# Regular City Council Meeting

Minutes

**Tuesday, June 11, 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 Pro Tempore Bryce Hamilton conducted the meeting. City Recorder, Myra Young, took minutes. City Council Members present were Danny Peatross, Jenny Adams, Cody Ivie, and Jason Baker. Mayor Rodney Rowley attended by phone call (listened only). Council Member Peatross offered the prayer. Mayor Pro Tempore Bryce Hamilton led the Pledge of Allegiance. Public Attendees: Kim Hanson, City Treasurer, RoJean Rowley, Jodi Reinhardt, Rashae Harrison, Janet Jenkins, Melinda Larsen, Jesse Hyde, Allison Hyde, Shelly Grant, Shelly Brennan, Heidi Brady, Clay Crozier, Josh Byrnes, Mark Nielsen, Cana Ivie, Susan Hamilton, Wes Hanberg and Dawnette Browning.

2. **Minutes**

**Minutes:**

MOTION by Council Member Baker, seconded by Council Member Adams to approve the minutes from May 28, 2024.

- Mayor Pro Tempore Hamilton – Aye
- 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 Peatross seconded by Council Member Baker to pay the bills.

- Mayor Pro Tempore Hamilton – Aye
- 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:**
There were no business licenses brought before The Council.

6. **Public Hearing - Compensation Ordinance 24-1**

**Minutes:**
Mayor Pro Tempro Bryce Hamilton read the proposed ordinance 24-1 Compensation.
Mayor Pro Tempro Byrce Hamilton opened the public hearing for comments at 6:08 pm. Public comments were as follows.

- RoJean Rowley asked for The Mayor and The City Council's compensation to be read again. She wanted to know what increase was given to Mayor Rowley. Baker explained this is not reflecting an increase, these numbers are based off last year's wages. This ordinance is a requirement from the state, it was recently brought to the attention of the city and must be completed by July 1, 2024, to comply. The City Council is working on determining if this can be done as a resolution in future years. RoJean inquired if The Mayor's wage is considered full-time or if there are a set number of hours that must be worked. Mayor Pro Tempro Byrce Hamilton answered at this time hours are not specified for the position.
- Janet Jenkins asked if the City Council and Mayor position are salary. Council Member Ivie answered yes and the Fire Chief. Mayor Pro Tempore indicated that the Public Works Director, City Treasurer and City Recorder are hourly.
- RoJean asked how the treasurer and recorder wages compare to The Mayor's wages. Council Member Ivie answered the treasurer is $55,993.00, recorder is $33,520.00, Mayor is $33,600.00. RoJean stated that the treasurer and recorder are working every day and do a lot more and believes they need to be compensated for the work. She stated the City Council is required to attend a certain number of meetings a year, she would like to see a set number of hours attached to The Mayor's position. Council Member Baker asked how many hours she averaged when she was Mayor. She indicated she was in the office almost every day, part of her duties included traveling to Salt Lake City and Roosevelt to pick up parts/supplies and helped wherever she was needed which allowed the city crew to take care of the jobs they were needing to complete. She attended all necessary meetings. Council Member Ivie confirmed that we are trying to obtain job descriptions for all positions in the city. Council Member Peatross put out for consideration, making the mayor position an hourly position.

Mayor Pro Tempore Hamilton closed the public hearing at 6:16 pm.

7. **Public Hearing - Budget for 2025 FY**

**Minutes:**
Mayor Pro Tempore Bryce Hamilton opened the public hearing for comments at 6:19 pm. The following changes/increases to the budget were discussed.

1. Planning & Zoning
2. Fire – Mental Health, Survivor Benefit, County Contract
3. County Contract/Sheriff's Department – Animal Control
4. Allocate funds from the bowling alley to the Mickelson Building
5. Pope House

Public comments are as follows.
RoJean Rowley would like to have a copy of the budget to review and if the budget will be discussed at the next City Council Meeting. RoJean was provided with a copy of the budget.
Mayor Pro Tempore Bryce Hamilton closed the public hearing at 6:20 pm.

8. **Pope House - Council Member Ivie**

**Minutes:**
Council Member Ivie gave the following update on the Pope House.
Everything's moved out of the Pope House. Morgan Rowley is scheduled to begin removal of the home on June 24th. Some items have been placed here in the Welcome Center including farm equipment outside. One issue being addressed is Ryan Weimer, who was going to build display cases, is unable to due to his workload. We would like to stay local and are making those contacts.

