



NOTICE OF PUBLIC MEETING
Town Council Regular Meeting
Dutch John Conference Hall
April 10, 2024 7:00 P.M.

MINUTES for
NOTICE OF PUBLIC MEETING AND AGENDA

CALL TO ORDER / PLEDGE OF ALLEGIANCE
ROLL CALL TO ESTABLISH QUORUM/ATTENDANCE

ROLL CALL : April 10, 2024	Present	Absent	Excused
Mayor: Butch Johns	<u> x </u>	<u> </u>	<u> </u>
Council members: Sandy Kunkel	<u> x </u>	<u> </u>	<u> </u>
Al Pulham	<u> x </u>	<u> </u>	<u> </u>
Amy McDonald	<u> x </u>	<u> </u>	<u> </u>
Harriet Dickerson	<u> x </u>	<u> </u>	<u> </u>

ATTENDANCE: Jared Marquis, Matt Lucas. On-line: JayDee Guymon Rob Rogers Al Pulham

1. CONSENT AGENDA

- 1.1 Minutes of meeting: March 27, 2024, Corrections submitted
 - 1.2 Business Licenses: Curtis Brown, B&B Fishing, Robert Willis, Sweet Lorraine's B&B
 - 1.3 Expenditures: BE \$721.13. Daggett County \$652.99, Dominion Energy \$502.64, Union-Tel \$68.50, G&H Garbage \$2,654.36
 - 1.4 Correspondence Budget Request from Planning Commission
 - 1.5 Financial Report. Ms. McDonald added the Planning Commission request to our draft budget.
- Mayor Johns commented on the appraised value for our small town of \$148,000,000. We need to understand how this was computed.

Ms. Kunkel moved to accept the Consent Agenda with corrections to the Minutes. Ms. Dickerson seconded. Motion passed unanimously.

2. COMMITTEE/STAFF REPORTS

Mayor Johns reported that Kat and Jeff Mueller had come to the Conference Hall and met with him and Allen Parker about the sidewalk issue created when the County changed the property boundaries to go out into the road. He has a meeting on the 24th with Allen, Mike and Nate and will discuss how best to deal with the issue. It is important for everyone to know that the issue is being worked on for the entire area up on Guide Row. Mr. Marquis mentioned it will also impact setbacks.

3. PUBLIC COMMENT

Ms. Kunkel asked if anyone had knowledge about the recycle bins now located at DJ Resort. There was some speculation but no definitive knowledge.

4. OLD BUSINESS

4.1 MOU Young at Heart Senior Center in Manila – Discussion and Possible Action

Mayor Johns said the proper way to deal with items of this nature is to first have a motion and second made regarding the item and then a discussion will follow and then a vote. Ms. Kunkel explained she is the acting representative for our Town as part of this MOU. We are not giving them money only her time and her motion is to accept this MOU. Ms. Dickerson seconded. Mayor Johns asked Ms. Kunkel to tell us why she supports this. Ms. Kunkel began by saying the CIB has taken over this project – it is no longer a County or Town of Manila project. CIB is trying to get this reorganized. There is going to be a seven member Board and they will create a Policy and Procedure plan. They would like Dutch John seniors to be involved wherever they choose. The Town as an entity is just supporting this project – our contribution is the time Ms. Kunkel spends being on the board. There is no financial commitment for the Town. Mayor Johns asked if anyone else wanted to speak in favor. He then explained that after reading it the first time he questioned what our Town would get for our community. Ms. Kunkel said when the project is up and running perhaps they could come over here to have an activity – we can be as involved as we want to be or not. It is not so much as what's in it for us as it is being a part of the project.

Mayor Johns said he now understands that this project is in the beginning stages and can evolve into something with benefits to our community which he didn't understand from an initial reading. He believes now we should support it and hopes that as policies are made there will be something spelled out that will be specific for Dutch John. Ms. McDonald concurred it will be good to know what they are offering. Ms. Kunkel said we could make a list of things we would like to see and perhaps some could be incorporated. Mr. Pulham offered his support for moving forward with the program for the benefit of the whole County and as the community of Dutch John ages to present our hopes and proposals for some types of activities and if the bus evolves that it can be as much a benefit to Dutch John as Manila. No further discussion. Mayor Johns called for a vote. Motion passed unanimously.

4.2 Liability Waiver from JRL Holdings for Freedom Festival – Discussion and Possible Action

Ms. Kunkel explained that Mr. Lassley had inserted dates into the document to clarify when the Town will be using his property. Ms. McDonald moved to sign the Liability Waiver from JRL Holdings for the Freedom Festival with the added notations. Mr. Pulham seconded. Motion passed unanimously.

