

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, April 1, 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. A copy of the Notice and Agenda was mailed to the Mayor and Council members and faxed to the Herald Journal on March 27, 2009. The meeting was called to order at 6:00 p.m. by Mayor Ruth P. Maughan.

<u>Others Present:</u>	Jennifer Leishman	Bert Linn Watson
	Darrell Watson	Phil Bankhead
	Evan Bankhead	Rex Bailey
	Staci Bailey	Trent Bailey
	Kurt Mitton	Sue Mitton
	Mike Perkes	Cody Perkes
	Paxton Guymon	Travis Taylor
	Stan Rowlan	Angie Olsen
	Renee McBride	Rosa Hall
	Eddy Hall	Brad Hall
	Skylar Richards	Aaron Walker
	Wes Wright	Andrew McLarney
	Michael Miller	Nathan Miller
	Brandon Lucas	Justin Cooper
	Kaden Christensen	Kerry Heiner
	Zan Murray	Shawn Smith
	Alan Barber	Kathy Barber
	Troy Lowe	Bruce Jorgensen

Opening Ceremony: Skylar Richards

The Council reviewed the agenda. Ron Case made a motion, seconded by Thomas G. Bailey, 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 March 18, 2009 meeting. There were word changes on lines 85 and 283. Jackie D. Orton made a motion, seconded by Gary Bates, to approve the minutes of the March 18, 2009 meeting with the changes.

<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, Marcene Parker made a motion, seconded by Ron Case, to approve the City's bills for payment, represented by check number 10124 through 10179.

<u>YEA 5</u>	<u>NAY 0</u>
Thomas G. Bailey	
Gary Bates	

Ron Case
Jackie D. Orton
Marcene Parker

Bert Linn Watson met with the City Council for a business license. Ms. Watson stated that she would like to have a full-service salon in her home. Ms. Watson stated that a full-service salon is hair, nails, and facials. Ms. Watson stated that she has no employees, and that clients would come to her home by appointment only. Ron Case stated that the Planning Commission approved a conditional use for this home occupation. Thomas G. Bailey asked about parking. Ms. Watson stated that she has a cement pad in front of her 2-car garage, as well as gravel to the west of the cement pad. Ms. Watson stated that she may have 2 to 3 cars parked at one time. Mr. Case asked what the hours of operation would be. Ms. Watson stated that the salon is opened on Tuesdays through Saturdays from 10 to 5. Marcene Parker asked if Ms. Watson was using a room in her home. Ms. Watson stated that she has converted the upstairs living room into a salon, with a stylist chair, a nail station, and a facial bed, as well as having a shampoo bowl. Mayor Ruth P. Maughan asked the name of the business. Ms. Watson stated that the name of her business is Bert Linn's Cut, Curl-Up & Dye. After discussion, Marcene Parker made a motion, seconded by Jackie D. Orton, to approve the business license for Bert Linn Watson.

