

Daniel Town Council Meeting

Monday September 3, 2019 @ 6 pm
Wasatch County Service Complex,
Conference Room B
55 S 500 E, Heber City, UT 84032

Town Council Quorum: Mayor Chip Turner, Council members, Eric Bunker, Stefanie Grady and John Glodowski. Council member Jon Blotter was absent. Clerk Mary Snyder present for minutes.

Member of public: Shelley Bunker, Ryan Taylor, Susan Kohler, Steve Webb, Megan Lee, Jaylene Bassett, Tim Pack, Ben Russell, James Dahl, Lloyd Worthington, Jonny Young

1) **PUBLIC COMMENT:** No comments

2) **DISCUSS ZONE CHANGE-** GEBO:

Tim Pack attorney for the Bumper Dump located at 1680 W 3000 South was present to represent Mr. Russell. Mr. Pack stated that the property is specifically just storing equipment and that no customers come to the location. The home is currently occupied by an employee, who is the driver. They are request a rezone from RA-5 to Commercial. He has reviewed the master plan and believes that said property would qualify under the enterprise zone. There would be a very low impact to the community and elect to put up a privacy fence if required.

Mayor Turner stated that he believes the area several properties that are in the projected enterprise zone and because of that it is not just an automatic status that applies to those properties.

Mr. Pack stated that he believes the are makes sense in that it is close to the highway. Council member Grady asked if there was a conditional use that would apply to the property. Council member Bunker stated that there is not because it is RA-5 Zone.

Council member Bunker further asked what the intent was with the home. He stated that with the change of use from RA-5 to Commercial, the house would no longer be residential use, but could be used as an office.

Ben Russell stated that they would entertain changing the zoning as well. Tim Pack asked for a 10-minute break to speak to his client as he was not aware of this information in the code.

Moved to item 4, as High Mountain Waste has a pending approval for possible business license.

3) WEBB TRUST SUBDIVISION APPLICATION:

James Dahl was present to discuss the Webb Trust application for preliminary approval with conditional modification.

Ryan Taylor stated that he has not reviewed the final draft completely but made the recommendation that all items need to be in compliance, the right-of-way properly dedicated as public right-of-way and there may be some possible technical issues that will need to be brought to compliance.

Mr. Dahl stated that there will be no issues with coming into compliance and have made the necessary property deeded for the right-of-way. Ryan Taylor stated that the 50' right-of-way needs to be on the plot as public and believes that it shows private at this time.

Council member Bunker asked if it was dedicated to the town? He also stated that the irrigation that is located on the property is not showing on the plat map and this item was mentioned in the Planning Meeting as needing to be completed.

Ryan Taylor stated that the irrigation line is buried under ground and feels that it should be on the map; as well as feels that the risers need to be surveyed. Steve Webb mentioned that the irrigation runs in the middle of the lots.

Mayor Turner asked about fire hydrants for the subdivision lots? Council member Bunker stated that the map indicated two locations for hydrants. Ryan Taylor stated that there is 740' which should put a hydrant every 400'.

Council member Grady made a motion to approve the Webb Subdivision, with the revised verbiage of the designated right-of-way to a road, add plat with existing irrigation lines, pending final approval of engineering and planning requirements. This was seconded by Council member Glodowski. All members in favor.

**4) BUSINESS LICENSE(S): Renewals: Tender Touch Massage, Housekeeping by Dawn
Council member Glodowski made a motion to approve the two (2) renewals, seconded by Council member Grady. All members in favor.**

NEW:

Brows By Megan, Megan Lee present. She stated that in order to apply for a job at a salon, she is required to have a business license.

Council member Grady made a motion to approve the new license for Brows By Megan, seconded by Council member Glodowski. All members in favor.

A & I Mobile Home Towing, LLC, Jonny Young present. Jonny stated that he would like to rent office space at 3650 S Highway 40 as a place that he can meet with potential customers and employees.

He further indicated that there would be no storage, but just an office inside the Suburban Propane building, sharing space with Wasatchback Rentals.