4.3 Freedom Festival Budget – Discussion and Possible Action

Discussion of the different costs for this event not just the fireworks to come up with a total budget, included Fireworks themselves, insurance, porta-potties, ambulance, donations to volunteer groups that help and this year will probably amount to \$21,000. If we want to continue this event we need to find ways of getting monies donated. Ms. Kunkel reported a 25-minute show with a grand finale will be \$18,000 for the fireworks portion alone. Mr. Pulham reviewed everything and stated his opinion is for this year is the price is probably as good as can be. The event is something everyone looks forward to so at least one more time we can support it. However, we can't continue indefinitely without finding some way to secure donations from the public and business participation. People need to know this may be the last year. Ms. Kunkel noted the County has a 501 C-3 and we have a Venmo account that could be used for donations. We should be sure the radio announcement states this will probably be the last year unless we receive substantial donations.

In conclusion, Ms. Kunkel made a motion that the Town sponsor the Freedom Festival and all it entails for the sum of Twenty-one thousand five hundred dollars (\$21,500.00) for the 2024 year. Mr. Pulham seconded. Motion passed unanimously. Mr. Lucas suggested establishing a sponsorship-type program like the Rodeo does.

5. NEW BUSINESS

5.1 Land Use Agreement with Utah Division of Fire, Forestry and State Lands – Discussion. Tabled

5.2 Planning Commission Amended Meeting Schedule – Discussion and Possible Action

Mayor Johns said the Commission wants to change **their meetings to the first and third Mondays of each month**. Ms. Kunkel said she will support their desire. Ms. Dickerson moved that we accept the amendment of the Planning & Zoning meeting schedule **to the first and third Mondays of each month** effective the first Monday in May. Ms. Kunkel seconded. Motion passed unanimously.

5.3 Denise Rogers, Conditional Use Permit – Discussion and Possible Action

Mayor Johns commented that from the drawings it appears the Rogers have a house, a shed, and a garage. His question is regarding three buildings and the dimensions of the shed. Mr. Marquis said that discussion is not a part of the Conditional Use Permit terms and will be taken up at a different time. Mayor Johns asked if the Council needs to approve the CUP and Ms. Kunkel asked what the recommendation is from the Planning Commission was. Ms. McDonald said that P&Z approved moving the issue to Town Council for a decision. Mayor Johns explained that P&Z needed answers to the question of whether or not a single family dwelling could be approved in an R2 multi family Zone. Our Ordinance is not in violation of State Code – we just do it different than others do. He sent the information to our attorney requesting an opinion. To date we haven't received a reply. He believes it is not good to hold up these people from developing their property and so advised P&Z to make a decision and that is how it got to Town Council. Ms. Kunkel asked how this CUP is different from the nightly rental CUP. Mr. Marquis explained this CUP would be a generic permit and the nightly rental is a specific one. You have the right to include conditions if P&Z deems that appropriate in a given situation. Based on this information Mayor Johns moved to approve the Conditional Use Permit for the Rogers to build a single family home in the R-2 Zone. Ms. McDonald seconded. She submitted for consideration if this passes then it may be that anyone who requests a CUP for this purpose would also be allowed and if that is true then perhaps changing the Ordinance to say it is allowed and not need a CUP is the better option. Mr. Marquis stated there are some options already included in the Ordinance. Motion passed unanimously.

5.4 CIB – Review one year list – Discussion and Possible Action.

Mayor Johns has discussed our list with both Kevin Yak and Bret Reynolds. This item is on the agenda to discuss a request he has received from Matt Lucas asking if we can help with his proposed development to widen the road along Hwy 191. This would be in addition to our road project. Mayor Johns feels there could be an issue with this if CIB didn't see the road widening project the same way we do. They might not see it as a safety issue which, when corrected, will be a benefit to the whole community as well as visitors to our area. We need to decide whether to go ahead with our project which involves the Boulevards or change to help Matt's project. It seems like we may be going from a low risk project to a high risk project. The question is what do we want to do as a Town. Ms. Kunkel feels UDOT is very aware of Matt's situation and understands the issues. Mayor Johns understands there needs to be an engineering study done by UDOT and that isn't scheduled yet. Mr. Lucas explained that the funding for this study will be included in the next

