



Regular City Council Meeting

Tuesday, May 28, 2024 at 6:00 pm

AGENDA

A regularly scheduled meeting of the Duchesne City Council will be held at the Duchesne City Office Building, 500 East Main, Duchesne, UT at the above date and time. The agenda will be as follows:

- 1. Roll Call, Prayer, Pledge**
- 2. Minutes**
- 3. Business License**

- Brain Body Interlink LLC - Dylan Despain
- Perfecto Grill - Lesley Fernandez

- 4. Planning And Zoning**
- 5. 15-Minute Open Session**

The City of Duchesne welcomes you and thanks you for your time and concerns. If you wish to address the City Council, this is the time set on the agenda for you to do so. When you are recognized, please step to the podium, state your name and address then address the Council. Your comments will be limited to three (3) minutes. The Council may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and provide direction to the appropriate member of City Staff for follow-up. Thank you.

- 6. Book Of Complaints, Concerns And Comments**
- 7. Mayor And Council Review Of Old Business**
- 8. Work Session**
- 9. Executive Session**
- 10. Adjournment**

Attest:

Myra Young, Recorder: _____



Regular City Council Meeting

Minutes

Tuesday, May 14, 2024 at 6:00 pm

AGENDA

A regularly scheduled meeting of the Duchesne City Council will be held at the Duchesne City Office Building, 500 East Main, Duchesne, UT at the above date and time. The agenda will be as follows:

1. Roll Call, Prayer, Pledge

Minutes:

Mayor Rowley conducted the meeting. City Recorder, Myra Young, took minutes. City Council Members present were Danny Peatross, Jenny Adams, Jason Baker and Cody Ivie via telephone. Council Member Bryce Hamilton was absent. Council Member Peatross offered the prayer. Mayor Rowley led the Pledge of Allegiance.

Public Attendees: Deborah Herron, Karie Morrill, Jodie Lamb, Rachelle Jones, Andy Jones, Clint Peatross, Kelly Kielbasa, Weston Probst, Susan Hamilton & Eileen Potter.

2. Minutes

Minutes:

MOTION by Council Member Peatross, seconded by Council Member Adams to approve the minutes from April 23, 2024, and May 9, 2024.

- Council Member Peatross– Aye
- Council Member Adams - Aye
- Council Member Ivie – Aye
- Council Member Baker – Aye

Motion carried by unanimous vote.

3. Bills

Minutes:

MOTION by Council Member Adams seconded by Council Member Baker to pay the bills.

- Council Member Peatross– Aye
- Council Member Adams - Aye
- Council Member Ivie – Aye
- Council Member Baker – Aye

Motion carried by unanimous vote.

4. Charges and Credits

Minutes:

The Council reviewed the Charges and Credits Report.

5. Business License

Minutes:

Karie Morrill & Jodie Lamb would like a business license. They will be providing childcare services at Best Childcare LLC.

MOTION by Council Member Baker, seconded by Council Member Peatross to approve a business license for Karie Morrill & Jodie Lamb daycare providers.

- Council Member Peatross– Aye
- Council Member Adams - Aye
- Council Member Ivie – Aye
- Council Member Baker – Aye

Motion carried by unanimous vote.

Weston Probst would like a business license. He will be providing a guided fishing service, ProWest Fishing LLC.

MOTION by Council Member Peatross, seconded by Council Member Baker to approve a business license for Weston Probst, fishing guide.

- Council Member Peatross– Aye
- Council Member Adams - Aye
- Council Member Ivie – Aye
- Council Member Baker – Aye

Motion carried by unanimous vote.

6. Delsco - Andy Jones

Minutes:

Andy Jones approached The Council. He is an employee of UDEL LLC, a sister company of Delsco Northwest. The company has been involved with many local community cleanup projects this spring. They would like to help Duchesne City out next. They are offering their service to remove the dirt pile in front of the Chevron gas station on the west end of Main Street. They would supply the workforce and equipment if Duchesne City would get with the landowner and arrange for a place to dispose of it. Mayor Rowley stated he has tried to contact Paul the owner but has been unsuccessful. He will reach out to Justin, the manager of Chevron. Andy said they would like to help with this or any other project the city needs.