Council member Bunker made a motion to approve the new license for A & I Mobile Home Towing, LLC, seconded by Council member Grady. All members in favor.

CONTINUE ITEM #2:

Tim Pack stated that his client would like to request the zone change and they would address the house issue.

Council member Glodowski made a motion to continue the Gebo application, seconded by Council member Grady.

Upon discussion, Council member Bunker indicated that the applicant is present today to obtain a final vote. Council member Glodowski made a motion to withdraw the motion.

Council member Glodowski made a motion to approve the zone change from RA-5 to commercial with the condition that the home is to no longer be habitational but could be used as office space.

Upon further discussion, Council member Bunker stated that the house should not be included as it is part of the regulation. Council member Glodowski again withdrew his motion.

Council member Glodowski made a motion to approve the zone change from RA-5 to commercial. Motion failed due to lack of a second.

Council member Grady made a motion to deny the zone change from RA-5 to commercial. Council member Bunker seconded based on the public hearing with neighbors opposing the change. Mayor Turner, Council members Bunker and Grady for, while Council member Glodowski opposed. Motion passes.

Council member Bunker made a motion to deny the business license for High Mountain Waste, based on the use is not a permitted use in the RA-5 Zone; seconded by Council member Grady. All members in favor.

5) DISCUSSION ACQUISITION of DANIEL WATER SHARES:

Current water shares are selling between \$2,500.00 to 3,900.00. Ryan Taylor stated that the town is approximately 5,000 acres, with 800 acres ft for water. At current he stated that we only have about 300-acre feet.

Clerk Snyder indicated that if there was a possibility of having several certificates, that the Town should seek a safety deposit box to store said items.

Council member Glodowski made a motion to proceed forward with a safety deposit box at the bank, seconded by Council member Bunker.

Clerk Snyder also indicated that there needs to be designated access and that we should set that as well.

Council member Grady made a motion to accept the signature holders of Eric Bunker, Chip Turner and Sherri Price to have access to the safety deposit box. This was seconded by Council member Glodowski. All members in favor.

6) DANIEL MUNICIPAL WATER:

Water Secretary Shelly Bunker stated that she is in the process of obtaining a lien on a property but having issues getting it established with the county or to get it filed.

Shelly also indicated that Neff's water has been online for about the last two months, but she was unaware. She is trying to obtain a meter number so that she can have it added into Pelorus for billing. She also has the water contract that would need to be signed for this account.

7) STORM HAVEN WATER:

Ryan Taylor stated that the pump is up and running. He stated that the complaints with low water pressure have stopped. The next big issue for the system is the storage tanks and replacing the broken pump.

He also stated that he figured that we were ahead by about \$1,500.00 on the project but discovered an issue with Bacon Davis Wages. He submitted a wage clarification for a drill helper back in April and recently received notification that the town wasn't sufficient in pay. There were two (2) drill helpers in which the wage clarification stated that each are owed an additional \$3,000.00.

8) APPROVAL of COUNCIL MEETING MINUTES:

Council member Bunker made a motion to approve the August meeting minutes, seconded by Council member Grady. All members in favor.

9) RECORDER'S OFFICE: Warrants approval, announcements, etc:

Council member Grady made a motion to approve the warrants, with Lang Drilling for \$6000.00 for wage clarification for the Storm Haven Well project. This was seconded by Council member Glodowski. All members in favor.

Council member Glodowski made a motion to close regular session and enter closed session for legal issues. This was seconded by Council member Grady. All members in favor at 7:36 PM.

10) POSSIBLE CLOSED SESSION: Legal issues, Property acquisition

Council member Glodowski made a motion to end closed session and re-enter regular sessions, seconded by Council member Grady at 8:03 PM. All members in favor.

Council member Grady made a motion to approve the Recorder to purchase water shares up to \$3000.00 per share capped at \$30,000.00 per month for the month of September. This was seconded by Council member Glodowski. All members in favor.

11) ADJOURN:

Council member Grady made a motion to adjourn, seconded by Council member Bunker. All members in favor at 8:07 PM.

Mary Snyder
Clerk/Recorder