The roll call vote was Kohler

yes, Pearson yes, Walton yes, and Bennett yes. The motion passed.

9) Approval of Meeting Minutes for May 6, 2024, 2024

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

10) Possible Closed Session as Permitted by UCA 52-4-205

Council Member Walton made a motion to go into closed session to discuss pending litigation. Council Member Bennett seconded the motion. The roll call vote was Kohler yes, Pearson no, Walton yes, and Bennett yes. The motion passed.

Council Member Bennett made a motion to come out of the closed session and return to the open session. Council Member Pearson seconded the motion. The roll call vote was Kohler yes, Pearson yes, Walton yes, and Bennett yes,. The motion passed.

11) Adjourn

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

The meeting was adjourned at 8:46 PM

Kim Crittenden
Clerk/Recorder