

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, February 4, 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 30, 2009. The meeting was called to order at 6:00 p.m. by Mayor Ruth P. Maughan.

Others Present:

|                    |                     |
|--------------------|---------------------|
| Jennifer Leishman  | Clair L. Hollibaugh |
| Luke Denison       | Danny Denison       |
| Kaden Klopfenstein | Ty Rogers           |
| Stan Rowlan        | Travis Taylor       |
| Leesa Cooper       | Deputy Jon Robinson |
| Brandt Baldwin     | Chris Breinholt     |
| Jordan Breinholt   | Perry Maughan       |

Opening Ceremony: Ron Case

The Council reviewed the agenda. Thomas G. Bailey made a motion, seconded by Ron Case, to approve the agenda as presented.

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|------------------|--------------|
| <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 21, 2008 meeting. There were word changes on lines 170, 174, 177, 226, 263, and 264. Ron Case made a motion, seconded by Thomas G. Bailey, to approve the minutes of the January 21, 2008 meeting with the changes.

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|------------------|--------------|
| <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 Gary Bates, to approve the City's bills for payment, represented by check number 9946 through 10016.

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

The City Council continued the discussion with Clair Hollibaugh concerning the required improvements for his proposed subdivision on the northeast corner of the intersection of 400 North 100 East. Mr. Hollibaugh stated that he hired Jeff Hansen to shoot the grades for this lot. He would like to give Wellsville City an easement onto his property so that he can run the sewer up through the backyards of both lots instead of going around to the front of the house and extra lot. Mr. Hollibaugh stated that it will cost him \$34,000 for all of the improvements, and the lot is not worth that much. Mr. Hollibaugh discussed the 4" water line, which he will have to replace with an 8" water line for fire protection. Mr. Hollibaugh will also need to

install a fire hydrant. There are 2 fire hydrants that are 1000' apart, but there is not a fire hydrant that is within 500' of his property. Perry Maughan stated that should Wellsville City ever need to dig up this sewer line, they will ruin lawn, shrubs, and trees. Thomas G. Bailey asked about the expense of boring under the road. Mr. Maughan stated that that is the developer's cost. Mr. Maughan stated that with an easement, the City is responsible for everything. Mr. Maughan stated that the State code says that any utilities have to be 10' from any water line. Mr. Hollibaugh stated that Brad White is 2 pipe length's short that he will have to make up. Don Hartle stated that Wellsville City would pay for the 2 lengths of pipe since it was a mistake on the part of the City Engineer. Mr. Hartle read from the subdivision code. Prices were discussed, such as an 8" bore is about \$80 per foot, a 4" bore is about \$40 per foot, and a manhole is between \$2,500 and \$2,700 each. It was discussed having Mr. Hollibaugh connect into the sewer next to Brad White's but that is Brad's service line, and Mr. Hollibaugh can't connect to that. Mr. Hollibaugh asked about the water connection on the additional lot. Mr. Maughan stated that that is not a water connection, but that it is a water shutoff valve. Mr. Bailey stated that the lots are not very deep, and that he is not in favor of the easement. Mr. Hartle stated that for any work that needs to be done on the sewer, Wellsville City would have to contract it out because the public works department does not go on private property. Jackie D. Orton stated that he has viewed the lots and they need to follow the code. Mr. Orton stated that he is not in favor of the easement. Mr. Orton stated that sidewalks would need to go around both lots. Mayor Ruth P. Maughan thanked Mr. Hollibaugh for coming in, but the subdivision code would need to be followed and an easement onto private property would not be allowed.

Thomas G. Bailey made a motion, seconded by Ron Case, 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 hearing:

The City Council conducted a public hearing to receive public input and consider adopting a code amendment setting the traffic speed at 25 miles per hour if said street is not posted. Mayor Ruth P. Maughan stated that Ron Case researched this issue when preparing the website and the Utah State code states that the speed limit is 25 miles per hour if the speed limit is not posted. Thomas G. Bailey asked how the public works department felt about this. Perry Maughan stated that other cities have signs that state the speed limit is 25 miles per hour if it is not posted. Chris Breinholt stated that he felt this was a great idea. Gary Bates stated that Wellsville City would be consistent with other cities in the valley. After discussion, Jackie D. Orton made a motion, seconded by Ron Case, to approve **CODE AMENDMENT 2009-01** adopting **AN AMENDMENT AMENDING THE WELLSVILLE MUNICIPAL CODE, CHAPTER 10.04, TRAFFIC CODE, TO SET THE MAXIMUM SPEED AT 25 MILES PER HOUR IF THE STREET SPEED LIMIT IS NOT POSTED.**

YEA 5

NAY 0

Thomas G. Bailey

Gary Bates

Ron Case

Jackie D. Orton

Marcene Parker

Marcene Parker made a motion, seconded by Thomas G. Bailey, to close the public hearings.