UDOT budget. He is thinking CIB wants multiple funding **sources** in this project from other entities and his request is for the Town to be a part of that funding along with his business and the RDA commitment as well as County commitment. Ms. Kunkel believes if the Hwy. 191 project is successful, that success comes back to the Town and is not just for a business. Mr. Lucas says one thing to keep in mind is as the Town grows there will be more traffic right there and it could become even more of a safety issue than it is now and he believes UDOT sees the need. It certainly does depend on how each entity looks at the situation. Ms. Kunkel asked if we could just add this project to our CIB list so that it would be recognized now and in the future and not delete anything. Mayor Johns said our list is going to be modified anyway to take North Ave. and Center out of our project and list it separately. The purpose of the discussion is to decide how we want to guide the development of our Town. He is suggesting we table this for now and get more information. He wants to be sure the projects on our list are low risk. However, he believes if we decide to add the widening of Hwy.191 to the list, it should include widening on both sides all the way to the top of the hill. Mr. Pulham commented the logical thing to do for safety purposes and all other concerns is to widen Hwy.191 this year. We know there will be an asphalt batch plant very near this year and UDOT would be unwise to not take advantage of the cost benefit attached to that. In the future there will be lots of additional traffic creating more safety issues and we have an opportunity to avert this now. He supports the project 100% and the Town will receive long-term benefits even though not financial benefit specifically. He believes the UDOT engineers should start designing how the project should go for the safety of everyone while taking advantage of the components that will be in place this year that can substantially affect the cost of the project.

Mr. Pulham reminded Mr. Lucas that UDOT will tell everyone where the ingress and egress will be located. They are the priority. They will either give approval or not. Mr. Lucas said this has been approved already.

Discussion followed regarding the road down DJ Draw. Ms. Kunkel asked if that road will remain a USFS road. Mayor Johns said that road will be realigned and resurfaced and will be turned over to the Town. Mr. Lucas feels that road isn't a "road" but an easement. Mayor Johns said those decisions will be between the USFS and the County but he told them the Town would take over the road when it became a "collector road". It will have to be built according to the specs in our Ordinance. Mr. Pulham added that easement is more important to the County's septic treatment plant than any recreational benefits. Emergency access cannot be restricted in any way. Mr. Lucas clarified that we would add to the list in June. Ms. Kunkel clarified you can have a grant proposal ready for either June or October. Mr. Lucas felt something needs to be ready for June when the other UDOT project is happening. Ms. Kunkel asked Mr. Lucas about the money. He said the RDA is committing \$120,000 for future infrastructure and his company has already spent \$74,000 on engineering/land surveying, soils, etc.

Mayor Johns clarified that we would ask CIB for \$200,000. He said we need to be clear about how much money is already there for the project and we need the \$200,000 to complete it. Ms. Kunkel said they will ask how much money you are asking for – how much you are going to put into it and how, i.e., loan or grant, etc. you will acquire the money you are putting into it.

Mayor Johns said if we decide to request money for both sides of the road we will require \$500,000.

Ms. Kunkel asked Mr. Lucas his reasoning for asking the Town to put this on the CIB list. He replied that new businesses trying to get anything done are faced with lots of hoops to jump through, and this is just part of

doing business. They have been working on this particular project for six years and the increase in the expense is amazing - \$200,000 here and \$200,000 there and people start changing their mind as to what they will lend you money for. Projects all have their challenges and anywhere additional money can be generated is what you need to take advantage of. CIB is another funding source and he believes the benefit that will come to the Community makes his request reasonable. He did state if the Town would ask for \$200,000, there is a \$174,000 match for that. That amount is not sufficient to go all the way to the top of the hill, just to the start of the uphill.

Discussion followed clarifying which part of the road the Town would become responsible for. Ms. Kunkel asked if Delta Plan should be included in this discussion, but Mayor Johns felt that could wait until they have their current issues resolved.

In conclusion, particularly due to the availability of the batch plant in our area for this year and the impact it will have on costs, the Town should change their CIB one year plan to include this project for the sum of \$500,000 which would cover both sides of the road.

Ms. Kunkel moved that to amend the one year CIB list for 2024 and put in the number 2 spot the widening of Hwy. 191 on both side from the Town boundary to the new developed business asking for \$500,000 with the RDA contributing \$120,000 and private business at least \$74,000. Ms. Dickerson seconded. Motion passed unanimously.

5.5 Development of Town Projects – Discussion

Mayor Johns said the previous discussion is exactly what 5.5 is about. We need to be a part of helping with development in the Town.

It started with possible development of a picnic area. He and Mr. Pulham looked at the Big Lawn trying to see if this project might be a reasonable project. This would be a cost of development and maintenance for the Town so discussion followed to see if perhaps a private commercial business could be encouraged.

There are issues that complicate development but that doesn't mean something can't be done. Discussion brings up lots of questions, legal and otherwise, but we should still have discussion. Ms. Kunkel asked if we promoted our Civic property could there be commercial on it. It would have to be rezoned, subdivided, or leased.

Mr. Lucas brought up perhaps a food truck business, a car wash is always a discussion. Mr. Lucas said Mr. Rogers is moving to our community and he has an excavation business with equipment that could be utilized. He also feels we need to support the businesses that are already here.

Bottom line is although we have discussed ways to help for years, we will start soliciting business opportunities to see what might work right now.

There being no further discussion, Ms. McDonald moved to adjourn and Ms. Kunkel seconded. Meeting adjourned at 8:50 p.m.



Harriet Dickerson, Clerk