



Regular City Council Meeting

Minutes

Tuesday, August 11, 2020 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

Minutes:

Mayor Rodney Rowley conducted the meeting. City Recorder, Kim Riggle, took minutes. City Council Members present were Jason Baker, Dawnette Browning, Bryce Hamilton, Jeannie Mecham, and Danny Peatross.

Public Attendees: Lane Genereaux, Shelly Grant, Gerald Argyle, Mona Farnsworth, Valorie McLean, Max McLean, Shawn Cayias, Bobbijo Casper, Jenny Adams, Keith Rowley, Cody Ivie, Cana Ivie, Olivia Baker, Vanessa Herrera, Susan Hamilton Danita Hinton, David Hinton, Heath Mortenson, Paterick Spotten and Deb Herron.

Council Member Dawnette Browning offered the prayer.

Mayor Rodney Rowley led the Council and Public in the Pledge of Allegiance.

MOTION by Council Member Hamilton, seconded by Council Member Peatross to approve the minutes from July 28, 2020.

- Council Member Baker – Aye
- Council Member Browning – Aye
- Council Member Hamilton – Aye
- Council Member Mecham – Aye
- Council Member Peatross – Aye

Motion carried by unanimous vote.

2. Bills

Minutes:

MOTION by Council Member Mecham, seconded by Council Member Browning to pay the bills.

- Council Member Baker – Aye
- Council Member Browning – Aye
- Council Member Hamilton – Aye
- Council Member Mecham – Aye
- Council Member Peatross – Aye

Motion carried by unanimous vote.

3. Charges & Credits

Minutes:

The Council reviewed the Charges and Credits report.

4. Business License

Minutes:

There were no business licenses brought before the Council at this time.

5. Placing American Flag South of Rodeo Grounds - Keith Rowley

Minutes:

For many years Keith Rowley has believed that Duchesne City should have a United States of America flag that can be seen for many miles. He recently visited Henefer, Utah and spoke with the person responsible for placing Henefer's flag. Keith suggested that the City Council organize a committee that can take on a project like this. Keith can furnish the information necessary to complete the project. He suggested the land just south of the rodeo grounds up on the hill would be a good place for placement of a large flag. He does not feel comfortable organizing the project but he is willing to help. There are some issues that may cause a problem, like crossing tribal property. The gentleman who placed the flag in Henefer completed the project over a 10-year period. Keith counted over 20 American flags being flown between here and Hannah and believes we need to fly the flag to show our support for the United States of America. He is not sure how much work or cost would be involved in a project like this but feels the effort is worth the time and energy. There are many who would be willing to contribute to the cause. He respectfully asks the City Council to consider this project. He would like to see it completed by July 4, 2021. Council Member Peatross discussed the right of way issues. Keith said the City owns the 26 acre piece of property above the fair grounds. He believes he could get a one-time permit to cross tribal lands. Mayor Rowley said in past years the Lions Club would get a trespass permit every year in order to access the ground used to set off fireworks but haven't been able to get a permit in recent years. Council Member Baker asked about the location. He wondered if D Hill would be a better location. Council Member Peatross explained that D Hill is visible from many locations. Council Member Browning asked if the Flag Pole could be lit by solar lights. Keith explained how the cemetery flag pole was lit. The Council discussed other cities that have big flags and how the flags rally the citizens to a common cause. Shelly Grant suggested the Beautification Committee be given the task.

6. Placement Of County Marker In Eagle Park- Deb Herron

Minutes:

Deb Herron presented to the Council the emails from County Commissioner Irene Hansen discussing the placement of a Duchesne County commemorative marker similar to the historical markers located in Eagle Park. The group who is placing the marker needs GPS coordinates as soon as possible because they will begin placing markers in other counties around the State at the end of August and hope to have all of the county markers in place before next spring. The designs for each of the county markers were submitted and approved last year. Duchesne County chose to commemorate the Fred Hayes State Park on its marker but did not want to place it within the park boundaries because they didn't want visitors to have to pay an entrance fee to visit it. Irene Hansen suggested Eagle Park as a possible location for the marker. Deb Herron suggested someone needs to decide where to place the marker and then submit those coordinates to her so she can pass that along to the right people.