YEA 5

NAY 0

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

The City Council reviewed for approval the final plat for the Baldwin subdivision (1 additional building lot) on property at 141 East 200 South. Jackie D. Orton asked if anyone of the City Council checked on the drain field. Mayor Ruth P. Maughan stated that she did and it is not active. Thomas G. Bailey asked about power lines overhead. Brandt Baldwin stated that there are some on the other side of the street, but not over the existing home or the additional lot. Mr. Orton reminded Mr. Baldwin that he is to fix the existing sidewalk in front of the existing home. After discussion, Thomas G. Bailey made a motion, seconded by Marcene Parker, to approve the final plat for the Baldwin subdivision (1 additional building lot) on property at 141 East 200 South.

YEA 5

NAY 0

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

The City Council continued their discussion from previous City Council meetings with Travis Taylor, representing Sterling Ridge subdivision, concerning getting adequate water for fire protection at their subdivision, which will include a new church. Mr. Taylor had previously supplied Don Hartle with a 4-page document showing data regarding their proposed subdivision, with the City Council being mailed a copy of it earlier. Mr. Hartle stated that City Planner Jay Nielson had reviewed the document and found the data on the first page showing the number of lots allowed and related data to be accurate, but did not feel qualified to address the amount of water required for the subdivision. Mr. Taylor stated that he had met with his associates associated with this subdivision and they want to proceed in getting the adequate water to the subdivision for fire protection, even though it will cost them more in development costs. They have no water for the subdivision and want to purchase the required water from the City, as per the City code. In following the City code, they have determined that the total water required would be 47.24 acre feet and at the current City rate of \$3,000 per acre foot, their total cost would be \$141,720, which is presented on pages 2 and 3 of the handout. According to their models, if they were to connect onto the 8-inch line on Center Street at 1261 South with an 8-inch line and run it south to 1600 South, they would have adequate fire flows. However, in the best interest of the City "as a whole", Mr. Hartle has discussed with the developers the possibility of running a 12-inch line from the Mount Sterling Estates subdivision to Sterling Ridge subdivision. Mr. Taylor stated that they would make the following proposal to Wellsville City. As part of their subdivision development, and at their expense, they would connect onto the 8-inch line on Aspen Way at approximately 1600 South with a 12-inch line, go east under Highway 89/91 (and meet Utah Department of Transportation Department standards) for a 12-inch pipe and then continue east to the road off 1600 South that goes into their subdivision, then continue with the 12-inch line through their subdivision and then connect the 12-inch line in to the 6-inch line on Center Street. Sterling Ridge subdivision would install this line in lieu of paying the City for water. Perry Maughan suggested that we go further south along Aspen Way and install the 12-inch line onto the 14-inch trunk line that brings the water from the springs to the City, just south of the existing pressure station in Mount Sterling Estates subdivision. This way the entire 12-inch line would be fed by the 14-inch line. The fact was discussed that by so doing, it would require another pressure station which would add an additional \$40,000 to the project plus the additional pipe. Currently, the largest line in the City is a 10-inch line which feeds the entire City other than the trunk line from the springs to Lindley reservoir. The type of pipe to be installed was discussed, and Thomas G. Bailey wants to make sure the pipe is properly bedded, since this soil is very rocky. Gary Bates stated that he feels they should connect on Center Street with an 8-inch line, the City receive the \$141, 720 and then the City could spend said money in a more beneficial use. Ron Case stated that he could vote either way as there are pros and cons to the issue. Mr. Taylor explained the process he went through to determine the water he

would need and where supporting data to his calculations is available. Mr. Bates asked if there is currently enough water for fire protection in the area. Mr. Hartle stated that there are 7 existing fire hydrants that do not meet current fire flows, and that the models show that with the 12-inch line they would all come into compliance. Jackie D. Orton asked how many additional homes the 12-inch line would be able to supply. Mr. Taylor stated that he did not know, but that it would be a considerable number. Mr. Bailey asked Mr. Hartle how he felt about the issue. Mr. Hartle stated that he has been in support of this for the last year, but feels we should bring it from the 8-inch line rather than south off the 14-inch line, as it could be a long time before we would need the line off the 14-inch line. At the conclusion of the discussion, a motion was made by Gary Bates and seconded by Ron Case that the City accepts the proposal submitted by the developers of Sterling Ridge subdivision that in lieu of them being required to bring water to the City that they pay all the expenses of bringing a 12-inch line off the 8-inch line on Aspen Way east along 1600 South all the way east to the road off 1600 South going into their subdivision, then through the subdivision and connect onto the 6-inch line on Center Street

