

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, January 7, 2009, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Ruth P. Maughan, Councilwoman Marcene Parker, Councilmen Jackie D. Orton, Ron Case, Thomas G. Bailey, and Gary Bates. City Manager/Recorder Don Hartle was also present. A copy of the Notice and Agenda was mailed to the Mayor and Council members and faxed to the Herald Journal on January 2, 2009. The meeting was called to order at 6:00 p.m. by Mayor Ruth P. Maughan.

Others Present:

Jennifer Leishman	Kurt Mitton
Tom Smith	Travis Taylor
Stan Rowlan	Eli Brunson
Arrin Brunson	Rex Bailey
Stephanie Lindley	Kyle Lindley
Leesa Cooper	Jed Willets
Clair Hollibaugh	Crystal Hollibaugh
J.D. Williamson	Polly Williamson

Opening Ceremony: Eli Brunson

The Council reviewed the agenda. Marcene Parker made a motion, seconded by Ron Case, to approve the agenda as presented.

<u>YEA 5</u>	<u>NAY 0</u>
Thomas G. Bailey	
Gary Bates	
Ron Case	
Jackie D. Orton	
Marcene Parker	

The Council reviewed the minutes of the November 19, 2008 meeting. There were word changes on lines 97 and 164. Thomas G. Bailey made a motion, seconded by Jackie D. Orton, to approve the minutes of the November 19, 2008 meeting with the changes.

<u>YEA 5</u>	<u>NAY 0</u>
Thomas G. Bailey	
Gary Bates	
Ron Case	
Jackie D. Orton	
Marcene Parker	

The Council reviewed the minutes of the December 22, 2008 special meeting. Ron Case made a motion, seconded by Gary Bates, to approve the minutes of the December 22, 2008 meeting.

<u>YEA 5</u>	<u>NAY 0</u>
Thomas G. Bailey	
Gary Bates	
Ron Case	
Jackie D. Orton	
Marcene Parker	

Don Hartle gave the Council a copy of the Warrant Register showing bills submitted to the Council for approval. After review and discussion, Jackie D. Orton made a motion, seconded by Thomas G. Bailey, to approve the City's bills for payment, represented by check number 9719 through 9847.

YEA 5

NAY 0

Thomas G. Bailey
Gary Bates
Ron Case
Jackie D. Orton
Marcene Parker

Eli Brunson met with the City Council concerning his Eagle Scout project. Mr. Brunson would like to construct a basketball court for Wellsville City. The basketball standards at Wellsville Elementary are not official-sized. Mr. Brunson stated that he has spoken with Steve Leishman representing LeGrand Johnson Construction about donating materials. Mr. Brunson stated that he thought a good place for the basketball court would be next to the baseball field at the Wellsville Dam. Gary Bates stated that the Recreation Committee is convinced that this is a good thing. Mr. Bates stated that he has discussed this with Don Hartle, and feels that the basketball court by the Wellsville Dam fits the Recreation Master Plan. Mr. Bates stated that 2 different locations have been discussed, which he will work out with the Recreation Committee and return for approval. Mr. Brunson stated that an official-sized basketball court is 94 feet by 50 feet, but that high school and college-level courts are 84 feet by 50 feet. Jackie D. Orton asked about funding for the basketball court. Mr. Brunson stated that he has spoken with Steve Leishman about getting a discount on the materials through LeGrand Johnson Construction. Mr. Brunson stated that his scout group is planning on doing fund raisers for this project. Mayor Ruth P. Maughan stated that it is Wellsville City's policy to pay 50% of the cost of the project. Mr. Bates stated that The Church of Jesus Christ of Latter-day Saints also has a fund to help with Eagle Scout projects. Don Hartle stated that his concern is redoing the sprinklers at the park by the Wellsville Dam, and would like to see the basketball court on the north end of the park. Mr. Bates stated that that would be a good place to have the basket ball court because it is an open area that is visible. Mayor Maughan stated that she applauds Mr. Brunson's effort, and thinks this is a great idea. Mr. Bates suggested that the basketball court be made of asphalt to prevent cracks. Ron Case stated that Mr. Brunson price both asphalt and concrete. Mayor Maughan stated that Mr. Brunson needs to check out all of the possibilities and then work through Gary Bates and the Recreation Committee. Thomas G. Bailey stated that he is concerned with asphalt because it cracks just like concrete. Mr. Orton stated that the concrete would have to have rebar running through it. Mr. Bates recommends that Steve Leishman be consulted since LeGrand Johnson Construction works with both, cement and asphalt. Mr. Brunson stated that he would return to City Council meeting February 4, 2009 to report.