9. **Chamber of Commerce Membership - Council Member Adams**

**Minutes:**
Council Member Adams presented a request for Duchesne City to become a member of the Duchesne County Chamber of Commerce. She explained the following.
• The Duchesne County Chamber of Commerce is funded by membership dues and is not sponsored by Duchene County. • Duchesne City currently is not a member, The Chamber of Commerce is hoping they will become one. • The Chamber of Commerce provides many services and classes to the surrounding areas, a few examples are customer service training, How to Become a Better Boss, how to use AI, and other educational/informative classes. The instructors are well versed in their subjects and provide an exceptional level of training. The feedback received from these classes was positive and the attendees left with a wealth of information they could share. The current director obtained $190,000 in grants for these training courses. • Membership Benefits include business advertisement, ribbon cuttings for new businesses, giveaway baskets, participation in Sub for Santa, and many more benefits. • Annual membership fees: Platinum Membership $5k, Gold Membership $2,500, Silver Membership $1,500 and Bronze Membership $1k.
There was discussion of Council Member Adams recusing herself from the vote Council Member Adams stated she has a conflict of interest due to her position on The Chamber of Commerce Board. Council Member Peatross made the motion to donate $5k for the Platinum membership, Council Member Adams seconded the motion. Mayor Pro Tempore Bryce Hamilton opened it for discussion. Council Member Ivie asked if we had donated last year, Council Member Adams stated that last year there was opposition and we donated $600. Council Member Baker feels that going from $600 to $5k is extreme. In past discussions they have wanted a membership along with donations as Mark Hicken had presented in City Council on May 28, 2024. Council Member Baker would like to see us go with the Silver Membership $1,500 and see how it goes for the year. Mayor Pro Tempore this is a motion to amend the motion from $5k to $1,500.
MOTION by Council Member Baker seconded by Council Member Peatross to approve the Silver $1,500 Membership Due to become a member of The Duchesne County Chamber of Commerce.

- Mayor Pro Tempore Hamilton – Aye
- Council Member Peatross– Aye

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

Motion carried by unanimous vote.

**10. Review City Ordinances for RV Parks - Jodie Reinhardt**

**Minutes:**

Jodi Reinhardt approached the City Council with her concerns about the Hogan RV Park. Jodi lives next door to the RV park and has seen it decline over the past several years. Jodi's concerns are as follows.

City Ordinances under the License of an RV Park are not being followed.

• 3-1-7 Transfer of License Prohibited. Approximately 2012 Mayor Rodney Rowley took over the RV park from his dad Keith Rowley. It is believed that the Business License was transferred over and not applied for as a new business.

• 9-4-4 Definitions. It is referred to as a Recreational Coach Park. Jodi read the following definitions:

o Recreational Coach. She provided photos of someone living in a utility trailer, another living in a van with an extension cord ran to an outlet. She questions if these are considered, "designed for human habitation".

o Recreational Coach Park. She wonders what defines temporary time. There are people who have lived there for over 10 years. Jodi was unable to find a clear answer for this, she also looked at the county's ordinances and found no definition for temporary time.

o Awning. Is only defined for an awning on a manufactured home.

• 9-4-6 Approval. Jodi is wondering if the building inspector performed an inspection and would like to see proof.

• 9-4-6 Sec B Recreational Coach Parks #1. General character of the district includes Jodi's home, Rashae Harrison's home and Dennis and Charolette Jensen's home. Jodi stated the Hogan RV Park decreases the value of the surrounding homes and does not keep within the general character nor does it meet 9-4-8 Standards and Requirements. #5 Written approval of the state division of health. This inspection should have been done before he received the business license. Jodi has reached out to Tri County Health Department; they told her they would come out to do an inspection but have yet to do so. Jodi does not believe this should have been her responsibility to call them.

• 9-4-6 Sec C Improvements and Other Requirements. Jodi stated these requirements should have been approved by the Planning Commission before he received the business license. #2 Endanger the health or safety of the public. She provided photos of refrigerators placed outside of the dwellings.

• 9-4-7 Application for Permit. #4a Many of these have not been followed. Jodi at times referred to county ordinances where the city lacked any that applied. Each of the spaces should have a hard space such as concrete or asphalt, they do not. Jodi finds the access on 100 S and Highway 40 a hazard because the occupants are entering there. #4g Detailed Landscaping, there is no landscaping. #4i. She has never been contacted.