7. 4th of July Committee Report - Cana Ivie**Minutes:**

- Cana Ivie reported to the Council about the Parade Committee's July 4th event.
 - She read some positive comments from Facebook and the Veterans' organization. Cana thanked the Council for their involvement. No COVID-19 spikes that she knows of happened because of the event. She saw a lot of cohesion between the various groups to make the whole day a big success.
 - She asked to set a date so the committee can discuss future plans. She would like to see a permanent Independence Day Committee formed. Council Member Baker commented that he feels like this event is one of the best events he has ever seen. He would like to see the committee progress. He believes the Arts Council does a great job with what they do but does not want to see what they do so well get muddled. Cana clarified that she does not want to squash anything that is good. Council Member Mecham asked how Cana envisions this committee be formed. Cana explained that she would like to see the committee chair be an elected position and that person would hold a seat at the table. Council Member Hamilton asked about the legal stuff concerning committee formation. Mayor Rowley said there was a lawyer in the past that laid out the legal ramifications of committees.
 - Cana reported on how much the Parade committee made for this event. Originally, the Parade committee fell under the Beautification Committee. It then moved to the Duchesne Arts Council and now has progressed to its own entity. The Council discussed the insurance concerns.
 - Cana wants to ensure this committee continues. She is hoping to get

some RAP Tax donations from the City. Council Member Peatross suggested that a message could be added to the water bill asking for donations.

- Next year Cana would like to see mud volleyball and a mud run.
- Mona Farnsworth invited the Council to fill out a feedback paper about the July 4th event. Mona thanked everyone who had a part in creating such a successful event. She said from the day the various committees were given the go ahead to proceed with the event, it was a whirlwind of preparation. The Arts Council, Parade Committee, Community Orchestra (Patriotic Program), Food Vendors, Water Park, Miscellaneous Vendors all came together to make the day wonderful. Mona expressed a big thank you to everyone involved.
 - The Arts Council gets their event insurance from Marty Clayburn at about \$400 but limits what they can have for an event, i.e. no dunk tank. The County requires each group to get their own insurance but the City does not require it so no insurance was obtained for this year's July 4th event.
- Council Member Mecham asked why the Parade Committee oversaw so many other activities not related to the parade. Danita explained how the parade committee organized all the other events.
- Mona and Danita explained the financial background for the Duchesne Arts Council.
- The Council expressed their gratitude for everyone who worked so hard to make the event great.

8. Small Business Economic Recovery Grant -Cody Ivie

Minutes:

Cody Ivie represents the Duchesne Business Alliance. He explained what the Small Business Economic Recovery Grant is and how it came about. Duchesne City has been allotted about \$155,000 and given the task to administer how to use it to relieve COVID related needs. Cody explained that the City is responsible to distribute this money. Duchesne County has taken on the task of defining the rules to give out the money. Cody feels like the US Government is responsible for shutting businesses down and now is responsible for helping them get back on their feet. He explained how the process works for a business to apply for the grant money and how some of the other cities are using the money. Cody recommended that Duchesne City let Duchesne County administer the grant money. The money has to be spent by November 30th. Council Member Peatross asked how many businesses have been affected. Cody suggested all the restaurants, gyms, etc. have been deeply affected. Council Member Peatross asked how to proceed. Mayor Rowley said the Council would have to decide weather to apply to get the money. Council Member Browning asked why the City wouldn't take it. The Council

discussed the benefits.

Motion by Council Member Browning seconded by Council Member Mecham to have Mayor Rowley complete the Small Business Economic Recovery Grant application and sign it.

- Council Member Baker – Aye
- Council Member Browning – Aye
- Council Member Hamilton – Aye
- Council Member Mecham – Aye
- Council Member Peatross – Aye

Motion carried by unanimous vote.

9. RJ Stansfield Trailer Park - Shelly Grant

Minutes:

