

Daniel Town Council Meeting

Monday, October 7, 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, Gary Walton, and Eric Bennett. Also present were, Planner Eric Bunker, and Clerk/Recorder Kim Crittenden to take minutes.

Members of the Public: Pam Skinner and Rowdy Thompson

Mayor Kohler called the meeting to order at 6:05pm

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

Pam Skinner reported to the Town Council that she had attended a Midway City land conservatory event. She stated that she found a lot of useful information on ways for cities and towns to save open spaces that also could save taxpayers money. Mayor Kohler stated that he had received her email and that he had replied. He further stated that he thought the information would be valuable but that he would like it to be directed to the Planning Commission first. Ms. Skinner said she would follow up with the Planning Commission.

Council Member Walton reported on a conversation that he had had with a neighbor of the Keele's property on Daniel Road. He stated that they were concerned about the hours large trucks are entering/exiting as well as the materials that are being dumped in the rear of the property. He later was asked if he would be willing to submit a written complaint. He stated that he thought it might be inappropriate as a member of the Town Council. Council Member Pearson stated that he was free to do this as a private citizen/homeowner. Council Member Pearson noted that previously the owner of the property had requested a zone change to industrial for the entire property, but had withdrawn it after it was noted that it was against Daniel Town Code to access industrial through a residential zone.

Planner Bunker stated that the owners of the home had already been served with a letter about the condition of the home and to date nothing had been done to resolve this. He further stated that it would be helpful to have time-stamped pictures of trucks entering/exiting the property or other helpful evidence.

There was discussion among several of the Council Members about enforcing the Town Code. Planner Bunker stated that while he is the enforcement officer he only does what he is directed to by the Town Council and/or Mayor. Planner Bunker cautioned that all of the evidence he had gathered was in regard to the violation letter on the home and no investigation had been done on any land use issues due to the fact a signed complaint had not been received. Mayor Kohler stated that he would look into the matter of Town Code Enforcement further and would involve Town legal counsel if necessary.

2) Annexation Petition Consideration Parcel # 09-6276

Mayor Kohler turned time over to Planner Bunker to explain the annexation process. He referred the Council to their packets to review the annexation application submitted by Geneva Rock to annex a small portion of parcel # 09-6276 that is currently in Wasatch County. The parcel is 21.23 acres in total and is located in the industrial zone adjoining the CMC plant and currently contained within the Erickson's 70+ acre land. Planner Bunker stated that the Town Council just had to accept the application once it is certified by the Town Clerk/Recorder.

Council Member Pearson made a motion to accept the Geneva Rock Annexation Application. Council Member Bennett seconded the motion. The vote was Walton yes, Pearson yes, Kohler yes, and, Bennett yes. The motion passed.

3) Set Public Hearing for Annexation Petition Parcel # 09-6276

There was some discussion about how Geneva would access the parcel and it was noted that it adjoined some Wasatch County Property and that the Erickson's larger parcel borders 3000 South so that was also a possibility for access.

Council Member Pearson made a motion to set a public hearing for Parcel # 09-6276 to be held in the December 2, 2024, Town Council Meeting following the November 20, 2024, Planning Commission Meeting Public Hearing so that they could also consider their recommendation. Council Member Walton seconded the motion. The vote was Walton yes, Pearson yes, Kohler yes, and, Bennett yes. The motion passed.

4) Set Public Hearing for Nater Enterprises Zone Change Parcel #20-4480

It was noted that the public hearing for the Nater Zone Change Application in the Planning Commission will be held October 23, 2024.

Council Member Bennett made a motion to set a public hearing for the Zone Change Application for Nater Enterprises Parcel #20-4480 on November 4, 2024. Council Member Pearson seconded the motion. The vote was Walton yes, Pearson yes, Kohler yes, and, Bennett yes. The motion passed.

5) Set Public Hearing for TH Land Zone Change Parcel #20-4495

It was noted that there had been a problem with the first mylar and so this had been in process with the Planning Commission for some time and a public hearing in the Planning Commission was scheduled for the October 23, 2024 meeting. Rowdy Thompson, the owner answered various questions from the Town Council Members and referred to the plat map of the subdivided lots. Planner Bunker stated that the entire land was being split into 3 lots with two R-A5 lots which will remain residential and the larger lot that borders HWY-40 which he would like to change the zone to commercial. He noted that he had personally spoken to and gotten fence line agreements with all neighbors to meet the requirements of the County Surveyor. Planner Bunker stated that the parcel number for the re-zoned parcel would be assigned by Wasatch County as soon as it was recorded by the County.

