

# Daniel Town Council Meeting Minutes

Monday December 2, 2024 @ 6:00 PM

Wasatch County Services Complex

55 S 500 E, Conference Room B

Heber City, UT 84032

**Quorum present:** Mayor Scott Kohler, Council members Gary Walton, Eric Bennett, and Robyn Pearson. Council member Jon Blotter was absent, but he joined the meeting at 6:55 PM.

**Town Officers present:** Planner Eric Bunker and Treasurer Sherri Price. Clerk/ Recorder Kim Crittenden was present to record the minutes.

**Members of the public:** Gary Weight, Bill King, Rowdy Thompson, Meranie and Brady Karren, Jason Beveridge, Pam Skinner, Heber Taylor, Marcia Birch, Julie Givens, Larry K. Ward.

**1) PUBLIC COMMENT.** There was no public comment.

## **2) PUBLIC HEARING FOR GENEVA ROCK ANNEXATION PARCEL #09-6276**

**Council member Eric Bennett moved to open the public hearing for the Geneva Rock annexation. The motion seconded by Council member Gary Walton passed: Walton, yes; Kohler, yes; Bennett, yes; Pearson, yes.**

Bill King spoke for Geneva Rock to answer questions about the 7.95 acre parcel of land requesting to be annexed into Daniel to ensure that the whole project would be included inside Daniel's boundary. Council member Bennett asked for clarification that Daniel would be annexing just a part of a parcel and received confirmation of that.

Mayor Kohler noted that the entire property extends from Airport Rd. in Wasatch County down to 3000 S in Daniel and is approximately 72 acres.

Council member Walton asked about an exit onto Airport Rd. and was assured that was the case. Mr. King replied that they hoped to direct traffic out of Daniel and onto Airport Rd.

Brady Karren questioned if we are going to turn all of Daniel into cement plants? Is the entire 70 acres zoned industrial?

Planner Eric Bunker stated that the parcel to be annexed is industrial and has not been rezoned. There are no zone changes being considered.

Mr. Karren continued with questions regarding noise pollution. He stated that they are trying to be good neighbors with CMC (this plant is directly north of his home), but they are having to turn on fans to mask noise. We have one plant already. Do we need more?

Council member Robyn Pearson asked if Brady and Meranie Karren knew what would be done on the big pile of concrete on the CMC property. They replied that it would be crushed by the crusher on site. Ms. Karren commented that the big trucks have to come onto the Karren property to turn around.

Mayor Kohler requested that the comments be brought back to issue of the public hearing: annexation of parcel #09-6276. He noted that part of this parcel was located in Wasatch County and could be developed in the county. The CMC comments could be added to another agenda at another meeting.

Mr. King responding to a comment about landscaping said that they would make sure that the landscaping was adequate.

Council member Bennett stated that having control of this process would be a benefit to the Town and its residents.

Council member Pearson commented that water delivery could only be provided through Daniel or Heber City, and that is why the annexation was requested.

Council member Bennett asked to hear the recommendation from the Planning Commission. Mayor Kohler read a letter from the PC: the on November 20, 2024, a public hearing was held in the PC on this issue. After comment and discussion, the Planning Commission voted to recommend the annexation unanimously (4-0, 2 members were absent).

Gary Weight commented that control over the project and sales tax revenue would provide great benefit to the Town's residents.

Julie Givens asked if Geneva Rock would use water trucks to control dust, and Mr. King replied that they are required to do so.

Pam Skinner, speaking as a resident of Daniel, stated that the area is already zoned industrial, and it is a benefit for the Town to have control and work to get more help with the impacts of the project. Financial benefit is also important.

Julie Givens commented that the noise of equipment keeps her awake.

Council member Walton commented that we are getting into an area of how we mitigate impacts to the Town and its residents. The citizens are the #1 concern. Mr. King noted that Geneva Rock is working with the Town on these considerations.

Meranie and Brady Karren complained that the trees and berm at CMC are not adequate.

Council member Walton stated that he could also hear the noise from CMC at his house on Daniel Rd. Noise must be addressed and controlled.

Council member Pearson stated that it was important for the developer to know what they are getting into as it makes for a better relationship with the Town in the long run.

Brady Karren restated his question of what do we want Daniel to be? The industrial stepchild of Heber City? And rest of the Valley?

Mr. King reminded the Council that this area has already been zoned by Daniel as industrial and he proposed using it as Daniel wants.

Planner Bunker stated that our General Plan confirms that this is established as a buffer zone and should be considered in the Council's land use decisions. Council member Walton noted that the zoning was done by Wasatch County prior to the Town's incorporation and no zone change has occurred.

**Council member Pearson moved to close the public hearing. The motion seconded by Council member Bennett passed: Walton, yes; Kohler, yes; Bennett, yes; Pearson, yes.**

**3) POSSIBLE ADOPTION OF DO 2024-12-02 ANNEXATION OF PARCEL #09-6276**

**Council member Pearson moved to adopt DO 2024-23-02 annexation of parcel #09-6276. Council member Bennett seconded the motion. Vote: Walton, no; Kohler, yes; Bennett, yes; Pearson, yes. The motion passed.**

**4) SET PUBLIC HEARING FOR SMALL SUBDIVISION APPLICATION FROM GENEVA ROCK FOR PARCEL #09-6276**

Council member Bennett does not want to rush into making decisions and asked if the Town was required to act right away on an application. Planner Bunker assured the Council that they should take time to understand the issues.