- Shelly Grant wants to keep the integrity of the neighborhood. She reiterated the points that she and the neighbors made at the last City Council meeting. She sent a formal complaint to the City email and did not receive any response from anyone at the City. She attached 3 attachments to that email with evidence showing where they got their information. She received nothing from the City. When she looked at tonight's agenda and saw that the City Council had not put this issue on it, Valorie McLean called the city office and requested this topic be included. Shelly reiterated the points from the last City Council Meeting. Deb Herron explained that the topic had not been brought before Planning and Zoning yet because of a conflict with the General Plan Open House that was already scheduled for August 10th and therefore would not have been brought before the Council this evening. The topic will be on the next Planning and Zoning meeting to be held on Aug 24 and that agenda will be posted on the Utah Public Notice website.
- Shelly mentioned that some things were said in BobbiJo Casper's presence that were completely inappropriate and unprofessional representing a gross misuse of authority. She believes the City Council should be made aware of the comments. BobbiJo did not wish to discuss the comments at this time.
- Valorie McLean believes the area in question is not zoned for a trailer park and thinks the action to approve a trailer park was illegal. Council Member Browning said that the Council makes decisions based upon the Planning and Zoning recommendations. If a mistake was made, then the Council will do what is necessary to correct that mistake. Council Member Hamilton explained that some of the recently passed ordinances have not been put on Sterling Codifiers yet. Mayor Rowley mentioned that all the ordinances referenced in Shelly's attachments were County ordinances and don't have affect on City code. Deb Herron mentioned that after speaking with Valorie McLean, the City website has been updated to redirect visitors to

codelibrary.amlegal.com, who bought Sterling Codifiers. Council Member Peatross said that according to amlegals website, Duchesne City's code has not been updated since 2016 and the Council is not even sure if all of the ordinances up to that point had been put in correctly. He is sure several ordinances have been passed during the time he has been a Council Member.

- Valorie emphasized that having a man camp in the area is not how she envisioned her neighborhood. She would like to see affordable housing but would like the standards to come up a little. BobbiJo Casper asked if the Council had visited the site. Council Member Peatross said he had been inside the trailer and it was quite nice. It looked much smaller from the outside, but inside was huge. The outside looks like a business trailer but the inside looks like a nice home.
- Council Member Baker questioned the group opposed to the trailer park about how they came to understand that this housing was going to be used as a man camp for the railroad. He wanted to know where this information originated. Shelly Grant said the information came from RJ's father. Council Member Baker said when the Council reviewed the site plan, RJ never discussed this area becoming a man camp. Council Member Baker understood that the finished product would be fixed up and look nice. He then referenced an ordinance that says if the land was used as a trailer park in the past, then it could be used as a trailer park again and grandfathered in. Shelly explained that the trailer park was never a legal park and the landowner never had a business license. Council Member Baker clarified that even though the land was set up as a trailer park, it was never a legal trailer park. He then asked the group what their stance would be if RJ put 4 houses on the property. Shelly explained that if a person puts 3 or more manufactured homes on the same plot it would be considered a manufactured home park. Council Member Peatross clarified that the plots are 4 separate lots according to the County record and each lot could have a home built on it without being considered a trailer park. However, he also explained that after looking at the zoning regulations for that area, a landowner has to have 100 feet of frontage per home. Council Member Hamilton clarified that once a manufactured home is put on a permanent foundation, it must be considered the same as if it was stick built.
- Valorie McLean asked how the public is supposed to know what ordinances have been passed if they are not in the code book. Council Member Hamilton asked if copies of the ordinances could be made available. Kim Riggle said copies could be made available.
- BobbiJo Casper asked how the building was allowed to be brought on to the property. Deb Herron clarified that RJ did not obtain a building permit to

move the trailer onto the property in violation of city code. Shelly requested that the Council have the trailer removed because it was in violation of city code. Council Mecham said RJ told her that the trailer was put there temporarily. Council Member Baker understood the trailer was put on the property to be inspected by Cody Fisher. He also didn't see the difference between this trailer being placed on the property and a travel trailer. Mayor Rowley and Council Member Hamilton both agreed that the Council needed to study this issue some more. Deb Herron explained that RJ has halted work on this project until Planning and Zoning and the City Council make a final decision. Council Member Browning said that each Council Member has visited the site to look at it.

- Shawn Cayias read an excerpt from the manufacturer's website. Council Member Browning clarified that RJ Stansfield's brother-in-law is the one who builds these homes and the phone number Shawn called to gather information was that brother-in-law's phone number. Deb Herron explained that she spoke with Cody Fisher and he said he has to go off of the tag information to determine how the structure can be used. Council Member Hamilton explained that the state code dictates the allowed uses for a structure and the inspector has to rely on the definitions outlined in the state code.
- Council Member Peatross asked if the Council should plan a work meeting to discuss this issue or if it should go before the planning and zoning first. The Council agreed that it should go before Planning and Zoning first. Council Member Peatross also suggested that the Council should talk to Cody Fisher. Deb Herron said she invited Cody Fisher to the next planning and zoning meeting.