Kurt Mitton met with the City Council to discuss the arena. Mr. Mitton stated that he represented the Mt. Sterling Stampede Rodeo Club. Mr. Mitton stated that the arena has been in existence now for 10 years, and that Wellsville City and the Rodeo Club has put a lot of time, money and effort in to the arena, which has been a success. Mr. Mitton stated that the next step is to add bucking chutes to the arena. Mr. Mitton stated that Diamond H Rodeo has a summer series that is held in Lewiston, but would be willing to move to Wellsville if there were bucking chutes. Mr. Mitton stated that there would be 2, possibly 3 rodeos held at the arena during the summer. Mr. Mitton stated that during the 2010 summer, the Wellsville arena would be able to hold a semi-professional rodeo. Mayor Ruth P. Maughan asked if the arena could hold stock for rodeos. Mr. Mitton referred the City Council to a handout that he had prepared. Marcene Parker asked if all the activities would correlate time wise. Mr. Mitton stated that they would. Jackie D. Orton asked if roping is all that is held at the arena. Mr. Mitton stated that roping is held at the arena, as well as 4-H twice a week and open riders working their horses. Mr. Mitton stated that the bubble on the north end would be used for bucking chutes. Mr. Mitton stated that the Diamond H Rodeo summer series would be held on Wednesday nights. Mayor Maughan asked if these events would bring any money into the City. Mr. Mitton stated that eventually, if the arena is used for professional events, but for now, the only money that Wellsville City receives is if people make purchases at Wellcome Mart. Mr. Mitton stated that the cost for the bucking chutes is \$ 22,860, which includes delivery. The members of the Rodeo Clue would install the bucking chutes. Thomas G. Bailey asked if the Rodeo Club proceeds go back to Wellsville City. Mr. Mitton answered yes, any proceeds are returned to Wellsville City. Ron Case asked about commercial donations. Mr. Mitton stated that there is a chance that businesses would be willing to sponsor a chute, but with the economy, donations are very tight. Mr. Mitton stated that the Rodeo Club would be willing to try to get some donations and sponsors. Ms. Parker asked when the materials would need to be ordered by. Mr. Mitton stated that he would need to order the materials by next month. Gary Bates asked about

insurance, and if Wellsville City would need to list this on their policy. Don Hartle stated that it would need to be listed as an activity on Wellsville City's insurance. Mr. Mitton stated that Diamond H Rodeo does have their own policy. Mr. Mitton stated that Wellsville City may also decide to rent the arena to the Bridgerland High School Rodeo Club for their rodeo. Mr. Bailey asked if these are preferred gates. Mr. Mitton stated that they are not as nice as preferred gates, but they are adequate. They are endorsed by Ty Murray. Ms. Parker asked if the use of the arena has slowed down. Mr. Mitton stated that it has not because it is a very nice arena. Mr. Case asked if it would be possible to incorporate a rodeo into Founder's Day without affecting any of the other activities. Mr. Mitton stated that a rodeo could be incorporated with Founder's Day. Mr. Bates stated that Wellsville City could increase recreation impact fees because this could be capitalized. Mr. Hartle stated that this could be a project for the RAPZ tax application. Ms. Parker asked if Cindy Gooch with JUB could look into grant options. Mayor Maughan asked that Mr. Mitton call the company and ask how long they will guarantee the price on the chutes and corrals, and come back in on January 21, 2009.