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

NAY 0

Troy Lowe met with the City Council to discuss being eliminated for the annual roping event on founder's day weekend at the Wellsville Arena. Mr. Lowe gave a history of the past 11 to 12 years. Mr. Lowe stated that he was asked to use the arena to bring roping to Wellsville. Mr. Lowe uses the Wellsville Arena every other weekend during the summer months. Mr. Lowe has a mailing list of about 300 people. Mr. Lowe stated that when he found out that he has been eliminate from the founder's day activities, he was giving no choice, no input, so he is here tonight to share his concerns with the City Council. Mr. Lowe understands that there has been an increase in price. Mr. Lowe stated that he enjoys roping, and feels that it is not fair that after 12 years, he is losing the date. Mr. Lowe stated that he has talked to Cache County Fair Grounds, and they would be happy to have him move his roping to their facility. Mr. Lowe stated that for \$50 less, Cache County Fair Grounds provides him with a bigger arena and better facilities for the horses and stock. Mr. Lowe stated that he feels that he is being forced to move. Mayor Ruth P. Maughan stated that it is not the City Council's intent to eliminate the roping event for Founder's Day, but Wellsville City has always wanted to have a rodeo on Founder's Day weekend. Mayor Maughan stated that she would like to see Mr. Lowe move his event to the weekend before or after Founder's Day weekend, and have the roping event still be part of Founder's Day. Mayor Maughan used the softball tournament as an example, and would like to see the Founder's Day Festival run a couple of weeks long. Ron Case stated that the City Council was under the impression that Mr. Lowe knew about this issue and was okay with it. Mr. Lowe stated that there would be no way that he would be happy with being eliminated from Founder's Day weekend. Marcene Parker stated that it is good that Mr. Lowe attended City Council so that this issue could be discussed. Mr. Lowe stated that he would like to work with Wellsville City to come up with a solution. Ms. Parker asked if the roping event could somehow be tied together with the all-horse parade. Mr. Lowe asked how solid the new fees for the Wellsville Arena are. Mr. Case stated that they are only proposals, and that nothing has been set in concrete. Mr. Lowe stated that if the fees could be adjusted, that he would consider moving the roping event to the weekend prior to Founder's Day weekend. Gary Bates stated that the only discussion he remembers concerning the Wellsville Arena fees is the resident/no event fee. Mr. Bates stated that his feeling was that the City Council approved all of the other fees that were discussed. Ms. Parker asked how much more expensive are the fees for Mr. Lowe. Mr. Lowe stated that he currently pays \$50 per event. Phil Bankhead stated that when the City stopped the little buckaroo rodeo on the square, they moved it to Kurt Mitton's place, and then when it kept getting bigger and bigger, and with the cost of insurance, a group of individuals came to the City asking for an arena. Mr. Bankhead stated that no one that is part of the Mt. Sterling Stampede has ever taken a nickel from it. Mr. Bankhead stated that this committee has dug