10. Planning And Zoning

Minutes:

Deb Herron reported on the General Plan Open House that happened the previous evening. Not as many people showed up to the meeting as had attended the first open house but those that did attend had a good discussion and made many excellent comments. The Planning and Zoning Commission hopes to have the survey completed by August 15 and will look at the data in the upcoming weeks. Following the data analysis, they will begin work on writing the General Plan. Deb also reported that the booth at the County Fair went well and she invited everyone to take the survey. She feels like the City got a lot of exposure at the fair, even more than the July 4th event.

11. 15 Minute Open Session

Minutes:

- Mayor Rowley read the preamble for the Open Session.
- Paterick Spotten addressed the Council and shared an observation he had. He has a friend who lives in another community and noticed that as people move into that small community they try to bring in big city amenities at the expense of the small town charm. Paterick expressed gratitude for what the Council is doing to maintain the integrity of this community.
- Valorie McLean approached the Council to tell them what a great experience the July 4th celebration was.

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

There were no new complaints, concerns or comments from the book to address at this time.

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

- Mayor Rowley reported that the new pool boiler is working well.
- Mayor Rowley reported that the new pump at Strawberry Cemetery was recently installed. Council Member Hamilton asked what kind of pipe the pump is hooked to and how the set up is configured to account for the rise and fall of the lake level. Mayor Rowley explained how the pump is installed so that someone doesn't have to scuba dive to retrieve it. Council Member Peatross asked how the grass was kept alive during this time. Mayor Rowley said it's very dry but as it's watered the grass should come back.
- The Black Sheep Contractors are almost done with the 1250 N project. The final walk-through will be on Monday. There were some problems but they seem to be okay now.
- There was a boy who hurt his leg pretty badly when he fell through a meter can lid. Mayor Rowley is taking care of the issue.
- The General Plan for the airport is proceeding well.
- Council Member Peatross asked about Block 3 and how the City is dealing with this area. He wondered if the Moons would want to do anything with it. Mayor Rowley said they probably would. Council Member Peatross said something needs to be done with it because it is really dry and the trees are all dying or are dead. Mayor Rowley explained that Carolyn Moon does not want to make demands. He said this issue could have been resolved at the work meeting. Council Member Baker understood that the land should go back to the Moon family.
- Council Member Baker asked about the issues with East Duchesne. Mayor Rowley said after November 1st Central Utah Water will hold a tighter rein on

what water comes in and out of the reservoir and should take care of a lot of the problem.

- Council Member Baker asked about South Duchesne Culinary Water. Mayor Rowley said they are paying their bill every month. There are two new homeowners' organizations formed so Joan Steed doesn't have anything to do with the water system now.
- Council Member Browning asked if the city workers can get the weeds around town cut down. Mayor Rowley said they mow all the time. Council Member Browning said they mow but they don't see the weeds around the signs and other places.
- Council Member Peatross asked about Block 3 again and what is the next step. Mayor Rowley said the Council needs to put it on the agenda and make a decision. Council Member Browning suggested the issue should be put on the next City Council agenda.
- Council Member Peatross asked about the street lights located along Main Street. About one third of the tall street lights do not come on at night. Lane Genereaux explained that he is getting a quote to see how much it will cost to change the lights to LEDs. Council Member Peatross asked how the light bulbs were changed. Lane said the City contracts Moon Lake Electric to change those bulbs.
- There was a car accident at the bus stop to the west of Al's Foodtown. The bus stop was damaged and is scheduled to be fixed.
- Council Member Peatross asked about how the Sterling Codefiars project is going. Mayor Rowley explained that Danita is in the process of moving the code to a Google Doc.

14. Work Session

Minutes:

There was no work meeting.

15. Executive Session

Minutes:

There was no executive session.

16. Adjournment

Minutes:

MOTION by Council Member Browning, seconded by Council Member Hamilton to adjourn the meeting at 7:50 pm.

- Council Member Baker – Aye
- Council Member Browning – Aye
- Council Member Hamilton – Aye

- Council Member Mecham - Aye
- Council Member Peatross – Aye

Motion carried by unanimous vote.

Attest:

Kim Riggle, Recorder:

Rodney Rowley, Mayor:

Contact: Kim Riggle (duchesne@ubtanet.com 435-738-2464) | Minutes published on 08/21/2020,
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