Dr. Tom Smith met with the City Council to discuss sidewalks. Dr. Smith stated that he and his wife have moved to Logan, and they are trying to sell their home in Wellsville. Dr. Smith has the home and property listed with a realtor, but anything over \$300,000 is not being sold. Dr. Smith would like to divide the property so that the home is included with 1 acre, which would meet the zoning requirements, and he keeps the other 3.92 acres. Dr. Smith stated that he understands that he has to go through the subdivision process, along with having the property surveyed and the subdivision engineered, but Dr. Smith is questioning the requirement of a sidewalk, or contribution to a sidewalk fund. Dr. Smith did a lot line adjustment so that the property and home was all one tax identification number. Basically, he now wants to change the property back to the way it was. Thomas G. Bailey stated that there is no sidewalk currently in front of the home or property, or on the other side of the street. Mr. Bailey asked that if Dr. Smith develops the other 3.92 acres, that sidewalk would be installed then. Mayor Ruth P. Maughan stated that the City Council has discussed a sidewalk fund, but has never set it up. Mr. Hartle stated that Dr. Smith would need to begin the subdivision process, and would split all 4.92 acres into 3 lots. The current subdivision code requires sidewalk. Mr. Hartle stated that the City Council can waive sidewalks. Mr. Hartle stated that sidewalks either need to be required or waived. Gary Bates stated that for 1 acre parcels, sidewalks don't fit real well. Mr. Hartle stated that residents who live along 450 East own out into the street, and there is no room to put a sidewalk. After discussion, Gary Bates made a motion, seconded by Jackie D. Orton, to waive the sidewalk requirement on property identified by Cache County as tax identification #10-014-0060 that is owned by Thomas Smith.

YEA 5
Thomas G. Bailey
Gary Bates
Ron Case
Jackie D. Orton
Marcene Parker

NAY 0

Travis Taylor met with the City Council to discuss a potential water line on 1600 South. Don Hartle stated that Mr. Taylor is the developer of the Sterling Ridge subdivision. There is a concern with the fire hydrants because the flow is approximately 750 gallons per minute in the area of 1600 South and Center Street. Mr. Hartle stated that currently there is an 8" pipe that runs from the pressure station at 1050 South 200 West to the south to Tom Lindley's. Then east to Center Street, then on Center Street going south, it is a 6" line to 1600 South. Mr. Hartle discussed with the City Council installing a 12" water line from Mount Sterling Estates under Highway 89/91 to feed this subdivision, and any other development. Mr. Hartle feels that it needs to be done now and done right. Mr. Taylor is asking that the City participate in getting the water line across Highway 89/91. It would be for the future and betterment of the Wellsville City. Mr. Hartle asked Mr. Taylor his plans for bringing water to the City with the subdivision. Mr. Taylor stated that they plan to purchase water from Wellsville City. Mr. Hartle stated that those funds would help offset the cost. Mr. Hartle believes that the cost will be roughly \$200,000. Gary Bates stated that this gives an incentive to have the Lindley property developed, and that when the Lindley property is developed, that developer should have to pay for the water line. Mr. Hartle stated that at some point in time, it will happen. Mr. Taylor stated that the City could have the developer of the Lindley property signs a late comer agreement for the

water line. Mayor Ruth P. Maughan stated that this is a major expense. Mayor Maughan asked if the developer installed the 8" water line on Center Street, would it give the subdivision the fire flow that is needed. Mr. Taylor stated that he believed it would. Mr. Hartle stated that the church would have to install a sprinkling system for fire. Mayor Maughan asked if Mr. Taylor could come up with some figures for installing a new 8" line and running a 12" line from Mount Sterling subdivision, then return to the January 21, 2009 meeting to discuss this issue further. Mr. Taylor stated that he would be happy to put those figures together, and then get them to Mr. Hartle for him to distribute.

Clair Hollibaugh met the City Council to discuss a proposed subdivision at 100 East and 400 North. Don Hartle stated that Mr. Hollibaugh purchased the home at 450 North 100 East, and would now like to divide the property into 2 lots, but that the square footage was so close, that the property had to be surveyed. Mr. Hartle stated that on August 13, 2008 and August 20, 2008, the concept plan was approved. Mr. Hartle stated that there is 106' of footage on 400 North and 106' of footage on 100 East, so that home can face either street. Mr. Hollibaugh would like to discuss with the City Council the requirement of sidewalk along 500 North, and the sewer being extended for the existing home and the new lot. Mr. Hartle stated that there is sewer along 400 North and along 100 East from 500 North to approximately 470 North, and that there is a 4" water line along 100 East. Mr. Hollibaugh stated that the previous owner of the property stated that the property already has 2 water hookups. Mr. Hartle stated that this will need to be verified because Perry Maughan and Tom Maughan state there is only 1 water hookup. Mr. Hollibaugh would like to have an easement through the property so that the sewer goes into the home from the backyard instead of running pipe around the corner and to the east. Mr. Hollibaugh stated that the septic system is in the backyard. Mr. Hollibaugh stated that several homes are not on sewer because of the elevation. Mr. Hartle stated that grades would need to be shot first before this can be approved. Mayor Ruth P. Maughan stated that this will only affect him by bringing the sewer line through the backyard. Mr. Hollibaugh stated that he believes there is already water on the new lot. It is a 4" line. Mr. Hartle stated that it would have to be replaced with an 8" line. It is a Utah State law that a home can't be hooked up to anything less than an 8" water line. Thomas G. Bailey stated that he has a concern with the sewer line going through private property. Mayor Maughan stated that it would be good to know where Brad White hooked onto the sewer. The sidewalk was discussed. Marcene Parker, Jackie D. Orton and Gary Bates would require sidewalk along 400 North. Thomas G. Bailey and Ron Case would require sidewalk along 400 North and 100 East. Mr. Hartle stated that Mr. Hollibaugh would need to proceed to obtain elevations of the property. After discussion, Thomas G. Bailey made a motion, seconded by Gary Bates, to table this issue until line are shot and the elevations are determined.