7. Approval of Tentative Budget

Minutes:

The Council reviewed and discussed the Tentative Budget for Fiscal Year 2025. A work meeting was scheduled for June 4th, 2024, at 6:00 pm to finalize the budget details. A public hearing for the Fiscal Year 2025 Budget will be scheduled for the regular City Council meeting on June 25, 2024, at 6:00 pm.

MOTION by Council Member Baker, seconded by Council Member Peatross to approve the Tentative Budget for Fiscal Year 2025.

- Council Member Peatross– Aye
- Council Member Adams - Aye
- Council Member Ivie – Aye
- Council Member Baker – Aye

Motion carried by unanimous vote.

8. Planning And Zoning

Minutes:

Deborah Heron with Planning and Zoning gave the following updates.

- Mecham Family Trust Property - Alicia Tegan attended the Planning & Zoning meeting on Monday the 13th to discuss the property along the river. She would like to split the property into three sections. There was discussion about the most western lots would not have access and also concerns of it being tribal ground. The Commission recommended she give right-of-way across the two parcels and advised her to meet with The City Council going forward for final approval.
- D-Hill Plat Maps – Kelly Kielbasa and Clint Peatross attended the Planning & Zoning meeting on Monday the 13th to present a concept plat map for reorganizing lots above D-Hill. The plat map shows how it fits the contour of the land better than the original grid. There is an urgency to deal with it now, lots are being sold, a change of ownership is happening with development coming sooner rather than later. All but two landowners have been contacted with positive feedback results. Kelly Kielbasa believes this will be in the best interest of the city due to the reduction in square footage of the streets that will need to be installed and maintained. Todd & Deron Wilkerson attended the Planning and Zoning meeting on Monday the 13th and believe this will not be a complicated process for recording deeds. This will all be conditional upon Duchesne City installing water and sewer to the area. The Commission recommends the concept map for consideration to the City Council. They believe this matches the General Plan for development and making properties available for moderate to low-income families. Council Member Peatross asked in what scenario would it be the contractor's responsibility to install the infrastructure? Mayor Rowley indicated if it is a new subdivision and had not previously been platted. There will still be impact fees for sewer and water owed by the individual property owners. Deborah explained Clint and Kelly will still need to go through with the land use application and bring the final plat map for final approval and signatures to Planning and Zoning. Mayor Rowley stated there will need to be Public Hearings for the following: land use, vacating of the roads and acquiring a right-of-way.
- Public Hearing on Planning & Zoning Duties Ordinance – The Public Hearing was held on Monday the 13th, there were no public comments.
- Public Hearing on ADU's - The Public Hearing was held on Monday the 13th. Kelly Kielbasa was the only one with a comment. He asked for a summary of the ordinance and what it does. Clay Crozier Planning & Zoning Chairman explained they are following in line with the state recommendations of ADU ordinances. The Planning Commission voted to approve the ordinance.
- Tiny Homes and Short-term Rentals – The survey has been tabled at this time.

9. 15-Minute Open Session

Minutes:

Deborah Herron County Economic Development Director approached The Council and gave updates on the following topics.

- Rural Utah Grant – Duchesne County received a Main Street improvement matching grant.

The following are local recipients; Precision Tire, Nourish, Basin Lube and Tire and Morgan Fabrizio. The purpose of this grant is to help small businesses.

- Duchesne County will apply again for the Rural Utah Grant. Deborah stated if Duchesne City has any ideas for where the money could economically benefit the area, this is the time for input. Preparations for the grant will begin July 1st.
- CDBG/Fire Station Addition – All requested paperwork has been submitted. They are now getting wage information back from the roofers that had been overlooked. Brett Woods Construction has fulfilled all the requirements. Chuck Richins with Horrocks Engineering is finalizing the punch list with them and until all parties have signed off, Duchesne City is withholding the final 5% of the invoice.