postholes, put up fence, taken care of bleachers, and that the intent of the arena was to always have a rodeo on Founder's Day weekend. Mr. Bankhead stated that he has enjoyed having Mr. Lowe bring his roping events to the Wellsville Arena, but Mr. Lowe has never made any repairs on the arena, and that Mr. Lowe has always gotten a groomed, watered arena with lights. Mr. Bankhead stated that Mr. Lowe has been getting a heck of a deal. Mr. Bankhead stated that he has a copy of the rates that the Cache County Fair Grounds have, and that it shows that Mr. Lowe would be paying \$450 per event. Mr. Bankhead believes that the City Council should not adjust the rate. Mr. Bankhead stated that he doesn't want to see the roping events leave, but that Mr. Lowe needs to be flexible. Mr. Lowe stated that he is willing to move his roping events to the Cache County Fair Grounds, but would like to stay in Wellsville if possible. Mayor Maughan asked that if Mr. Lowe's concern was mostly the cost. Mr. Lowe stated that was correct. Mr. Lowe stated that he is willing to help make repairs on the arena, and has offered several times to do so. Mr. Lowe stated that at the Founder's Day roping event, he gives away about \$5500 in prizes, which Wellsville City donates \$700. Mr. Lowe stated that the ropers are grateful for this. Ms. Parker asked how many ropers attend per event. Mr. Lowe stated that he averages about 100 people per event. Ms. Parker asked if Mr. Lowe charges a fee to rope. Mr. Lowe stated that he does charge a fee, and that there is a stock charge and the rest goes back to the ropers. Ms. Parker asked if Mr. Lowe makes money on these events. Mr. Lowe stated that he does make a little bit of money. Gary Bates stated that a good group of citizens care for the Wellsville Arena, and that the fees that are now being charge were not picked at random. Mr. Bates stated that there is a lot of comparison with other arenas in Utah. Mr. Bates stated that he believes that \$200 is a fair price. Mr. Case asked if there was an additional charge for the sound system. Evan Bankhead stated that there is not, but that Wellsville City doesn't own the sound system, the Stampede owns the sound system. Thomas G. Bailey stated that the \$50 fee that Mr. Lowe currently pays doesn't cover the electricity for the lights that are used. Mr. Lowe stated that he is willing to pay more, but would like to see Wellsville City match what Cache County Fair Grounds would charge him to move his roping events to their facility. Phil Bankhead stated that both groups have benefitted from the Wellsville Arena, and the individuals that are attending the roping events don't care if the event is held on Founder's Day weekend or the weekend prior. Mr. Lowe stated that he would be willing to move the weekend, but is concerned about the fee. Evan Bankhead stated that for \$150 fee at the Cache County Fair Grounds, they are charging Mr. Lowe the hourly rate of \$45, with a maximum of 3 hours. Mr. Lowe stated that that is correct. Evan Bankhead stated that he is not against Mr. Lowe, but the plan for the Wellsville Arena has always been to have a rodeo on Founder's Day weekend. Evan Bankhead stated that it has taken the arena committee 12 years to finish the job. Evan Bankhead stated that it is the City Council's job to decide the best use of the arena, as well as the best charge for the facility. Mr. Bailey stated that the rodeo committee has worked very hard on the arena for years, and would like to know their input on what the arena is worth, and then let the City Council support it. Mr. Case asked if Mr. Lowe's events run longer than 3 hours. Mr. Lowe stated that they do. Ms. Parker asked if the fee for Cache County Fair Grounds included a light fee. Mr. Lowe stated that it does. Kurt Mitton stated that he doesn't want to see Mr. Lowe leave Wellsville City, but feels that the \$200 proposed fee is fair. Mr. Lowe stated that he is not here to argue, and he would make his decision as to what he would do after the discussion. Jackie D. Orton suggested that Wellsville City increase the fee in steps, such as this year, the fee would be \$100 and it would be raised \$50 each year after. Mr. Bates proposed that the fee increase to \$150 and that Wellsville City would not contribute the \$700 prize money. After discussion, Gary Bates made a motion, seconded by Thomas G. Bailey, to set the Wellsville Arena fee for Mr. Lowe at \$150 per event, not to exceed 11 events during the summer, Wellsville City would not contribute the \$700 prize money, that that event will take place the weekend prior to Founder's Day, and the this is a 1 year contract and will be negotiated again next year.

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

NAY 0

At 6:35 p.m., Ron Case made a motion, seconded by Marcene Parker, to go into public hearings:

YEA 5

NAY 0

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

First, receive public input and review for approval a code amendment adopting a complete recodification of the “Wellsville Municipal Code” to the “Wellsville City Code”. City Attorney Bruce Jorgensen stated that this is a project that the City has been working on for a long time. Mr. Jorgensen stated that all of the City ordinances are in this code book by title, and there is an index in the back of the book. In 1991, the first recodification of the City’s codes was completed. Mr. Jorgensen explained that all of these ordinances are like a living document, which is always changing. Thomas G. Bailey asked if it was the same code that the City Council already has. Mr. Jorgensen stated that it is a continuation of the code that the City Council has. Don Hartle handed out the new code books so that the City Council could follow along as Mr. Jorgensen pointed out some things. Ron Case stated that there will be a link to this code on the City’s website so that it is searchable. Mr. Hartle stated that the key to this is to keep the book up-to-date. Mr. Hartle explained that part of the contract with Sterling Codifiers states that when there is an amendment, it will be sent to Sterling Codifiers that they will have it updated within 30 days of receiving the changes. Mr. Jorgensen stated that all of the ordinances are in this book up to August 10, 2008. Mr. Jorgensen stated that the format is different. Mr. Jorgensen pointed out that section 1-5-2 is an amendment to the local government section of the code, and it explains the powers and duties of the Mayor and City Council. Mr. Jorgensen stated that the impact fee ordinance has been updated, the noise ordinance has been included, the animal control ordinance has been updated, and the tracking of crimes ordinance is included. Mr. Jorgensen stated that in Chapter 10, there have been several changes made to the zoning. Mayor Ruth P. Maughan stated that it looks very nice and that the format is easy to follow. Mr. Jorgensen stated that in Chapter 10, under Land Use, there are density determination graphs. Mr. Jorgensen stated that there is currently no R-1-6, R-1-8, R-1-10 and R-2, so all of the references to those have been removed. Mr. Jorgensen stated that districts that are not used in Wellsville City have also been eliminated. Mr. Jorgensen stated that on page 10-16-21, there is a sign cross-reference table. Mayor Maughan stated that she and the City Council appreciate all of the work done on this project by City Attorney Bruce Jorgensen, City Planner Jay Nielson, and City Manager/Recorder Don Hartle. After discussion, Thomas G. Bailey made a motion, seconded by Gary Bates, to approve **CODE AMENDMENT 2009-02** adopting **A COMPLETE RECODIFICATION OF THE “WELLSVILLE MUNICIPAL CODE” TO THE “WELLSVILLE CITY CODE”**.

