



Regular City Council Meeting

Minutes

Tuesday, May 27, 2025 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, Jenny Adams, Cody Ivie, and Jason Baker. Council Member Ivie offered the prayer. Mayor Rowley led the Pledge of Allegiance.

Duchesne City Employee Attendees: Stephanie Skewes, Jessica North, Cole Harris, Lane Genereaux, Aubrey Harris

Public Attendees: Matthew Skewes, Shelley Brennan, Dawnette Browning, Susan Hamilton

2. Minutes

Minutes:

MOTION by Council Member Adams seconded by Council Member Ivie to approve the minutes dated 5/13/2025.

- Council Member Hamilton – Aye
- Council Member - Vacant Seat
- Council Member Adams - Aye
- Council Member Ivie – Aye
- Council Member Baker – Aye

Motion carried by unanimous vote.

3. Bills

Minutes:

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

- Council Member Hamilton – Aye
- Council Member - Vacant Seat
- Council Member Adams - Aye
- Council Member Ivie – Aye
- Council Member Baker – Aye

Motion carried by unanimous vote.

4. Business License

Minutes:

There were no business licenses brought before the City Council.

5. Interviews for Vacant City Council Seat

Minutes:

Mayor Rowley asked if the council was ready to interview applicant Matthew Skewes or if Council Member Hamilton wanted to address his topic of concern.

It was decided to interview Matthew Skewes.

Mayor Rowley asked the following question. Why are you interested in the council position opening?

Answer: He previously worked for the city for six years and this would be an opportunity to see how the city runs from the council's perspective and a way to serve the community.

Council Member Baker asked the following questions.

What would your priorities be and/or your points of focus?

Answer: Has experience with the sewer system.

Are there issues you have seen or are aware of that need to be addressed, improved or changed that are not sewer related?

Answer: There is always room for change and improvement but could not think of any one specific thing. He is aware the crew is shorthanded, and stated what can be seen and what can be done are quite different items.

Council Member Adams asked the following question.

Part of the City Council's job is to have confidential meetings, and your wife is working here in the office, will it be a problem for you to keep those discussions confidential?

Answer: No, he understands the need to keep that confidential as he's sure there are things she must keep confidential from him. He would not ask her to share those and believes she would do the same.

Council Member Ivie asked the following questions.

What are your thoughts on growth in Duchesne and what do you think the role of a City Council Member would be pertaining to growth?

Answer: They are over how it grows, where it grows and making sure the planning is in place for when it does grow, so it does not cause issues with the current infrastructure. Growth is inevitable and we need to hope we are growing and not falling behind.

What are your feelings about Duchesne City's relationships with other entities, such as Duchesne County, Duchesne County School District?

Answer: He believes they are good with the county and the school district.

6. Vote/Appointment of Vacant Council Seat

Minutes:

Before the vote, Council Member Hamilton voiced concerns about the timing and visibility of the vacancy posting. He clarified that his hesitation was not a reflection on the single candidate, Matthew Skewes, but rather on how the posting of the position was handled.

The vacancy notice was posted to the Utah Public Notice Website after business hours on Wednesday, just five and a half hours before the 14-day notice window began. However, due to the tight timeline, he believes there was not an adequate amount of time to reach a broader audience and would like to have seen it published in the newspaper.

Council Member Hamilton had corresponded via email with attorney Jared Tingey Counsel for Utah Leagues of Cities and Towns, who advised that while there is no specific requirement in statute for a 24-hour pre-posting before the 14-day window, there is a legal argument that such a buffer could strengthen compliance. This creates a gray area, and Council Member Hamilton expressed his concern about whether the city's process was fair to the public participation. Mayor Rowley and City Recorder Myra Young clarified that the notice was posted in multiple locations: Duchesne City's website, city office, Utah Public Notice Website, post office (twice, after the first was removed), Gateway Sinclair, and Al's Foodtown. Council members were also emailed the notice in advance and were invited to review and invite any interested parties. While physical postings were made, it was noted that no newspaper publication was done due to changes in notice requirements.