Kelly Kielbasa approached The Council. He wanted to know what the next step would be for them to progress with the vacating and realignment of the city streets within the D-Hill Plat Map project.

Mayor Rowley stated the following items will need to be completed.

- Finalized number of lots
- Finalized plat map
- May need a signed affidavit from each property owner (Deborah Herron will follow up on this)
- Get on the Planning & Zoning Agenda
- Attend the meeting
- Public Hearing will need to be scheduled
- Attend Public Hearing

10. Book Of Complaints, Concerns And Comments

Minutes:

There were no new complaints, concerns, or comments.

11. Mayor And Council Review Of Old Business

Minutes:

Council Member Adams inquired about the following.

- If Mayor Rowley spoke with the semi-truck driver that parks on 300 E in front of CB & M Executive Suites. Mayor Rowley indicated he has not seen him parked there.
- The property for sale sign, located at 300 E. The Council and Mayor discussed what to do about the sign. Mayor Rowley will call the number on the sign and request they remove the sign.
- If Mayor Rowley has heard back from the structural engineer on the Mickelson Building. Mayor Rowley indicated he has not and will reach out to them again.

Council Member Ivie asked what Mayor Rowley discovered about the investment accounts (PTIF Sweep Accounts with Zions Bank). Deborah Herron Commented that we reach out to The State Treasurer and have it changed over.

12. Work Session

Minutes:

A work session was scheduled for June 4, 2024, at 6:00 pm.

13. Executive Session

Minutes:

An executive session was called to discuss jurisdiction litigation.

14. Adjournment

Minutes:

MOTION by Council Member Peatross, seconded by Council Member Baker to adjourn the regular City Council meeting at 6:52 pm and go into executive session.

- Council Member Peatross– Aye
- Council Member Adams - Aye
- Council Member Ivie – Aye
- Council Member Baker – Aye

Motion carried by unanimous vote.

Attest:

Myra Young, Recorder: _____

Contact: Myra Young (myoung@duchesnecity.com 435-738-2464)



500 E Main St. Duchesne, Utah 84021
 PO Box 974, Duchesne, Utah 84021
 phone (435) 738-2464
 fax (435)738-5394
office@duchesnecity.com

BUSINESS LICENSE APPLICATION

Application and all other items must be completed on the attached checklist BEFORE a business license is issued.

BUSINESS LICENSE # _____
 (OFFICE USE ONLY)

APPLICANT INFORMATION

Applicant Name: Dylan Despain
Date of Birth: 10/01/1996
Home Address: 1567 N Old Farm Road
City, State and Zip Code: Duchesne, UT 84021
Mailing Address: PO BOX 55 Duchesne, UT 84021
Home Telephone: N/A **Cell Phone:** 435-823-2552
Email Address: Despain.despain@yahoo.com

BUSINESS INFORMATION

Legal Name of Business: Brain Body Interlink LLC
 Home Based _____ Commercial Based X Unknown _____
Business Address: 7533 S Center View CT STE N
City, State and Zip Code: West Jordan UT 84084
Business Telephone: 435-823-2552 **Business Fax:** N/A
Business Email: Brainbodyinterlink@gmail.com
Professional License #: 13390110-1202 (Chiropractic License)
 (Contractor, Real Estate, Federal Firearms, Cosmetology, etc.)
Utah Entity #: 13877619-0160
 (you must register your business with the Utah Department of Commerce)
Utah Sales and Use Tax #: 16036308-002-STC
 (if you are selling goods you must file for a sales tax number with the Utah State Tax Commission)



500 E Main St. Duchesne, Utah 84021
 PO Box 974, Duchesne, Utah 84021
 phone (435) 738-2464
 fax (435)738-5394
office@duchesnecity.com

BUSINESS INFORMATION CONT'D

Describe the nature of your business:

Wholistic Health and Wellness Services/Chiropractic Care Conducted at Nourish

Please list the location of where your equipment, tools, and supplies to conduct your business will be stored:

34 E 100 N, Duchesne UT 84021

If storage is located at home, what percentage will be stored and where?