YEA 5
Thomas G. Bailey
Gary Bates
Ron Case
Jackie D. Orton
Marcene Parker

NAY 0

The City Council discussed the recently completed Geotechnical Engineering report on the proposed sewer lagoon dike. Don Hartle forgot to send a copy of the study out to the City Council, so this will be discussed at a future meeting.

The City Council discussed the final decision on the roads to be reconstructed in 2009. Mayor Ruth P. Maughan stated that her suggestion is to complete 100 West from 300 South to 200 South, 100 West for 100 South to 100 North, 200 East from 700 South to 760 South, and 760 South from 200 East to Highway 89/91. Gary Bates approves of this suggestion. Thomas G. Bailey stated that Wellsville City should finish 100 West, and then start reconstructing 200 West. It was discussed that in 2010, Wellsville City would begin reconstruction 200 West at 300 North and work south until it is completed. After discussion, Jackie D. Orton made a motion, seconded by Gary Bates, to approve the reconstruction of 100 West from 300 South to 200 South, 100 West for 100 South to 100 North, 200 East from 700 South to 760 South, and 760 South from 200 East to Highway 89/91 subject to the cost of asphalt.

YEA 5
Thomas G. Bailey
Gary Bates
Ron Case
Jackie D. Orton
Marcene Parker

NAY 0

Department Reports:

- Ron Case – 1) Web Site – email is up and working.
2) Sidewalks – discuss ideas as to if Wellsville City will require sidewalk, or to pay into a sidewalk fund.
3) HOA for Southwest Heritage Estates concerning trees – Mayor Ruth P. Maughan and Don Hartle will pull the CC&R's.
4) Report from Aaron Walker concerning Wellsville City's own fire ordinance – Reed Bailey reported out of meeting that Cache County was getting a new fire chief, and to wait to see what his policy would be.
5) Signs of Jed Clark's corn maze – Don checked and they are on property that is located in the County.
6) Asked what the speed limit is in areas of Wellsville City if it is not posted – 25 MPH – ordinance says 30 MPH – need to modify the ordinance.
7) Codifying the City code – completed the end of the month.
8) Wireless access in the meeting room – Don will get with Clint to see if it is possible.
9) Rodeo grounds – committed RAPZ tax without submitting the application yet.

Marcene Parker – 1) City Square and the town looked very pretty at Christmas time.

- Gary Bates – 1) Christmas – best yard award – have a committee and mention it in the newsletter – no monetary award.
2) Health City Award – not to allow smoking in parks and around Wellsville Dam – put on the agenda to discuss.
3) With the City Square being lit up this year and paying a lot for electricity – Earl Bates' boss donated a timer and electric eye switch that is worth about \$1,300.
4) Recreation Committee – minutes need to be kept.

City Manager/Recorder Report:

- Don Hartle – 1) Handed out information concerning a public hearing that is set for January 21, 2009 for the proposed County-wide Library system.
2) Handed out copy of budget – due February 18, 2009 – bottom totals are the current year's budget and the expenses for the first 6 months of the fiscal year.
3) Be aware of what is happening with the property that is owned by Paul Clark and Jed Clark on 200 South across Highway 89/91.

At 8:46 p.m., Thomas G. Bailey made a motion, seconded by Gary Bates, to adjourn the meeting.

YEA 5
Thomas G. Bailey
Gary Bates
Ron Case
Jackie D. Orton
Marcene Parker

NAY 0

Ruth P. Maughan
Mayor

Don Hartle
City Manager/Recorder