Council Member Baker asked the candidate how he became aware of the open council seat. Matthew stated that he heard about the vacancy from both his wife, who is the City Treasurer, and from a member of the public.

Some council members expressed concern that the application window for the vacancy felt short and may have limited public awareness. They agreed that future notices should ideally exceed the legal minimum posting period and be distributed through broader channels to improve transparency and encourage greater public participation. Mayor Rowley stated that no additional applicants had come forward despite efforts to share the notice. City Recorder Myra Young noted that public interest in past postings has been minimal. The council emphasized the importance of enhancing communication to ensure more residents are informed and engaged in the process.

One suggestion was to use Facebook.

Concerns were raised about the appearance of a conflict of interest, as the only applicant for the vacant council seat is the spouse of the City Treasurer. Council Member Ivie raised concerns about the optics and potential conflict of interest, particularly in scenarios like closed personnel sessions where both the elected official and the City Treasurer could be involved. This could lead to awkward circumstances and increased scrutiny due to recent events. Mayor Rowley and City Recorder Myra Young confirmed that there is no restriction in state code prohibiting the appointment based on this relationship, and any perceived conflict can be managed through appropriate recusals.

Council members considered the option of reposting the vacancy to allow for broader public awareness and additional applicants. However, it was clarified that doing so would push the process beyond the 30-day statutory deadline for making an appointment. If that deadline were missed, the city would be required to notify the Lieutenant Governor's Office, which would then grant an additional 30 days to fill the vacancy. While this extension is allowed, the council expressed concern that delaying the appointment could jeopardize their ability to maintain a quorum and approve the upcoming budget. The need for a full council to ensure timely action on critical financial decisions was emphasized.

Council Member Ivie shared his opinion that the city was within the legal confines of the law regarding the public notice for the council vacancy. He referenced the Utah League of Cities and Towns handbook, reading aloud the rules related to council appointments. In his view, the notice though narrowly within the 14-day requirement was sufficient, and the council was legally obligated to move forward with the vote within the 30-day window following the vacancy.

It was confirmed that the appointment would be valid until January following the next municipal election. If the appointee wishes to retain the seat, they must file for election by June 6. Council Members discussed this as a short-term assignment, with the opportunity for the public to vote on the position in the upcoming election cycle.

Despite divided opinions, the majority of the council agreed that a decision needed to be made within the legally required 30-day timeframe, particularly with critical budget deadlines approaching. Both the applicant and the applicant's spouse affirmed they would respect the outcome of the council's decision, regardless of the result.

MOTION by Council Member Ivie seconded by Council Member Adams to vote on the application to fill the vacant City Council seat.

- Council Member Hamilton – Nay
- Council Member Vacant Seat
- Council Member Adams - Aye
- Council Member Ivie – Aye
- Council Member Baker – Nay

With the vote resulting in a tie, Mayor Rowley cast the deciding vote in favor of the motion (Aye), thereby approving the motion to proceed to vote on the applicant.

MOTION by Council Member Ivie seconded by Council Member Adams to appoint Matthew Skewes to the open council seat vacancy.

- Council Member Hamilton – Abstain
- Council Member Vacant Seat
- Council Member Adams - Aye
- Council Member Ivie – Aye
- Council Member Baker – Abstain

With two votes in favor and two abstentions, the vote resulted in a tie. Mayor Rowley cast the deciding vote in favor (Aye), and the motion passed. Matthew Skewes was appointed to fill the vacant City Council seat.

7. Swearing-In of City Council Member

Minutes:

Matthew C Skewes was sworn in by City Recorder Myra Young.

Newly appointed Council Member Skewes was invited to fulfill his duty by taking his seat on the City Council to finish out the meeting.

8. Planning And Zoning

Minutes:

Nothing to report.