N/A

N/A

%

LICENSE STIPULATIONS

Please initial next to each item

DD All Business Licences are issued for a period of one year, which extends from July 1st to June 30th.

DD License fees are due and payable July 1st, or upon approval of application.

To engage in the business for which this license is issued, you must comply with all City Ordinances and County Health and Safety Codes. These include zoning, building codes, accessibility codes, health and fire safety. If now, or in the future, you do not comply with these codes, this license may be revoked upon the majority vote of Duchesne City Council.

DD

DD I am responsible to read and understand the requirements of Duchesne City's Business License Ordinance and agree to comply with the same.

(Note: To read about Duchesne City Business and License requirements visit Duchesne City Offices or go to Title 3 of the Municipal Code found at https://duchesnecity.com/government/municipal_code.php)

DD Duchesne City requires at least 20 days after application submittal for investigative purposes.

DD Business License Certificate, once issued, shall be posted in a conspicuous place on the wall of the building, room or office of the place of business so that the same may be easily seen.

AFFIDAVIT

I, Dylan Despain BEING DULY SWORN, DEPOSE AND SAY THAT I AM THE ABOVE NAMED APPLICANT AND THAT THE STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE AND CORRECT.

Applicant Signature:

Dylan Despain

Dated:

05/13/24



500 E Main St. Duchesne, Utah 84021
PO Box 974, Duchesne, Utah 84021
phone (435) 738-2464
fax (435)738-5394
office@duchesnecity.com

BUSINESS LICENSE CHECKLIST

All items listed below must be completed **BEFORE** a business license is issued. Application fees will be due and payable upon successful completion of the application process.

- Completed Application**
- Letter of Permission** (if you are not the property owner)
- Copy of Required State License** (contractor, cosmetology, real estate, daycare, etc.)
- Copy of Entity Registration** Department of Commerce (801) 530-4849 or visit www.corporations.utah.gov
- Copy of Sales Tax License** (if applicable) Utah State Tax Commission (801) 530-4849 or visit www.tax.utah.gov/sales
- N/A **Building Inspection** (if applicable) Cody Fisher, Inspector (801) 719-9337
- N/A **Fire Inspection, \$50 Fee** Russ Young, Fire Marshall (435) 630-4113
- N/A **Health Inspection** (if applicable) Board of Health (435) 722-6300
- Appear before Duchesne City Council to present your business and application**



Utah State Tax Commission

TAXPAYER SERVICES DIVISION 210 N 1950 W SALT LAKE CITY Utah 84134-9000

Website: tax.utah.gov

atL012 03/2024

Sales Tax License and/or Use Tax Certificate of Registration

BRAIN BODY INTERLINK LLC
BRAIN BODY INTERLINK LLC
34 E 100 N
DUCHESNE UT 84021-7751

Account Number: **16036308-002-STC**

This business is registered to make taxable sales from the incorporated city of:
Duchesne City

Outlet: 0001 Issued: June 1, 2024 Valid until revoked or cancelled. Post in a noticeable place.

This business is authorized to make taxable sales, purchase tax free for resale, collect and remit sales and use taxes in the State of Utah. The authority to engage in business is subject to city and/or county business licensing laws and other rules and regulations. This license may be revoked for violations or failure to comply with these laws, rules and regulations. If this business moves, closes or is sold, you must contact the Tax Commission immediately by calling 801-297-2200 or toll free 1-800-662-4335 and return this license to the Tax Commission for cancellation. This license is NOT transferable.

ABOVE IS YOUR
SALES TAX LICENSE

TEAR OFF AT PERFORATION AND POST IN A NOTICEABLE PLACE

Keep this portion for your records.

