



Regular City Council Meeting

Minutes

Tuesday, October 12, 2021 at 6:00 pm

1. Roll Call, Prayer, Pledge

Minutes:

Mayor Rodney Rowley conducted the meeting. City Recorder, Kim Riggie, took minutes. City Council Members present were Jason Baker, Dawnette Browning, and Bryce Hamilton. Council Members Jeannie Mecham and Danny Peatross were excused. Public Attendees: Jesse Hyde, Bryce Blanchard, CoraLee Sanchez, Carol Thomas, Steve Rowley, RoJean Rowley, Rodney Nielsen, Susan Hamilton, and Deb Herron. Council Member Hamilton offered the prayer.

2. Minutes

Minutes:

MOTION by Council Member Hamilton, seconded by Council Member Browning to approve the minutes from September 28, 2021.

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

Motion carried by unanimous vote.

3. Bills

Minutes:

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

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

Motion carried by unanimous vote.

4. Charges & Credits

Charges & Credits

Minutes:

The Council reviewed the Charges and Credits report.

5. Business License

Minutes:

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

6. Main Street - RoJean Rowley

Minutes:

Before beginning the discussion about Main Street, RoJean mentioned that the Veteran's Memorial Committee has funding available to replace the flags at the Memorial when needed. She then approached the Council to discuss some of the problems on Main Street. There are 2 trees in front of Mike Price's place (High Desert Gardens), 2 trees in front of Freedom Realty, and 3 trees in front of Al's Foodtown that are dying because of lack of water. The sprinklers need to be dug out so the trees can get the water they need. It would be a shame to lose 7 trees because they weren't watered. The trees are over 30 years old. She wanted to know what the Council is doing to take care of this problem. Council Member Browning has submitted a grant application to Central Utah Water for a water conservation plan for Main Street. She explained what went into the application and how the plan should eliminate the smallest patches of grass but keep a drip system in place for the trees. She talked about the priority list she created a few years ago and the most recent plan she created for the Central Utah Water grant. The priority list will change as the plan develops and problem areas are addressed. If the grant money comes through, then the City will proceed with the conservation plan and hire a company to implement the plan, but if no grant money is available, then her original priority list will be plan B and city workers will implement addressing those problem areas. Council Member Browning is hoping to begin the project in the Spring. Carol Thomas asked if any of the sprinklers had been dug out this year. She and RoJean spent hours digging out sprinklers in the past and it is something that needs to be done yearly. Mayor Rowley said Lane Genereaux dug out many of them this summer. CoraLee Sanchez mentioned the County is working with the Central Utah Water grant program and they are receiving matching funds. She said Central Utah Water is designing the County's plan and doing the work. Council Member Browning said when she applied for the grant there was no mention of Central Utah Water designing or working on the project. She had to come up with the design and the City will take care of all the work. She also said the design that has been done next to the County building won't work for Main Street because of all the dirt that is left during the winter from the snow-plows and semi-trucks. She doesn't know who to ask at the State for help with the reconditioning but feels that UDOT puts a lot of debris on roads and walkways and should help with this project. Mayor Rowley will get the name and number of the contact at the State for this area.

7. Airport Master Plan

Minutes:

Mayor Rowley showed the maps prepared by JUB for the airport master plan. In past discussions, he believed the Council decided to go with option #2. He said the Council should decide and vote to accept which option they prefer so that JUB can move forward with completing the master plan.

MOTION by Council Member Hamilton seconded by Council Member Browning to accept alternate #2.

- Council Member Baker – Aye

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

Motion carried by unanimous vote.

8. Arrow Property Purchase

Water Revenue Bonds

Minutes:

Mayor Rowley explained that the City has been looking at buying the property by the sewer ponds that Arrow wants to sell. This would be a good piece of property for the City to own because it would create a safer entrance to the sewer ponds and the city shop could be moved out to this location. It is less than 5 acres. The appraisal came in at \$287,000 but according to the County Tax Parcel Viewer, the value is set at \$139,268. Initially when Mayor Rowley spoke to Arrow they agreed to sell the property to the City for \$275,000 at 6% interest if Arrow carried the loan. To protect the City, Mayor Rowley would like to make the purchase using a water revenue bond and had Zion's Bank draw up a debt service schedule which was projected onto the screen for the Council and public to see. The water revenue bond would be for \$287,000 and the interest costs to carry the bond would be \$65,284.80 bringing the total cost to \$352,284.80. RoJean Rowley and CoraLee Sanchez believe this is too expensive for that property and wondered why there has not been a public hearing to discuss this issue. Mayor Rowley explained there will be a public hearing and this is only the preliminary discussion to see if this would be worth pursuing. Council Member Browning expressed surprise at the costs and wondered if this was a good idea given the large difference between the County's value and the appraisal value. She asked if this bond would mean the water rates for citizens would have to go up. Mayor Rowley said the bond would be paid for out of the commercial water sales. Council Member Browning asked if Biden shuts down the oil production in the country and water sales go down, would the citizen's water rates have to go up to pay for the property. Mayor Rowley said that is a possibility. He said if the Council does not want the Bond Attorney to come, he will cancel the appointment. Council Member Hamilton suggested having a work meeting on October 26th before City Council to discuss this issue. RoJean reminded the Council that there must be a public hearing before a bond can be issued.