**YEA 5**

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

**NAY 0**

The City Council discussed and approved the course of action on improvements needed at the sewer lagoons for the dike and the improvements needed for the poo-gloos. Don Hartle updated the City Council as to the improvements needed for the sewer lagoon dike, as well as the improvements needed for the poo-gloos. They have completed the drawings for the required improvements. Mr. Hartle wrote a letter requesting approval from the State of Utah. Dr. Kraig Johnson took the letter and the engineer drawings to the State yesterday. Mr. Hartle stated that Dr. Johnson would be coming up in the next couple of days to do some more testing. Mr. Hartle asked how the City Council wanted to bid the air and water line that needs to be installed. Wellsville City could run an advertisement in The Intermountain Contractor that is published weekly. Wellsville City could put together specifications and bid documents and hand it out to different contractors. Wellsville City could run an advertisement in the newspaper. Mr. Hartle suggested that Wellsville City produces a short bid form, and then meet the contractor at the sewer lagoons. After discussion, Marcene Parker made a motion, seconded by Thomas G. Bailey, to allow Don Hartle and Dr. Kraig Johnson to determine how to proceed.

**YEA 5**

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

**NAY 0**

#### Department Reports:

Ron Case - 1) Website - check it out - Leesa has found some typing errors - gave it to 4 people that he works with to review it.

2) Discussed email accounts to decide if some council members want them or not - check email.

Thomas G. Bailey - 1) Kirt Mitton - possibility of having a rodeo Founder's Day weekend.

2) Irrigation Committee met with Dean Parker - may have come to an agreement - discuss the details when it has been finalized.

Gary Bates - 1) Partner for Founder's Day - Jackie D. Orton - Thomas G. Bailey will help with the rodeo - Marcene Parker will help also.

2) Example code from Eagle Mountain for a Sports and Recreation Committee - will merge together and type it up - give to Don - post agenda, recorded, take minutes and have the minutes approved.

- 3) Chris Breinholt finished the trail proposal - no bridge grant - gravel trail through part of the hay field east of Richie Benson's home - will bid both gravel and asphalt - inform Richie Benson and Bevan Higbee since he is the individual that rents the hay field.
- 4) Jeff Lowe - manages baseball registration and season - paid \$650 - list of itemized expenses - spends around \$900 - discuss at a later time.

City Manager/Recorder's Report:

Don Hartle - 1) Wellsville Dam area - hydro-seeding - design and bid or do a change order on the existing bid. Trees are installed - but the sprinkling system is not. Would like to see 1 contractor for the entire project. Don will discuss this issue with City Attorney Bruce Jorgensen.

2) Mr. Hartle stated that when the auditors were here, they discussed changing the dollar limit on capitalization of items. Mr. Hartle suggests that the City goes to a limit of \$2,500. Mayor Ruth P. Maughan asked if Diana Cannell thought that that was high enough. Mr. Hartle stated that it is decided by the City. After discussion, Thomas G. Bailey made a motion, seconded by Jackie D. Orton, to capitalize on items that are \$3,000 or more.

YEA 5

NAY 0

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

- 3) Discussed with Principal Cody Dobson representing Wellsville Elementary School a safety committee meeting that was held at the school. Would like to paint a crosswalk at the intersection of 100 East on the south side at 100 East and 100 South, and have no parking signs along 100 East to the end of the old school. Will report back that the City Council discussed this and Jackie D. Orton will attend the next safety committee meeting.
- 4) RAPZ Tax application - make a decision in 2 weeks on what project to apply for.
- 5) City Attorney Bruce Jorgensen sent a letter to the attorney of Sherwin Seamons concerning the open space that is in the Mt. Sterling Estates subdivision that is still in Mr. Seamons' name.
- 6) Activity on water since 1/1/2009 - files for extensions on 14 water rights - all have been approved - valid through 2016.
- 7) In 1989, Dennis Bollock representing Sherwood Hills filed an application to drill a well. April 1989, Wellsville City filed a protest, and on 2/2/2009, the State Engineer declined the application filed by Dennis Bollock.
- 8) On 1/8/2009, a notice in the legal section of the ads from Lindley Enterprises concerning water. There is some confusion as to what is wanted. The application is not clear. Asked City Attorney Bruce Jorgensen to file a protest on behalf of Wellsville City.
- 9) Some people commented about Wellsville City not being closed on Martin Luther King, Jr. Day. Judge Terry Moore told Lori Christensen that they will take it off next year. Mr. Hartle has mailed out a letter to all City employees concerning this holiday stating that until such time as the City Council approves it as a paid holiday, we will work as any other day.
- 10) Budgets are due February 18, 2009 - salaries are a decision that is made by the City Council.

At 8:15 p.m., Marcene Parker made a motion, seconded by Ron Case, 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