

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, January 21, 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 16, 2009. The meeting was called to order at 6:00 p.m. by Mayor Ruth P. Maughan.

<u>Others Present:</u>	Jennifer Leishman	Kurt Mitton
	Rex Bailey	Evan Bankhead
	Jodi Gibbs	Leesa Cooper
	Brandt Baldwin	Patrik Roderer
	Scott Wells	Kurt Bankhead
	Jake Pattee	Riley Seeholzer
	Alex Maughan	Joey Elder
	Russ Elder	David Chesley
	Sirrell Hall	Eddy Hall
	Rosa Hall	Braden Gubler
	Tyler King	Jeff Pierce
	Tyler Pierce	Caden Skinner
	Jake Horrocks	Bruce Horrocks
	Trent Bailey	Tayson Bailey
	Brendan Frstrup	Darin Frstrup
	Drew Hunsaker	

Opening Ceremony: Eddy Hall

The Council reviewed the agenda. Thomas G. Bailey made a motion, seconded by Gary Bates, 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 January 7, 2008 meeting. There was a word change on line 111. Marcene Parker made a motion, seconded by Jackie D. Orton, to approve the minutes of the January 7, 2008 meeting with the change.

<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. Check numbers 9848, 9849, and 9850 have been voided. After review and discussion, Ron Case made a motion, seconded by Thomas G. Bailey, to approve the City's bills for payment, represented by check number 9851 through 9945.

YEA 5

NAY 0

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

Jayden Maughan was to meet with the City Council concerning his Eagle Scout project. Don Hartle informed the City Council that Mr. Maughan called and cancelled.

Jodi Gibbs met with the City Council concerning a business license. Ms. Gibbs stated that she needs the business license for a LLC, which she has set up for tax purposes. Her main office is in Logan, but she does do paperwork at home. Ron Case stated that the Planning Commission approved the home occupation for Ms. Gibbs. After discussion, Ron Case made a motion, seconded by Marcene Parker, to approve a business license for Jodi Gibbs at 1345 South Center. The name of the business is Jodi Gibbs Realty.

YEA 5

NAY 0

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

Kurt Mitton met with the City Council to continue the discussion of the possible improvements to the Wellsville arena. Mr. Mitton stated that his assignment was to see how long the company would guarantee the price of the bucking chutes. Mr. Mitton stated that he called the company and they will guarantee the price until the end of February. Don Hartle stated that the rodeo club will need to fill out an application for insurance purposes. Mr. Hartle stated that there will be an insurance increase because they are adding another activity to the insurance. Mr. Hartle stated that some of the events that are listed on the insurance now are Mt. Sterling Stampede, roping, and the Sham Battle. Evan Bankhead stated that Diamond H carries their own insurance, which covers everything from participants to spectators. Mr. Hartle stated that if an accident does happen, the individual hurt will list Wellsville City in the suit. Mr. Mitton stated that the Bridgerland High School Rodeo Club and the Utah State University Rodeo Club could use the facilities for practices. Gary Bates asked if it was possible to have a rodeo during Founder's Day activities. Mr. Mitton stated that the same weekend is the year-end finals, so no, it would not be possible. Mr. Bates stated that other improvements to the Wellsville arena would be the bleachers. Mr. Mitton stated that the new bleachers could be completed as Eagle Scout projects. Mr. Hartle handed out data showing all projected expenses for the current work and work to be completed this coming summer. In addition, the data provided the funds available to pay for said improvements. Marcene Parker asked about donations. Mr. Mitton stated that other rodeos are having a hard time finding sponsors because of the economic situation. Mr. Mitton doesn't want to count on donations. Mr. Mitton stated that there would be money received at the gate, and he maybe able to find sponsors of each gate. Mr. Bates stated that with the increase in impact fees, that should help also. Mayor Ruth P. Maughan stated that Wellsville City has done very well with their RAPZ tax applications. After discussion, Jackie D. Orton made a motion, seconded by Thomas G. Bailey, to approve the \$22,860 for the Wellsville Arena to purchase bucking chutes for the improvements to the Wellsville arena.

YEA 5

NAY 0

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

Ron Case made a motion, seconded by Jackie D. Orton, to open the public hearing.