• 9-4-7 C Application for Approval. There should have been something submitted to the planning

commission.
• 9-4-8 Standards and Requirements. The planning commission shall make sure that such development will constitute a residential environment of sustained desirability and stability and not adversely affect amenities in the surrounding area. Jodi stated it adversely affects her personally, the neighbors and the community. It is the first thing you see coming in or the last thing you see leaving.
• 9-4-8 C #4 Landscaped Strip. Jodi indicated that the Jensen's had to put up their own privacy fence as the RV park was beginning to encroach on them as well as the people living there trespassing. #5 Common Area. Not Less than 10% of the land needs to be a community area. #6 Yard Lighting. There are no designated walkways or roadways. #7 Landscaping and Maintenance. It is not being maintained. #8 Surfacing Parking and Driveway Areas. The areas are not hard surfaced.
• 9-4-8 B #5 Storage and Solid Waste Receptacles. Jodi provided a photo of one of the occupied dwellings. It has a build-up attached out of plywood.
• Jodi spoke with Fire Chief Young, he is willing to do a fire inspection, but there is no current code for a Recreational Coach Park for him to do an inspection. Jodi asked for there to be a fire code created, so this can be performed. Jodi is concerned about how close they are within the park as well as how close the neighbors are and what effect that would have if there was a fire. 9-4-8 C Additional Requirements. #1 State Regulations. They shall meet applicable state regulations.
• 9-4-13 Guarantees. D Noncompliance. E Revocation or Denial of Business License. 3-1-12 Revocation or Denial of License. Jodi wants to know how this works and who enforces ordinances in the city.
• 9-4-6 B Recreational Coach Parks. #2 Jodi questions if this is less than an acre. The alleyway has been fenced off.
• Witnesses stating, they have seen tenants using buckets for toilets. Jodi has reached out to Tri County Health Department; they advised her to present these finding to the City Council.
• Jodi is not opposed to having an RV park. She is only asking that the ordinances be enforced, and the park be brought up to code and to follow regulations, because it does adversely affect those living near the RV park.
Council Member Adams asked Clay Crozier Planning Chairman, if he has any records pertaining to this. Clay indicated the city should have those records on file. Council Member Adams would like to review the records to see when the ordinances were initiated and if they were followed at that time. Council Member Ivie indicated ordinance enforcement should be done by The Mayor and if not, then the City Council, but The Council must act as one together. Council Member Peatross stated due to the proximity of his relationship to Mayor Rowley he needs to recuse himself of any comment or vote. Public comment from Dawnette Browning, she stated you are an elected official and have a duty to represent the residents of the city, not your brother-in-law. Mayor Pro Tempore Bryce Hamilton stated we are not ready to vote on this, we have many ordinances that are in violation we need to review.
RoJean Rowley approached The Council and gave a brief history on the RV park. In the 60's The Rowley family built the park in the south corner which included a laundromat. The yellow house was Keith and Stephen Rowley's mother's place. There is an alley that goes between which now has RVs parked on it, the alley was never abandoned. Stephen Rowley owned the hogan and the

property it set on. It was sold to Mayor Rowley in 2015 and it was not a trailer park when he sold it. RoJean indicated while she was mayor, the city red tagged Rodney Rowley for the sewer he had built on the north side of the property. RoJean had spoken with Kim Hanson, City Treasurer to find the building permit, unfortunately it was lost in the flood. There is a city fire code that should cover the fire code for the RV park. It was discussed that Keith Rowley held the business license for the two-apartment house and the trailers on the south side. The house is not a part of the park currently, it has been deeded over to another family member. It was set up, so each trailer had to pay a water bill, if the City Council were to check now there is only one water meter being billed for the whole park. Randy Harrison was required to install a meter for each one of the trailers in his park.

Rashea Harrison approached the City Council with the following question: Is it the duty of the mayor to uphold the ordinance when he took the oath? The answer given was yes.

Council Member Baker stated The City sent an official letter to a business owner on Main Street to repair a broken window and they were forced to repair the window. He indicated, it does not seem right not to enforce the same rules on all businesses that are out of compliance, mayor owned or not.

Dawnette Browning approached the City Council. She hears so many times that it's his property he can do whatever he wants with it. She also hears that when she is trying to encourage people to clean up their property. It may be true; it is his property, until it infringes on other people's rights. It is an eyesore to all of us that drive in and out of town and it's not something that she personally wants people to remember Duchesne for. She knows that letters have been sent to him in the past and he just ignores them. It’s time to hold him to the same standard we hold everybody else to. He took an oath as did the City Council and we are expecting you to take care of the situation.