9. Cemetery Ordinance Discussion - Title 7 - Public Ways and Property, Chapter 5 - Cemeteries

Minutes:

Mayor Rowley opened the discussion by stating that the city has not been following the current cemetery ordinance. He referenced Section D, which outlines rules regarding the resale and transfer of burial plots. He noted that although the ordinance plainly states that plots are not to be resold or transferred by the purchaser, this practice has been occurring for years. He asked the Council whether they wish to amend the ordinance or begin enforcing it as written moving forward.

City Recorder Myra Young noted that opening and closing fees are to be collected at the time of burial. These fees are typically collected by Hullinger's, who then sends payment to the city. Myra also pointed out that the city does not currently have a system in place to document these transactions, which is something that needs to be addressed. Council Member Ivie reviewed the ordinance and noted that it states fees should be paid at the time of purchase. He suggested the ordinance be revised to reflect actual practice, shifting the payment requirement to the time of burial. Mayor Rowley referred to the Utah State Code 8-5-7, Sale of only right to be buried. Municipalities may only sell the right to be buried, not ownership of cemetery lots. This applies to all sales made after April 29, 1985. He pointed out that the city has been treating plot purchases more like land titles, which conflict with state law.

Public comment - Shelley Brennan: Shelley referenced Utah Code Title 8, Chapter 3, which requires municipalities to record cemetery plats and ownership records with the county. She emphasized that the County Recorder's Office must maintain ownership records and report all conveyances biannually (January and July 1). She requested that any updates to the ordinance ensure alignment with state requirements and the County's responsibilities. Mayor Rowley agreed and suggested amending the ordinance to reflect these statutes. Shelley added that whatever records the city currently maintains would serve as the basis for ownership documentation.

Additional discussion included:

- The city should consider setting a limit on the number of plots an individual can purchase to ensure future availability.
- The city should establish a clear buy-back price for plots that are returned.
- The option to offer payment plans for plot purchases was discussed and ultimately rejected due to administrative challenges.

The Council agreed that the ordinance needs revision for clarity, compliance with state law, and improved administrative tracking. The Council will move forward in updating the current cemetery ordinance.

10. 15-Minute Open Session

Minutes:

No one came forward for the 15-minute open session.

11. Book Of Complaints, Concerns And Comments

Minutes:

There were two entries made into the book. Myra Young, City Recorder read them aloud.

5/20/25 Donny Grant has been personally maintaining the alleyway near his home and is frustrated over a pile of garbage that has not been removed despite multiple requests to Council Member Bryce Hamilton and no response from Mayor Rowley. He also raised safety concerns, citing the alleyways as fire hazards and obstructed access points for utility services. If something is not done, he will be sending the city a bill for his time. He would like a response from Mayor Rowley.

05/20/2025 Donny Grant complained about rocks placed at the corner of 5th North and 5th East, he would like to see them cleaned up. He has brought this issue to Mayor Rowley's attention several times with no result.

Council and Mayor Discussion as follows:

- Complaint 1: Alleyway Debris

Mayor Rowley confirmed that he had spoken directly with Donny regarding the pile of debris in the alleyway. The Mayor explained that in order to access the pile, city crews would need to cross RJ Stansfield's private property. He instructed Donny to obtain permission from RJ for access and informed him that the cleanup could not take place until after the following day.

Public Works Supervisor Lane Genereaux reported that he spoke with Donny twice the previous week and reiterated that the city could not enter private property without permission. Lane subsequently reached out to RJ Stansfield and secured access, with the request to avoid damaging the sewer cleanouts. Lane acknowledged that a couple of cleanouts may have been run over and stated he would return to repair them.

Lane noted that while the alleyway did require cleanup, the debris included more than just yard waste, such as old fencing, buckets, and pipes, which goes beyond the guidelines of the city-wide cleanup. He explained that if the full extent of the debris had been known in advance, they would have approached the cleanup differently. Despite this, the pile has now been fully removed.

