



Regular City Council Meeting

Minutes

Tuesday, October 8, 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 Bryce Hamilton, Tom Bruton, Jenny Adams, Jason Baker, and Cody Ivie. Council Member Bruton offered the prayer. Mayor Rowley led the Pledge of Allegiance. Public Attendees: Kim Hanson, Lane Genereux, Cole Harris, Susan Hamilton.

2. Minutes

Minutes:

MOTION by Council Member Bruton, seconded by Council Member Adams to approve the minutes from September 24, 2024.

- Council Member Hamilton – Aye
- Council Member Bruton - 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 Ivie, seconded by Council Member Bruton to pay the bills.

- Council Member Hamilton– Aye
- Council Member Bruton - 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:

No business licenses brought before the Council.

6. Planning And Zoning**Minutes:**

Nothing to report.

7. 15-Minute Open Session**Minutes:**

- Mayor Rowley indicated for over a month there have been dog issues at a residence located on 400 N. This resident has been issued a warning for having multiple dogs over the 3-limit maximum. On Monday he received notification from the North Carolina Humane Society who had received an anonymous complaint including photos of dead and emaciated dogs. He returned to the residence to issue a second warning. The resident requested to surrender the dogs. The shelters are not accepting any dogs currently as they are at capacity. The thirteen dogs are currently at the city shop in a fenced area and are being cared for by the city employees. Surrounding shelters have been contacted and they are reaching out to rescuers to see about getting the dogs fostered or adopted, before their stay hold is up. There will be a mandatory hold for five business days before the dogs are euthanized. Liability issues were discussed.

There was discussion about the signed contract with the sheriff's department and why they have refused to take in these dogs. The understanding was they would take dogs to the county facilities and help us enforce our dog ordinances. There are still more dogs in the home that will need to be removed. Mayor Rowley will contact the sheriff's department to have them remove the excess dogs and speak with the county about enforcing the contract.

8. Book Of Complaints, Concerns And Comments**Minutes:**

There were no new entries in the book.

9. Mayor And Council Review Of Old Business**Minutes:**

- Council Member Bruton presented a draft report he compiled on the Hogan Park issue, highlighting key areas for review and discussion. He requested that the Council and Mayor take the time to go through the document. While he is happy to continue handling the administrative aspects, he expressed his preference for Council Member Hamilton, as Mayor Pro Tempore, to take the lead on the matter.
- Council Member Bruton is currently working on revising the Peddler/Solicitor ordinance and has been reviewing Ballard City's Code, which spans 8 pages and 15 detailed sections. He sought input from the Council on the direction they would like to take with the ordinance. Following a discussion on which provisions to retain or discard, the Council agreed to review both ordinances and provide suggestions. Council Member Bruton will then draft a revised version for further review.
- Council Member Adams requested an update on the issue of the water's unusual smell and taste. Council Member Bruton shared that he had spoken with Jesse Hyde at Central Utah

Water (CUW), who extended an open invitation to tour their treatment facility and see the process. The issue stems from an algae bloom, which prompted CUW to add more ozone to the treatment process, causing the unpleasant odor and taste. The time it takes for the affected water to pass through the system varies depending on a resident's location and water flow, which is why not everyone is experiencing the same issue.

- Lane reported that he receives regular updates from Central Utah Water. In today's update, CUW stated that they have increased chlorine levels to address the taste and odor issues, reaffirming that the water remains safe to drink. They are also preparing for potential challenges related to the current fire, and the aqueduct is functioning properly. Lane tested the city's water today and found it to be nearly identical in quality to that at the fill station.
- Council Member Adams wanted to know if the Johnson Water Contract wording has been changed. Mayor Rowley will follow up on this.
- Council Member Ivie requested an update on the water fill station moratorium. Lane reported that while he has an older map, Brian is working to provide a more recent one. Brian is coordinating with Brandon Miller to obtain their updated map, which should be available this week. This will help clearly define the service area in question. There was also discussion about Tri-County Health's requirement that any hauled water must be transported by an approved commercial hauler. Additionally, new regulations from Tri-County Health are complicating the process, including a rule that a permit cannot be obtained without proof of access to drinkable water or a commercial contract.
- Susan Hamilton expressed her concerns about the water situation and requested a solution from the city. She asked for confirmation that water from the Victory Pipeline is being sold to Johnson Water, who in turn marks it up and sells it to the oilfield, which was confirmed to be true. Susan feels that while the city has enough water for the oilfield, it is not prioritizing the residents. Mayor Rowley explained the issue isn't a lack of water but rather water districts mismanaging the situation by not adhering to regulations. She questioned why the city is refusing to sell water to Fruitland residents. It was explained that Tri-County Health is trying to impose regulations for its own benefit, while the city waits to see if the Fruitland Water District can secure water, leaving Duchesne City caught in the middle. Tri-County Health requires a lifetime water commitment for building permits, which led to the city's decision to impose a moratorium until these issues are resolved. Lane pointed out that Fruitland Water District is not the city's responsibility, as they have their own water supply. The Victory Pipeline was originally intended to serve the county, and it should be Duchesne County Water Conservancy District's responsibility, not Duchesne City's. Previous discussions included the idea of Fruitland finding the funds to pipe water from Hanna to their area. It was emphasized that Duchesne City does not have an unlimited water supply. Fruitland Water District needs to work with the Duchesne County Water Conservancy District and Clyde Watkins, as this is not a Duchesne City issue. The city is focused on developing a water fee schedule to cover operational costs, but it will take time.
- Mayor Rowley reported on recent discussions with Sunny Street regarding her new home, which is being built on the west side of Highway 87. There seems to be a natural water flow from the hill on the east side which then crosses Highway 87 and runs into the nearby fields, a situation that has occurred for many years, typically starting in September. Sunny Street

believes this is a city issue and that the city should address it. The Council discussed how the situation could affect local roadways, specifically mentioning the road to Dennis Grant's home on 800 N, which is problematic due to the lack of an easement on the opposite side of the road. Many have attempted to place the blame on Rocky Point Ditch Company, but proving their responsibility would require extensive testing. Council Members discussed the importance of conducting due diligence when purchasing or building on property. They emphasized that the water issue is not the city's responsibility but the property buyer/owner. Council Member Hamilton shared that he experiences a similar issue on the east side of Highway 87, with a persistent wet spot near his house that he believes is caused by a natural spring. The Council reiterated that, while building permits were issued, the risks associated with purchasing certain properties are not the city's responsibility.

10. Work Session

Minutes:

There was no work meeting.

11. Executive Session

Minutes:

There was no executive session held.

12. Adjournment

Minutes:

MOTION by Council Member Bruton seconded by Council Member Baker to adjourn the regular City Council meeting at 7:10 pm.

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

Motion carried by unanimous vote.

Attest:

Myra Young, Recorder: Myra Young