Account Number: **16036308-002-STC**

<<< Use this number for all correspondence or contact with the Utah State Tax Commission.

Jurisdiction: **Duchesne City**

Issued: **June 1, 2024**



Your Personal Identification Number (PIN) will be sent in a different notice in a few days.

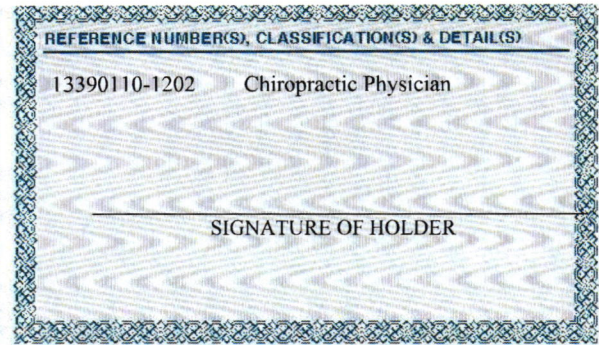
You are required to register your account at tap.utah.gov for electronic filing, paying and managing your account. Your PIN is needed to register.

NOTICE OF LIABILITY

If you are purchasing a business, have the former business owner provide you a notice/receipt from the Tax Commission stating the sales and use taxes are paid in full. If the notice/receipt is not provided, Utah law requires you keep enough of the purchase money to pay the unpaid taxes. You may be held personally liable for any taxes not paid by the former owner.

TAX FREE PURCHASES

Merchandise purchased tax free, but used or consumed by your company, must be reported on your sales and use tax return. You must pay sales and use tax on goods that you or your company consume.



IMPORTANT LICENSURE REMINDERS:

- Your license is valid until the expiration date listed on this form. Approximately 60 days prior to this expiration you will receive a renewal notice by email.
- Please note the address listed below is your public address of record for the Division. All future correspondence from the Division will be either mailed to this address or emailed to the email on record. If you move or change your email, it is your responsibility to keep DOPL informed. Maintaining a current address AND email with DOPL is the easiest way to ensure continuous licensure.

DYLAN DESPAIN
 1567 N OLD FARM RD
 DUCHESNE UT 84021

Please visit our web site at www.dopl.utah.gov should you have any questions in the future.



REFERENCE NUMBER(S), CLASSIFICATION(S) & DETAIL(S)

13390110-1202 Chiropractic Physician

SIGNATURE OF HOLDER



Nourish Duchesne
34 E. 100 N.
P.O. Box 879
Duchesne, Utah 84021
435-738-2220

March 14, 2024

LETTER OF PERMISSION

To whom it may concern,

This letter is to inform you that Dylan Despain has my permission to do business at Nourish at the above address.

If you have any questions please contact me.

A handwritten signature in black ink that reads "Sean Adams".

Sean Adams
President
Nourish LLC



STATE OF UTAH
 DEPARTMENT OF COMMERCE
 DIVISION OF CORPORATIONS & COMMERCIAL CODE
 PO BOX 146705
 SALT LAKE CITY UT 84114-6705

March 15 2024



US POSTAGE FIRST CLASS PERMIT NO. 5300 SLC UT
 ZIP 84116 PERM NO. 5300 \$000.53
 02 7W 0008027417 MAR 20 2024

Certificate of Registration

Entity Type: LLC - Domestic
Entity Number: 13877619-0160
Issue Date: March 12, 2024
Access Code #: 7298822

BRAIN BODY INTERLINK LLC
 NORTHWEST REGISTERED AGENT LLC
 7533 S CENTER VIEW CT STE N
 WEST JORDAN UT 84084



CERTIFICATE OF REGISTRATION



State of Utah
Department of Commerce
Division of Corporations & Commercial Code

This certifies that this entity has been filed & approved and has been issued a registration number in the office of the Division and hereby issues this Certification thereof.