It was noted that this is the second time in two years the city has cleaned up the same alleyway for Donny. There was no formal decision made on whether similar cleanups would be permitted in the future.

- Complaint 2: Rocks at the Corner of 5th North and 5th East

Donny's second complaint involved rocks placed by a homeowner at the corner of 5th North and 5th East. He expressed concern that the rocks were making it difficult for vehicles to make the turn.

Council discussion clarified that the homeowner had placed the rocks to prevent drivers from damaging the lawn. However, it was acknowledged that the placement may create a traffic or turning hazard. The issue remains under consideration with no resolution determined during the meeting.

12. Mayor And Council Review Of Old Business

Minutes:

- Mayor Rowley asked City Treasurer Stephanie Skewes to distribute the reports previously requested by the City Council. These included the Horrocks Engineering invoice, the repayment timeline for the water fill station, and a summary of the PTIF accounts.

Stephanie reported that all PTIF accounts have been established and are scheduled to be funded the following day. The fire department's money market account was also finalized earlier that day. She noted that the estimated repayment period for the water fill station is approximately 8.5 months, with an expected operational lifespan of 20 years.

Mayor Rowley then addressed the \$139,000 invoice from Horrocks Engineering, which had been allocated to the non-departmental engineering budget. He explained that this expense will be reimbursed using CIB funding.

- Council Member Ivie mentioned the Work Session Meeting on Tuesday June 3rd 6 pm at the Mickelson Building.
- Mayor Rowley provided an update on the ongoing sewer and water project on the bench, noting that several issues have been discovered with the sewer system. He then asked Public Works Supervisor Lane Genereaux to brief the City Council on the specific concerns at 150 East.

Lane informed the Council that if they would like to reopen 150 East he has several concerns that need to be addressed. He explained that a 6-inch sewer line runs through the area at a depth of only about 2.5 feet, which poses a significant risk. If the Council chooses to move forward with reopening the road, Lane recommended that the sewer line be upgraded to meet proper standards.

Additionally, there is some uncertainty about ownership, whether the city owns the road or if it functions as a service line to the A-frame home located above. It was noted that reopening the road would likely require raising it by 10 to 12 feet, which would involve complex logistical planning.

The Council agreed that this is not an urgent matter. Mayor Rowley will look into the legal status of the road before any further action is taken.

- Lane provided a staffing update in response to a request from Council Member Baker to determine how many employees are needed for city operations. He explained that he has spent considerable time evaluating the workload and safety requirements, specifically for water, sewer, and cemetery services, excluding seasonal operations like the pool and other tasks. According to OSHA safety standards, a minimum of four workers is required for excavation work: one equipment operator, one person in the trench, and two spotters for safety. Additionally, sewer maintenance typically requires at least three employees, one to operate equipment and two to monitor manholes. Lane noted that after consulting with Rural Water and several towns of similar size, the consensus is that eight full-time employees would be a reasonable number to meet the city's needs.
- Mayor Rowley reported that work on Old Farm Road has not yet begun but is expected to start in the coming weeks. A water test is scheduled for tomorrow as part of the preparation.

Regarding the Elaine Despain property, Duchesne City will cover a \$3,000 portion of the cost for the contractor to dig a trench, allowing Moon Lake Electric to relocate and bury their powerline. Moon Lake Electric has agreed to cover the remaining expenses.

13. Work Session

Minutes:

There was no work session held.

14. Executive Session

Minutes:

There was no executive session held.

15. Adjournment

Minutes:

MOTION by Council Member Ivie seconded by Council Member Baker to adjourn the regular City Council meeting at 7:42 pm.

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

Motion carried by unanimous vote.

Attest:

Myra Young, Recorder: Myra Young

Contact: Myra Young (myoung@duchesnecity.com 435-738-2464) | Minutes published on 06/11/2025, adopted on 06/10/2025