Council member Pearson asked if any protests had been received from affected entities on this annexation, and Clerk/Recorder stated that none had been received.

**Council member Pearson moved to set the public hearing for the Geneva Rock small subdivision application for January 6, 2025. The motion seconded by Council member Bennett passed: Walton, yes; Kohler, yes; Bennett, yes; Pearson, yes.**

**5) SET PUBLIC HEARING FOR CONDITIONAL USE PERMIT APPLICATION FOR GENEVA ROCK PARCEL #09-6276**

Council member Jon Blotter arrived during this agenda item at 6:55.

**Council member Bennett moved to set a public hearing for Geneva Rock's CUP application for January 6, 2025. The motion seconded by Council member Pearson passed. Vote: Walton, yes; Blotter, abstain; Kohler, yes; Bennett, yes; Pearson, yes.**

**6) SET PUBLIC HEARING FOR HOUSTON ZONE CHANGE APPLICATION FOR JANUARY 6, 2025 PARCEL #20-4498**

**Council member Walton moved to set a public hearing for the Houston zone change application for January 6, 2025. The motion seconded by Council member Bennett passed. Vote: Walton, yes; Blotter, yes; Kohler, yes; Bennett, yes; Pearson, yes.**

**7) SET PUBLIC HEARING FOR DREW REILLY ZONE CHANGE APPLICATION FOR JANUARY 6, 2025 PARCEL #20-4384**

Council member Pearson moved to set a public hearing for the Drew Reilly zone change application for Parcel #20-4384 for January 6, 2025. The motion seconded by Council Walton passed: Vote: Walton, yes; Blotter, yes; Kohler, yes; Bennett, yes; Pearson, yes.

**8) SET PUBLIC HEARING FOR DREW REILLY ZONE CHANGE APPLICATION FOR JANUARY 6, 2025  
PARCEL #20-4385**

Council member Pearson moved to set a public hearing for the Drew Reilly zone change application for parcel #20-4385 for January 6, 2025. The motion seconded by Council member Bennett passed. Vote: Walton, yes; Blotter, no; Kohler, yes; Bennett, yes; Pearson, yes.

**9) CONDITIONAL USE PERMIT FOR DEVELOPMENT AGREEMENT WITH JASON BEVERIDGE 3199 S.  
EVERIDGE CIR.**

This agreement was first negotiated with Jason Beveridge in 2021 and was approved by the Town Council, but the paperwork was not completed. Mr. Beveridge said that he did not receive a signed copy at that time. Planner Bunker recommended that the agreement be approved and signed at this point.

*AT THIS POINT OF THE MEETING, THE RECORDING DEVICE FAILED. THE REMAINING MINUTES OF THIS MEETING ARE TAKEN ONLY FROM THE SCANT NOTES TAKEN BY THE CLERK/RECORDER.*

*(APPARENTLY THE APPROVAL WAS GIVEN AS THE RECORDER'S OFFICE NOW HAS A SIGNED COPY OF THE AGREEMENT IN THE OFFICIAL FILES.)*

**10) BUSINESS LICENSES-RENEWAL**

WEST LAYNE DESIGNS

GIVENS GROOMING

HVS LLC

HUNGRY BUNNY BAKERY

Council member Pearson moved to approve the above businesses for renewal. After a second by Council member Walton, all businesses were renewed. Vote: Walton, yes; Blotter, yes; Kohler, yes; Bennett, yes; Pearson, yes.

**11) CONTINUED COMMERCIAL CONDO POSSIBLE CODE CHANGE DISCUSSION**

It was decided to put this issue on the February agenda.

**12) ADOPTION OF DR 2024-12-02 PLANNING COMMISSION AND TOWN COUNCIL 2025 MEETING  
SCHEDULE**

Council member Pearson moved to adopt DR 2024-12-02 for the annual Town Council and Planning Commission meeting schedule. Seconded by Council member Blotter, the motion passed. Vote: Walton, yes; Blotter, yes; Kohler, yes; Bennett, yes; Pearson, yes.

**13) COUNCIL REPORT**

Council member Pearson wants to place CMC on the agenda so that their compliance with their CUP can be examined.

**14) PLANNER REPORT/UPDATES**

Planner Bunker handed out a Millstream plan for Independence Town.

**15) STORM HAVEN AND DANIEL WATER SYSTEM REPORT/UPDATE**  
Lead and copper testing.

**16) RECORDER'S OFFICE: WARRANTS APPROVAL, ANNOUNCEMENTS, ETC.**  
Council member Blotter moved to approve the warrants, and the motion was seconded by Council member Walton. Vote: Walton, yes; Blotter, yes; Kohler, yes; Bennett, yes; Pearson, yes.

**17) APPROVAL OF MEETING MINUTES FOR NOVEMBER 4, 2024**  
Council member Pearson moved to continue the approval of minutes and was seconded by Council member Bennett. Vote: Walton, yes; Blotter, yes; Kohler, yes; Bennett, yes; Pearson, yes.

**18) POSSIBLE CLOSED SESSION AS PERMITTED BY UCA 52-4-205**  
No closed session was held.

**19) ADJOURN**  
Council member Bennett moved to adjourn, and the motion seconded by Council member Walton passed. Vote: Walton, yes; Blotter, yes; Kohler, yes; Bennett, yes; Pearson, yes.

The meeting adjourned at 8:14 PM.

Notes taken by Kim Crittenden.  
Minutes submitted by Merry Duggin, Clerk/ Recorder