LEIGH VEILLETTE
Division Director



500 E Main St. Duchesne, Utah 84021
 PO Box 974, Duchesne, Utah 84021
 phone (435) 738-2464
 fax (435) 738-5394
 dherron@duchesnecity.com

BUSINESS LICENSE APPLICATION

Application and all other items must be completed on the attached checklist BEFORE a business license is issued.

BUSINESS LICENSE # _____

(OFFICE USE ONLY)

APPLICANT INFORMATION

Applicant Name: Lesley Fernandez
 Date of Birth: 6.17.85
 Home Address: 458 East 500 North
 City, State and Zip Code: Duchesne, UT. 84021
 Mailing Address: P.O. Box 636
 Home Telephone: _____ Cell Phone: 435.733.0317
 Email Address: toesintheland31@gmail.com

BUSINESS INFORMATION

Legal Name of Business: Perfecto Grill
 Home Based Commercial Based _____ Unknown _____
 Business Address: 458 East 500 North
 City, State and Zip Code: Duchesne, UT.
 Business Telephone: 435.733.0317 Business Fax: _____
 Business Email: toesintheland31@gmail.com
 Professional License #: _____
 (Contractor, Real Estate, Federal Firearms, Cosmetology, etc.)

Utah Entity #: waiting on
 (you must register your business with the Utah Department of Commerce)

Utah Sales and Use Tax #: waiting on
 (if you are selling goods you must file for a sales tax number with the Utah State Tax Commission)



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fax (435)738-5394
dherron@duchesnecity.com

BUSINESS INFORMATION CONT'D

Describe the nature of your business:

Food Truck

Please list the location of where your equipment, tools, and supplies to conduct your business will be stored:

Inclosed Trailer at my house

If storage is located at home, what percentage will be stored and where? 50 %

In the Food trailer - half in the garage / Inclosed trailer

LICENSE STIPULATIONS

Please initial next to each item

JS
JS
JS

All Business Licences are issued for a period of one year, which extends from July 1st to June 30th.

License fees are due and payable July 1st, or upon approval of application.

To engage in the business for which this license is issued, you must comply with all City Ordinances and County Health and Safety Codes. These include zoning, building codes, accessibility codes, health and fire safety. If now, or in the future, you do not comply with these codes, this license may be revoked upon the majority vote of Duchesne City Council.

JS

I am responsible to read and understand the requirements of Duchesne City's Business License Ordinance and agree to comply with the same.

JS

(Note: To read about Duchesne City Business and License requirements visit Duchesne City Offices or go to Title 3 of the Municipal Code found at https://duchesnecity.com/government/municipal_code.php)

JS

Duchesne City requires at least 20 days after application submittal for investigative purposes.

JS

Business License Certificate, once issued, shall be posted in a conspicuous place on the wall of the building, room or office of the place of business so that the same may be easily seen.

AFFIDAVIT

I, Lesley Fernandez BEING DULY SWORN, DEPOSE AND SAY THAT I AM THE ABOVE NAMED APPLICANT AND THAT THE STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE AND CORRECT.

Applicant Signature:

Lesley Fernandez

Dated:

5.21.24



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PO Box 974, Duchesne, Utah 84021
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- N/A Letter of Permission (if you are not the property owner)
- N/A Copy of Required State License (contractor, cosmetology, real estate, daycare, etc.)
- Copy of Entity Registration Department of Commerce (801) 530-4849 or visit www.corporations.utah.gov
- Copy of Sales Tax License (if applicable) Utah State Tax Commission (801) 530-4849 or visit www.tax.utah.gov/sales
- N/A Building Inspection (if applicable) Cody Fisher, Inspector
(801) 719-9337
- ~~- Fire Inspection, \$50 Fee~~ ~~Russ Young, Fire Marshall
(435) 630-4113~~
- Health Inspection (if applicable) Board of Health
(435) 722-6300
- Appear before Duchesne City Council to present your business and application