



# Special City Council Meeting

## Minutes

Thursday, November 18, 2021 at 6:00 pm

## Agenda

A special 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, Pledge, Prayer

#### Minutes:

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

Public Attendees: Brady Herrick, Cody Ivie, Olivia Baker, Kathy Heaps, Mason Miles, Alan Rydman, Cana Ivie, and Deb Herron.

Council Member Jeannie Mecham offered the prayer.

### 2. Minutes

#### Minutes:

MOTION by Council Member Peatross, seconded by Council Member Hamilton to approve the minutes from November 9, 2021 at the next City Council meeting.

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

Motion carried by unanimous vote.

### 3. Presentation of Applicants' Qualifications for Vacant City Council Position

#### Minutes:

- Mayor Rowley explained that Dawnette Browning resigned from her City Council position on October 26, 2021. The City gave a two week notice to the public that the vacancy exists and invited those interested to apply for the position. The following put their names forward to be considered and were listed alphabetically as Kathy Heaps, Steven Brady Herrick, and Cody Ivie. Mayor Rowley said each applicant would be given a chance to present their qualifications and be interviewed by the Council. Afterward the Council would publicly vote. In the event of a tie, he explained the winner would be decided by the roll of a die. Mayor Rowley then invited Kathy Heaps to come forward and speak to the Council first.

- Kathy Heaps spoke about coming to Duchesne City in April 1977. Her family owned the Western Auto Store for 10 years and lived in the Ell's Motel for a period of time. She hated Duchesne at first but now loves it. Her kids grew up in Duchesne and all moved away except for Stephanie who moved away but came back to raise her children. She wants people to be proud of our town and have a great place to raise their children. She explained many professionals have come out of Duchesne and gone on to do great things. She said she wants to be part of a great community and do her bit to support this community. Council Member Peatross pointed out that Kathy's motivation for being on the Council was to make a place for kids to raise a family. Kathy said that was correct. She said it was unfortunate that some kids don't want to come back and used Lee Moon's kids as an example. Council Member Peatross asked Kathy what her opinion was of Homeowner Associations (HOAs) versus City Government providing services. Kathy explained that she believes people should be able to do what they want with their property as long as it is not an eyesore. Council Member Peatross then asked if she thought it was better to be proactive or reactive regarding code enforcement. Kathy said the City has to look at both sides of any issue and make sure city workers are consulted. Council Member Baker asked Kathy what she thinks is the highest priority for the City right now. Kathy said she loves the pool and would cover it if she won the lottery. She also said she believes Main Street should look nice because it is the first thing visitors see and judge. If Main Street is not clean, people won't stop. Council Member Peatross asked Kathy if she thought the proper role of government was to maintain property values and gave the example of 2 tiny homes being built in a neighborhood and a property owner claiming the property value of the existing homes has gone down. She does not believe the role of government is to tell people what kind of house to build. There is a place for small and large homes. Council Member Peatross commented that Duchesne City has mixed use throughout town. Kathy agreed and said there are a few big houses but they are mostly out of town. Council Member Baker asked if Kathy had any special skills. Kathy said she was a county appraiser for 20 years. She then concluded her presentation with her desire to keep the city clean and encourage more people to get involved. Mayor Rowley asked if there were any further comments or questions. When no one had anything else to add, he thanked Kathy for coming.
- Mayor Rowley invited Brady Herrick to speak to the Council. Brady explained that his first name is Steven but he has always gone by Brady. He was born in Roosevelt but now lives in Duchesne. He married Tal and Debbie Fabrizio's youngest daughter. He said he has high moral values and believes he will represent the City well. He said he wants to be part of the City Council to make a positive impact on the community. Council Member Mecham asked if Brady had been involved in politics before submitting his application. Brady said he works for UDOT and understands the concerns with the roads. The Council discussed the issue with UDOT raising the speed limit to 45 mph without

consulting the City Council. Brady said the stop light helps slow traffic down and the speed limit should be 30 mph. Council Member Baker asked what Brady thinks the City's priorities should be. He thinks the City should bring in amenities, like the bowling alley, according to what the community wants and use public money wisely. Council Member Peatross asked if UDOT has a street sweeper and Brady replied that they do have one but it is being fixed. Council Member Peatross then asked if Brady believes in being proactive or reactive. Brady said he thinks the City should be proactive and get ahead of issues before problems happen. He said some things can't be undone. He would involve the community in solving problems. Council Member Baker asked how he would involve the community. Brady said he would use flyers, emails, cards in mailings, bulletin boards and those kinds of things. Council Member Peatross asked Brady how the city government should address affordable housing and gave some examples of grants or incentives for new construction. Brady said he thinks incentives would be the best option. Council Member Peatross commented that tiny homes are an affordable option. He then asked Brady if he believes it is proper to enforce an ordinance that limits an activity that a property owner has been engaged in for a long time and that is not a nuisance. Brady explained that if no one has any concerns or complaints then the activity should be allowed. The Council discussed ex post facto laws applying only to the federal government and the role of the State Ombudsman's Office to protect homeowner rights. Mayor Rowley asked if there were any further comments or questions. When no one spoke, he thanked Brady for coming.