9. Planning And Zoning

Minutes:

Planning and Zoning did not meet on Monday but the General Plan is moving forward. All the maps and text should be ready by October 25th. Deb Herron encouraged the Council to go onto the City's website to read what has been completed so far.

10. 15 Minute Open Session

Minutes:

- Jesse Hyde approached the Council to discuss the number of tiny homes going into his neighborhood. While he was building his house, a 640 square foot house

was built next door to him. Then a tiny home not much larger than a Tuff Shed was put on a foundation next to the small home. He recently heard that another tiny home was going in on the same street. He looked into the State Code and found out tiny homes must be allowed in Cities in Utah. He wondered if the City has or will have any ordinances regarding tiny homes. He is not opposed to smaller homes but he is afraid his street is turning into a transient neighborhood. There have been a lot more unknown cars driving up and down his street and he is concerned for his family's safety. He is family-oriented and would like to live where residents are establishing long-term roots. He believes his property value has suffered because of the number of small homes going in around him. Council Member Baker addressed some of Jesse's concerns. He moved from California because of the very thing Jesse is describing but he said the number of small homes in an area does not make it a trailer court. He believes private property should remain private and the government should not tell people what kind of house they can live in as long as it does not violate health and safety regulations. The transient nature of an area is more of a problem for the Sheriff to handle. The building inspector ensures that all homes are built to a certain standard, even the tiny homes. Council Member Hamilton suggested Jesse look into developing an HOA for the area, but cautioned that once someone joins an HOA they are stuck. Council Member Baker asked Jesse what he would do. He wanted to see if the City would look into preventing more tiny homes from coming into that neighborhood. Council Member Baker said there were no plans to do so.

- Rodney Nielsen approached the Council to discuss the gated alleyway again. Since the last City Council Meeting, he has opened the gate several times and Chad Tegan goes back and closes it again. He understood the Mayor was going to talk to Chad about the gate but nothing seems to have changed. He said the UPS guy drives down the alley and has to drive on lawns to turn around. If Chad can gate off the alley, then Rodney feels like he should be allowed to gate off the other end of the alley way and if that happened the person living in the trailer would have no access to get in or out of the property. Council Member Baker agreed that the public must have access to the alley. Mayor Rowley said he talked to Chad about leaving the gate open. Rodney said it shouldn't be up to Chad, it is not Chad's decision. Council Member Baker said he talked to Chad and had a long discussion about this issue. He warned Chad about potential lawsuits for closing off a public road. Chad seemed to come around to the idea that he couldn't gate a City alley. Rodney said any person should be able to go all the way to the end of that alley but Chad has built a flag pole right in the alley way. He pointed out other alleys that have been gated off or fenced. He then said the highway access has been open to traffic since before Chad was born. The Council and members of the public discussed prescriptive use and whether it applies to the highway access on Chad's property. Ultimately the only one who can decide whether Chad has to grant the public access to the highway

across his property is a judge. Mayor Rowley said Chad is going to apply to have the alley vacated. Bryce Blanchard pointed out that he uses that alley every week in his garbage truck. Mayor Rowley said he would continue to work on this issue.

11. Book Of Complaints, Concerns And Comments

Minutes:

There were no new complaints, concerns, or comments recorded in the book.

12. Mayor And Council Review Of Old Business

Minutes:

- The city workers are blowing out the water lines and winterizing the sprinkler systems around town. Mayor Rowley thinks the ditch water will be shut off on October 15th.
- Regarding the Sports Complex, Duchesne City will be going through the bond process in November for the \$4,000,000 CIB loan.
- The City is looking at buying a new dump truck. The big blue truck has a rusted out bed and is getting too expensive to fix.
- Council Member Baker asked Susan Hamilton if she thought the Arrow property was a good buy. Susan believes it is a good buy. It has a shop and she said the appraisal seems low. Similar properties have been appraised at a much higher price. Mayor Rowley would like to see the shop moved away from the center of town. Council Member Baker said it looked like the reported acreage was low and thought it was closer to 5 acres. Council Member Hamilton asked what would be done with the old shop. Deb Herron suggested making it a soccer field and keeping the same number of fields as there currently are.

13. Work Session

Minutes:

A work meeting was scheduled for October 26, 2021 at 5 pm.

14. Executive Session

Minutes:

There was no executive session.

15. Adjournment

Minutes:

MOTION by Council Member Baker seconded by Council Member Browning to adjourn the meeting at 7:17 pm.

- Council Member Baker – Aye
- Council Member Browning – Aye
- Council Member Hamilton – 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 10/13/2021,
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