Council Member Pearson made a motion to set a public hearing for the Zone Change Application for TH Land #20-4495 on November 4, 2024. Council Member Bennett seconded the motion. The vote was Walton yes, Pearson yes, Kohler yes, and, Bennett yes. The motion passed.

6) Council Report

Council Member Walton asked about heating for the pump house.

Mayor Kohler discussed the road repairs to the Town that had just finished up. He noted that the Town saved some funding by piggy-backing with some other local towns who were also doing road repairs. He was asked about road striping and he stated that striping was not part of the bid. Council Member Pearson asked about the quality of the road repairs because he felt that the last large repair was done with inferior materials. After answering additional questions, he stated that he had ridden throughout the Town to inspect the crack sealings. It was further noted that it was "Wes" the engineer from Midway City who provided engineering for the road repair project and not Jones and DeMille. He also stated that Town administration had met with Jones and DeMille on Friday and things are moving along as best as can be expected.

7) Planner Report/Updates

Planner Bunker asked for a straw poll as to what the Council would like to do about the area that is currently in the Town that is part of the Red Rock Annexation. It was noted that while an "island" cannot be created with an annexation an existing island can be made smaller. Planner Bunker referred to the annexation map and stated that he was going to talk to Tony from Wasatch County and wanted to know if the Town Council would like him to explore annexing a larger area into the Town of Daniel.

Planning Commission Chair Weight discussed how the Town was able to get some concessions from CMC such as starting times and times chipping was allowed to happen, whereas the Golden Eagle Plant is in Heber City and the Town does not have any influence their business whatsoever. He stated that he thought this was better for the Town to have some control over what happens on the property that has similar mixed jurisdiction.

Mayor Kohler stated that he listened to the Heber City Council meeting and that if the Red Rock Annexation goes through, Heber City will apply for an "Industrial Two Zone" to meet their needs for business space.

Planner Bunker clarified that there is a small parcel with a home (the little rock home) in the annexation plan that is serviced by the Town of Daniel Municipal Water System. Planner Bunker was directed to meet with the other planner(s) to gather information and report back.

Council Member Walton discussed which fire hydrants belong to the Town of Daniel in the Red Rock Annexation area and which water systems were providing water to them.

Planner Bunker was asked to list full addresses on his monthly report.

8) Storm Haven and Daniel Water System Report/Update

Planner Bunker stated that the water systems are doing well and that he was sampling three times per week as required. Mayor Kohler stated that there were also some meters that had been recently replaced. Council Member Walton asked if there had been any movement on the parcel of ground from Staker Parson. Council Member Pearson stated that once they gift the ground to the Town, they will expect construction on the take and a water connection to follow. Council Member Pearson further stated that until the Town is ready to consider bringing water rates closer to what would be required to invest in the storage take it was probably a bit premature. It was noted that there was also land that possibly could be obtained from the

Okleberrys, which had a superior elevation, for the same reason. It was noted that grants and other funding have been difficult to obtain as of late and that the cost is significant.

Discussion continued about the current rates for sewer and water in Storm Haven and when it would be an appropriate time to schedule some public hearings to discuss water rate increases.

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

Council Member Bennett made a motion to approve the September 2024 Warrants. Council Member Pearson seconded the motion. The vote was Walton yes, Pearson yes, Kohler yes, and, Bennett yes. The motion passed.

10) Approval of Meeting Minutes for August 5, and September 9, 2024

It was noted that the posted agenda listed the minutes for August 5 and September 9, 2024.

Council Member Bennett asked for a change of item number two to be corrected to change the order.

Council Member Bennett made a motion to approve the September 9, 2024 Meeting Minutes with the noted change. Council Member Pearson seconded the motion. The vote was Walton yes, Pearson yes, Kohler yes, and, Bennett yes. The motion passed.

Council Member Walton made a motion to approve the August 5, 2024 Meeting Minutes. Council Member Pearson seconded the motion. The vote was Walton yes, Pearson yes, Kohler yes, and, Bennett yes. The motion passed.

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

No closed session.

12) Adjourn

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

The meeting was adjourned at 7:30 pm.

Kim Crittenden
Clerk/Recorder