- Mayor Rowley invited Cody Ivie to address the Council. Cody said he has lived in Duchesne for 5 years but he has deep roots in Duchesne. His mom was a "Bureau Brat" and his dad's family helped settle this area. Cody expressed a desire to help with population and economic growth. He said he feels it is very important to guide growth. He watched towns in North Dakota become overwhelmed during the oil boom and does not want to see the same problems happen in Duchesne. He also said it is important to create a safe place for families to grow. As a realtor, he said he leans toward property rights. He acknowledged the tiny home movement and said he believes proper zoning addresses some of the problems the Council just spoke about. However, he expressed concern that the current residential agricultural zone is preventing "in-fill" making the housing problem worse. He has served on the Planning and Zoning Commission for 2 years and recognized that Duchesne City has property rights as well. He said once the City gives away land, it is gone. In his opinion, the City should deal with entities, both government and private parties, to defend its property rights. Cody then spoke about economics, a topic near and dear to him. He said he currently serves on the Business Alliance and on the Advisory Committee for Duchesne County. He expressed a desire to see business thrive and believes competition encourages businesses to step up. Cody said his priorities as a Council Member would be property rights and

economic development education. Council Member Hamilton asked if Cody believes education is best fostered by what the City does or not does. Cody said he believes the City should take a proactive stance especially in developing Main Street and capitalizing on the business the Centennial Building brings in but understands that staying out of the way is sometimes best. He said he also believes preserving and protecting history and culture is a balancing act. Council Member Peatross asked Cody how he would encourage economic growth. Council Member Peatross said there are several vacant lots on Main Street that are contaminated and grants help but there is still a long way to go. Cody acknowledged the problem. Cody said Lynn Hamilton lost 3 engineers because their wives did not want to move to Duchesne. He recognized the impact groups like the Duchesne Arts Council and the Independence Day Committee have on the community. He also said marketing and branding is very important. Council Member Peatross asked if Cody thought Main Street was attractive. Cody said Duchesne is not a Heber City nor a Park City, but that is not what Duchesne City should be. Council Member Mecham commented that many outsiders are impressed by what Duchesne has to offer. Cody was impressed that the community play sold out. Council Member Mecham asked if Cody was for or against continuing to support the Pope House. Cody reflected on what the best way is to preserve what the Pope House is trying to do. His grandpa cowboied with Fred Pope and he understands the value of that history. The Pope House is expensive to maintain but he doesn't want to see everything bull-dosed. He said he believes there is a way to preserve the history and make it more readily available to the public. Council Member Peatross asked Cody about his stance on ARPA money that comes with a big document and lots of federal strings attached. Cody said accepting federal funding is a balancing act and Duchesne must understand the strings but shouldn't shun everything. He said Duchesne City should not decide for businesses if they take the money or not. Council Member Peatross and Hamilton discussed natural rights versus false rights and asked Cody what his thoughts were regarding these rights. The Council Members explained that natural rights can be enjoyed by everyone together whereas false rights take from one person to give to someone else what is believed to be owed. Cody explained that he believes natural rights should be fostered and gave as an example that he is against universal education because it cheapens all education. Council Member Peatross asked Cody if he believes it is better to be proactive or reactive in code enforcement. Cody explained he believes it is better to be proactive. He said he also believes in consistency and if city code is enforced consistently, then many problems can be cleared up. The Council said that was all the questions they had. Mayor Rowley asked if Cody or anyone else had anything to add.

- Kathy Heaps said she also believes people should have to pay for their own education. Her children are all proud of the fact they paid for their education.
- Mayor Rowley asked if anyone else had a comment or question. When no one

spoke, he called for the Council to cast their vote for a new council member.

- The Council voted as follows:
- Council Member Baker - Cody Ivie
- Council Member Hamilton - Cody Ivie
- Council Member Mecham - Cody Ivie
- Council Member Peatross - Kathy Heaps
- Mayor Rowley announced that Cody Ivie was selected as the new member of the Council. Council Member Mecham said any of the candidates would do a great job and she expressed her appreciation for their participation. Kim Riggle announced that there is now a position open on the Planning and Zoning Commission and invited Kathy and Brady to apply for that position. Council Member Baker said the Planning and Zoning Commission plays a very important role in advising the Council on planning and zoning issues.
- Kim Riggle conducted the Swearing-in Ceremony. Cody Ivie took the oath of office as a member of the Duchesne City Council.

#### 4. Adjournment

**Minutes:**

MOTION by Council Member Mecham, seconded by Council Member Hamilton to adjourn the meeting at 6:58 pm.

- Council Member Baker – 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: \_\_\_\_\_