YEA 5

NAY 0

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

At 6:30 p.m., Mayor Ruth P. Maughan conducted the following public hearings:

First, receive public input and consider for approval the preliminary plat for the Baldwin subdivision (1 additional building lot) on property at 141 East 200 South. Mayor Ruth P. Maughan stated that looking at the map, she wondered if there is enough property from another building lot, or if the zone had changed. Don Hartle stated that the zone has not changed. There is 12,658 square feet on the first lot, and 13,994 square feet on the second lot, and the property is in the R-1-12 zone. Jackie D. Orton asked if the home on the first lot was going to be sold. Mr. Hartle stated that he didn't know, because he doesn't ask. Brandt Baldwin stated that he and his wife are going to sell the existing home and build a new home on the second lot. Mr. Orton asked if there is an ordinance in place that addresses existing sidewalks. Mr. Hartle stated that there is not. Ron Case stated that the Planning Commission approved the preliminary plat with the conditions that Mr. Baldwin try to not disturb the drain in the new lot, and the City Engineer had some minor corrections on the plat. Don Hartle stated that the corrections from the City Engineer have been completed. Mr. Orton discussed the existing sidewalk, and asked if Mr. Baldwin would raise 3 slabs of sidewalk in front of the existing home near the corner. Mr. Baldwin stated that if he needs to, he can. After discussion, Jackie D. Orton made a motion, seconded by Thomas G. Bailey, to approve the preliminary plat for the Baldwin subdivision (1 additional building lot) on property at 141 East 200 South subject to repairing 3 slabs of sidewalk on the west side of lot #1, and that there is no impact on the drain field if it is there.

YEA 5

NAY 0

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

Second, receive public input on the proposed county-wide library system, and possible alternatives to assist the City Council in making a "non-binding" vote on the City Council's position. Mayor Ruth P. Maughan asked the City Council if they had reviewed the information and their feelings about this issue. Mayor Maughan stated that she spoke with Mayor Howard from Hyrum City, and that if the vote from Hyrum City was different than what Mayor Howard expected, he would contact Mayor Maughan. Mayor Maughan stated that she and Don Hartle had tried to contact Mayor Howard twice today, and has not heard back from him. Mayor Howard from Hyrum City would like to keep the Hyrum Library and the system the way is currently is, and Wellsville City is interested with the decision from Hyrum City because Wellsville City residents currently use the Hyrum Library at no charge to the citizens. Gary Bates stated that he was surprised at the significant cost of the county-wide library system. Ron Case stated that Nibley City expressed interest in the county-wide library system, but not at this time. Nibley City would like to see more alternatives that are available, and to be able to access the Cache County School District libraries year-around. Don Hartle stated that Wellsville City receives revenues from various sources and that Wellsville City pays an assessment of \$10,500 to use the Hyrum Library. The county-wide library system would charge an assessment on the citizen's property tax, and the Wellsville City's contribution would be roughly \$77,000, which the residents of Wellsville City would pay along with their property taxes. Mr. Case stated that it is a 65% to 70% increase to the Wellsville City portion of the taxes. Russ Elder asked what the cost of opening school libraries would be. Mr. Case stated that that issue has not been addresses yet. Mr. Case stated that if there are questions concerning the report, a copy of the report is available to the residents. Rosa Hall asked that if a county-wide library is approved, could an individual use any library.

Mayor Maughan stated that that is correct, and explained about the service that is provided. Mayor Maughan stated that when the report was released, there were many supporters of a county-wide library that pulled their support because it is too expensive for residents. Mr. Bates stated that a Logan Library family pass is about \$120 per year. Mayor Maughan stated that instead of Wellsville City funding the library use; it would be money out of the citizens of Wellsville City pockets. Mayor Maughan stated that at a previous City Council meeting, it showed that it would affect the residents of Wellsville City the most, because Wellsville City has the highest increase. Mayor Maughan stated that this issue is not cut and dried, and that there is a lot of gray area. Mayor Maughan asked the audience if there was anyone in favor of the county-wide library system. No one responded. The City Council would like to see someone from Wellsville City serve on the County-wide Library Committee. After discussion, Marcene Parker made a motion, seconded by Jackie D. Orton, that Wellsville City is satisfied with their use of the Hyrum Library, and to have the county-wide library committee pursue other alternatives.

**YEA 5**

**NAY 0**

Thomas G. Bailey

Gary Bates

Ron Case

Jackie D. Orton

Marcene Parker

Thomas G. Bailey made a motion, seconded by Gary Bates, to close the public hearings.

