

**Daniel Town Council Meeting Minutes
Monday, June 2, 2025 at 6:00 PM
Wasatch County Services Building
55 South 500 East Conference Room B
Heber City, UT 84032**

Quorum Present: Mayor Scott Kohler, Council Members Gary Walton, Eric Bennett. Council Members Robyn Pearson and Jon Blotter were excused. Also present were Planner Eric Bunker, Treasurer Sherri Price, Lynne Shindurling, Deputy Clerk/Recorder, and Megan Goodrich, Deputy Clerk/Recorder, to record the minutes.

Members of the Public: Gary Weight, John Glodowski, Cole Leesnitzer, Wim de Jager, Nephi Trunnell

Mayor Kohler called to order at 6:00 PM.

1) Public Comment

Lynne Shindurling announced that Megan Goodrich was sworn in as Deputy Clerk/Recorder by Clerk Recorder Merry Duggin on Friday, May 30, 2025.

2) Public Hearing for Final Budget Amendments to the Fiscal Year 2024-2025

Councilmember Bennett made a motion to open the public hearing. Councilmember Walton seconded the motion. The roll call vote was Walton, yes; Kohler, yes; Bennett, yes.

Clerk/Recorder Duggin presented the amended budget reports for Fiscal Year 2024-2025 to the Council. Ms. Duggin noted that nothing was changed to the amended budget but that revenues were down from what was projected. She drew the Council's attention to the ARPA revenue that was left over to spend in the 2024-25 FY. She requested that the Council's decision to split the ARPA funds 50/50 between road projects and water projects be nullified because she was not able to report it that way to the US Treasury.

Ms. Duggin made a recommendation to the Council that money should be set aside for the future when water systems need to be replaced.

Gary Weight expressed concerns that the water revenue is lower than normal. Ms. Duggin responded that the "actual" figures do not reflect two months of revenue to be collected.

John Glodowski requested clarification of lead and copper inventory. Ms. Duggin spoke about the EPA requirement to determine if there is lead or copper piping in our systems. The Town has until the end of 2027 to complete the inventory.

Councilmember Bennett asked what kind of report we are getting from the State regarding sales tax and why the revenue for sales tax is down. Ms. Duggin responded that tax revenues are being withheld due to paperwork not being filed properly, but the town is working to comply. The Town will receive all funding it is due once that is complete.

3) Public Hearing for Adoption of Budget for Fiscal Year 2025-2026

Ms. Duggin presented the Council with the Proposed Budget for Fiscal Year 2025-2026. She pointed out that the only change from the tentative budget was an increase to show \$3,000 for the office budget. She also noted that \$1,541 of the ARPA money will be going to the water fund so that the lead and copper inventory can be completed.

Councilmember Bennett made a motion to close the public hearing. Councilmember Walton seconded the motion. The roll call vote was Walton, yes; Kohler, yes; Bennett, yes.

4) Possible Approval of DR-2025-06-02A: Final Budget Amendment FY 2024-2025; Possible Approval of DR-2025-06-02B: Budget FY 2025-2026

Mayor Kohler read in the resolutions for the record.

Councilmember Walton made a motion to accept 2025-06-02A and 2025-06-02B. Councilmember Bennett seconded the motion. The roll call vote was Walton, yes; Kohler, yes; Bennett, yes.

Note: Approval of DR-2025-06-02A reverses the 50/50 split of ARPA monies approved in December 2024.

5) Business Licenses

Mayor Kohler read the application of new business license, HOWMZ, and invited attendees to introduce themselves and explain their business. Mr. Wim de Jager, representing HOWMZ, explained that his business is residential construction and that they make pre-fabricated homes. The location in Daniel will be their headquarters and training center and they might build 5-6 homes each year with each home being placed within 50 miles of their Daniel location. Planner Bunker noted that the address on the application needs to say Daniel instead of Heber. Some discussion was had regarding where the point of sale site will be and Mr. Jager explained that the point of sale site would be where the house is built. Councilmember Walton would like to look into the sales tax and who would receive that.

Councilmember Bennett made a motion to approve the business license application with address correction. Councilmember Walton seconded the motion. The roll call vote was Walton, yes; Kohler, yes; Bennett, yes.

Mayor Kohler read the business license renewal applications from Stone Cutter Construction, Action Performance Electric, and Rafter K Construction. No complaints have been made against any of these businesses.

Councilmember Bennett made a motion to approve the business license renewals with the addresses amended to say Daniel. Councilmember Walton seconded the motion. The roll call vote was Walton, yes; Kohler, yes; Bennett, yes.