Council Member Ivie stated, he believes that Mayor Rowley needs to have the opportunity to answer these questions. Mayor Rowley stated he has not been able to hear all the conversation by phone and would be glad to talk with them face to face. Jodi had agreed to return for the City Council meeting scheduled on May 25th. Council Member Ivie invited all in attendance to come back and discuss this directly with Mayor Rowley and the City Council. He also stated the next step will be to review the ordinances in question and the business license. There was discussion about what to do when a business does not comply and how long this will take to resolve. The laws make it difficult to evict renters, which is a separate issue, and we need to address the issues with the business itself. Shutting the water off to the park could cause some legal ramifications.

Council Member Baker stated there have been a few official complaints recorded in the Book of Complaints or Concerns, it helps to have something in writing.

There was discussion about the goals for the next City Council meeting. Review ordinances, review original issuance of the business license and gather a response from Mayor Rowley.

**11. Planning And Zoning**

**Minutes:**

Clay Crozier Planning Chairman gave an update. The Planning and Zoning Commission during their meeting held on June 6th discussed the Hogan RV Park and made the recommendation to The Council to review these ordinances and act upon them. They reviewed the survey questions

for short term rentals and tiny homes. It is scheduled to be sent out immediately by using google form, the form will be posted on Duchesne Public Facebook Page, Duchesne City Website and a physical questionnaire will be placed in the City Office to accommodate those who do not use the internet. It will be available for approximately two weeks. It was discussed to send a mailer out to get a larger response. In the past when a survey was conducted, very few responded. Is the cost of postage worth the little feedback we would receive. It was suggested to hold a public meeting and push to get the attendance. Using a QR code so flyers could be placed around Duchesne City businesses was another suggestion.

**12. 15-Minute Open Session**

**Minutes:**

- Dawnette Browning, Beautification Team Chairwoman reported on beautification efforts of the city. The city-wide cleanup was a success. She has been fertilizing and removing dead limbs on the trees located along Main Street and is almost done. The Beautification Team will be hosting The Garden Walk on Saturday the 15th and would like to invite interested people to attend. They will be replacing three bushes at the swimming pool that did not make it through the winter, the cost will be under $50. Weeds on the north end of the swimming pool need sprayed.
- Janet Jenkins approached The City Council. She stated she was here two weeks ago to discuss the Duchesne Cemetery. Janet provided photos of 15 graves within the cemetery, some go back as far as 2020 that have never been seeded and the grass is dying. Janet indicated the information given about the sod that was available and was not worth purchasing was not the truth. Janet spoke with the sod producer from Pleasant Valley Sod, he indicated there has been no problems with the sod dying. He offered her sod for free after hearing her situation, Janet does not feel it should be her responsibility to do it herself. Janet would like to see the cemetery, city cleanup and Wallace Park become more of a priority. Janet spoke with Lane today; she was not happy with their conversation. Council Member Ivie indicated that sod was ordered today and will be picked up tomorrow and placed.
- Cana Ivie Independence Day Committee organizer gave an update on the 4th of July activities. She wanted to formally invite any council member interested to participate in the parade. She asked for help with the watermelon activity. Cana thanked the City Council for helping and funding the Independence Day Committee.
- Jesse Hyde approached the City Council with safety concerns about intersections on the bench that are overgrown with trees and weeds blocking stop signs. Jesse provided photos of one of the intersections located at 500 E 800 N.

**13. Book Of Complaints, Concerns And Comments**

**Minutes:**

There were no new complaints, concerns, or comments.

**14. Mayor And Council Review Of Old Business**



**Minutes:**

- Council Member Ivie was approached again by Lamar and Carol Thomas about street

signs being placed on Center Street, particularly speed limit signs and no commercial traffic signs. There was discussion regarding what will happen when the construction begins.
- The Council discussed for Council Member Peatross to reach out to CIVCO's Structural Engineer about assessing the Mickelson Building.

**15. Work Session**

**Minutes:**
There was no work meeting.

**16. Executive Session**

**Minutes:**
An executive session has been called for Tuesday the 18th at 6:00 pm to discuss personnel.

**17. Adjournment**

**Minutes:**
MOTION by Council Member Ivie, seconded by Council Member Peatross to adjourn the regular City Council meeting at 7:45 pm.

- Mayor Pro Tempore Bryce Hamilton - Aye
- 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) | Minutes published on 06/26/2024, adopted on 06/25/2024