**YEA 5**

**NAY 0**

Thomas G. Bailey

Gary Bates

Ron Case

Jackie D. Orton

Marcene Parker

The City Council continued their discussion on a potential water line on 1600 South. Don Hartle handed out a table of information that was provided by Travis Taylor, who represents the Sterling Ridge subdivision. Mr. Hartle stated that none of the information that was provided has been verified. Mr. Hartle stated that he is going to have Jay Nielson review this information because he is the person who wrote the code. Mr. Hartle also handed out a map that shows the fire hydrants, and if the fire hydrants have adequate or inadequate water pressure. Mr. Hartle stated that an 8" water line running parallel to the 6" water line on Center Street is adequate for the church house, but an 8" water line doesn't solve the water problems. The 12" water line would come from Aspen Way in the Mt. Sterling Estates to the corner of 1600 South. Gary Bates referred to an amount that Mr. Taylor will pay for water to Wellsville City, and would like to see that money used for other water projects for residents that are already paying taxes. Jackie D. Orton stated that this is what is best for the future of Wellsville City. Mr. Bates stated that the citizens of Wellsville City are supplementing future development costs. Mr. Orton stated that the time has come for a larger water line. Thomas G. Bailey stated that Wellsville City could implement the late comer agreement that Mr. Taylor discussed at the previous City Council meeting. Mayor Ruth P. Maughan stated that it would be pro-rated so that each developer pays their share. Mr. Hartle stated that Sterling Ridge subdivision could use both the 8" and the 6" water lines. These water lines could be y-ed together so that both water lines are feeding. Mr. Orton stated that a great resource that Wellsville City has is water. Mr. Hartle stated that no developer has ever purchased water from Wellsville City before. Mr. Hartle stated that with this water line, it will be cleaner, and that Sterling Ridge subdivision will need a pressure station. Mr. Bailey stated that many hours were spent on the water code, and now every developer is challenging it. Mr. Hartle suggested that he meet with City Attorney Bruce Jorgensen and City Planner Jay Nielson to verify the statistics given by Travis Taylor. Mr. Bailey stated that if Wellsville City backs down now, Wellsville City will fight every developer. Mr. Hartle stated that the only open space in this subdivision is the storm water retention pond. The City Council would like to see this lot landscaped. After discussion, it was decided that Don Hartle will meet with City Attorney Bruce Jorgensen and City Planner Jay Nielson to discuss the information given to Wellsville City by Travis Taylor, and then ask Mr. Taylor to attend the City Council meeting on February 4, 2009 to review the information.

The City Council discussed the course of action at the sewer lagoons based on the recently completed Geotechnical Engineering report concerning the dike in cell 3. Thomas G. Bailey asked if Wellsville is bound to do what the report suggests. Don Hartle stated that Wellsville City isn't bound, but the Engineering firm will not stand behind the engineering if Wellsville City doesn't do what the report says to do. Gary Bates stated that there is equal water pressure on both sides. Mr. Hartle stated that the public works department has discussed this issue, and sees no reason to compact the gravel. Mr. Bates stated that the access road goes out a distance into the sewer lagoon. Mr. Bailey stated that the gravel will be dumped and then driven over. Mr. Hartle stated that his suggestion is to proceed. Dr. Kraig Johnson has seen this report and doesn't feel that Wellsville City needs compaction. Dr. Johnson can perform the inspections, subject to the State's approval. Ron Case stated that there is risk with anything that is done. After discussion, Gary Bates made a motion, seconded by Thomas G. Bailey, that the public works department uses their best judgment to build the dike without compaction, and Dr. Kraig Johnson do any inspections Wellsville City feels is necessary.

**YEA 5**

**NAY 0**

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

#### Department Reports:

Marcene Parker – 1) Emergency Preparedness – High Councilman from the LDS Church to work with the City – Gary Bates has a letter from the Stake President, and will bring it to Ms. Parker.

Thomas G. Bailey – 1) Met with City Attorney Bruce Jorgensen concerning the water issue with Dean Parker – not settled yet, but getting closer.  
2) removed a tree from 300 South 100 East

Mayor Ruth P. Maughan – 1) Envision Cache Valley – county-wide program concerning how Cache Valley will look in the future – include City Councils and the public – public kick-off meeting to be held on February 25, 2009, and more information will follow.

Jackie D. Orton – 1) Sidewalk Policy – some areas in Wellsville are rural. Establish a policy, and then make a decision concerning sidewalks as a council – go out and personally inspect the sidewalks. Many things to consider – make a common-sense decision. Sidewalks have a budget of \$10,000 each year. Consider a sidewalk assessment.

Ron Case – 1) Revealed Wellsville City website, which is different from the email system.

#### City Manager/Recorder Report:

Don Hartle – 1) Handed out financial statements from months of November and December – look them over – page 1 is a summary page.

At 8:17 p.m., Gary Bates made a motion, seconded by Thomas G. Bailey, to adjourn the meeting.

**YEA 5**

**NAY 0**

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

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Ruth P. Maughan  
Mayor

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Don Hartle  
City Manager/Recorder