6) Discussion Regarding Commercial Condominiums and Possibly Set Public Hearing Regarding Daniel Code Change

Mayor Kohler spoke briefly about this agenda item having gone to a public hearing at the Planning Commission and that the next step would be to set a public hearing for the Town Council regarding a code change. Councilmember Bennett asked what had been recommended from the Planning Commission. Planner Bunker presented the original copy of the request and Commissioner Weight said that the recommendation was to allow them to make the change with a modified version of the original request. Councilmember Bennett asked if the Town is required to go through the public hearing process each time a code change is requested. Planner Bunker said yes, it is the public's right to go to public hearing if requested, but Town Council is not obligated to approve a code change, even if recommended for approval by the Planning Commission.

Councilmember Walton made a motion to set a public hearing for discussion regarding commercial condominium adoption to Town Code on July 7, 2025. Councilmember Bennett seconded the motion. The roll call vote was Walton, yes; Kohler, yes; Bennett, yes.

7) Discussion on Public Town Hall Meeting for Non-Conforming Lots

Mayor Kohler announced that the Senior Center had a room available for \$200 and that they were also checking with the new fire station to see if their conference room would be available. There has not been an agenda set for the Town Hall Meeting at this time. Mayor Kohler set the date for the Public Town Hall Meeting for August 11, 2025 at 6:00 PM.

8) Planning Commission Meeting Summary

The Town Council was presented with a summary of the May 21, 2025 Planning Commission Meeting. Councilmember Walton asked for clarification regarding the CUP offer submitted by Geneva Rock. Commissioner Weight said that the approval from the

Planning Commission will require a sound study and access of the parcel to Airport Road. Merry Duggin will draft the CUP based on the minutes from the Planning Commission meeting.

9) Council Reports

There were no council reports.

Later in the meeting, Mayor Kohler made mention that Marc Bowthorpe is looking to rent the entire upstairs of his building, including the space the Daniel Town office currently occupies. Mr. Bowthorpe has said that the Town can continue to rent its current office space, but the rent will increase to \$1,000/month or the Town can move to the room to the east for \$650/month. The Town's lease is good through the end of July.

10) Planner Report/Update

Planner Bunker reported the filing of two complaints. The first, the overcrowding of animals located at 1200 E Little Sweden has been substantiated and is in violation of code 8.07.01. The second, the complaint of a new residence onsite at 3000 S Mill Road which he was not able to substantiate. Planner Bunker, upon inspection of location, could not prove that anyone was living inside although it is in violation of the building permit code as well as the nuisance code. Mayor Kohler suggested that the Town attorneys should draft letters regarding these violations.

Councilmember Walton made a motion to have the Town attorneys draft and send a letter regarding the complaint in violation of section 8.07.01 and also have the Town attorney draft and send a letter to occupants in violation of the nuisance and building permit ordinance. Councilmember Bennett seconded the motion. The roll call vote was Walton, yes; Kohler, yes; Bennett, yes.

11) Storm Haven and Daniel Water System Report/Update

Mayor Kohler reported that the Town has advertised in the Wasatch Wave for a part-time water operator and will be receiving applicants until the following Wednesday. Interviews will follow.

Councilmember Walton said that the lead and copper sampling for Storm Haven will be done this month but that they have until September to do it for Daniel Municipal Water.

Mayor Kohler reported that meters were read last Friday, and that Emilee Hilton was working to get the bills out.

Planner Bunker turned in his Potential Conflict of Interest Disclosure to Mayor Kohler. This is due each year.

Councilmember Walton noted that it would be good to spray by the tank and pump house. Mayor Kohler asked Planner Bunker to do that.

12) Recorder's Office: Warrants approval, announcements, etc.

Ms. Goodrich presented the May 2025 warrants to the Town Council for approval. She pointed out that the IT issue with Executech and Ace is still being worked out so there is a hold on paying ACE until that is completed.

Councilmember Bennett made a motion to approve the warrants. Councilmember Walton seconded the motion. The roll call vote was Walton, yes; Kohler, yes; Bennett, yes.

Ms. Goodrich announced to the Council that it currently was election candidacy week and that someone would be in the office each day 8-5 to accept declarations of candidacy. Four offices were up for re-election: Mayor, two 4-year council terms, and one 2-year council term.

Ms. Shindurling announced that the Daniel Town website was down due to the process of changing from danielutah.org to danielutah.gov.

13) Approval of Minutes for May 5, 2025

Councilmember Bennett made a motion to approve the minutes. Walton seconded the motion. A roll call vote of Walton, yes; Kohler, yes; Bennett, yes.

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

There was no closed session.

15) Adjourn

Councilmember Walton made a motion to adjourn the meeting. Councilmember Bennett seconded the motion. A roll call vote of Walton, yes; Kohler, yes; Bennett, yes.

The meeting was adjourned at 7:53 PM.

Megan Goodrich
Deputy Clerk/Recorder