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

NAY 0

Second, receive public input and consider for approval the preliminary plat for the Sterling Ridge subdivision consisting of a total of 36 lots on property on the west side of Center Street from approximately 1400 South to 1600 South. Ron Case stated that the Planning Commission had a very long discussion concerning this issue. The Planning Commission approved the preliminary plat. Angie Olsen asked if there were 2 entrances to the subdivision. Mayor Ruth P. Maughan stated that there are 2 entrances, 1 off of 1600 South and 1 off of Center Street. Justin Cooper stated that he is attending this City Council meeting as a developer and a homeowner. Mr. Cooper stated that the City ordinance says that public utilities would be ran to the end of the property, which would mean that the sewer and water would need to be run to the corner of Center Street and 1600 South, not stop at the entrances of the subdivision. Mr. Cooper also stated that there is sidewalk within the subdivision, but there is not a sidewalk within 2 blocks. Mr. Cooper stated that his concerns are extending the utilities and the sidewalk. The City Council worked with the developer because there are inadequate fire flows in the area. The developer is willing to run the water line from Aspen Way in the Mt. Sterling Estates subdivision east along 1600 South into the entrance of the subdivision, through the subdivision, then connects onto the 6” water line running up Center Street.

Mr. Cooper asked what the differences are between this subdivision and the subdivision proposed by Clair Hollibaugh. Gary Bates stated that there are many differences. Mayor Maughan stated that there are other homes around Mr. Hollibaugh that have sidewalk, therefore, that is why Mr. Hollibaugh needed to add the sidewalk. Mr. Hollibaugh proposed that he run the sewer up through his backyard to both homes, which the code states that the utilities have to be on the City's property, not private property. Mr. Cooper stated that the same ordinances need to be enforced throughout Wellsville City. Mr. Hartle stated that the developer had the option of running a new 8" line along Center Street, and then having the church add a sprinkling system to the building. Because there were fire flows that were needed, the developer understands that the City has to do the best for the big picture. Mayor Maughan stated that for the SW Heritage Estates, the sewer line goes to the entrance, and then down into the subdivision. The water line was already in place. The Wellsville Ranches subdivision ran the sewer to the end of the subdivision using one of the City's sleeves under Highway 89/91. Mr. Bates asked why Gerald Byington doesn't have to hook onto the sewer. Mayor Maughan stated that he does because the sewer runs along 200 West, and that all of the utilities stop at the entrance of the Wellsville Ranches subdivision. Mr. Cooper stated that as a homeowner, he is concerned with the depth of the sewer line because he doesn't want to have to install a sewer pump in order to hit the line. Mr. Bates stated that a sidewalk along Center Street would fit, but wonders if the City would be setting precedence. Mr. Case stated that there is no precedence being set, and that each subdivision that comes to the City Council comes on its own merits. Mayor Maughan asked if the plan is for a sidewalk to be installed on Center Street and 1600 South. Zan Murray stated that the sidewalk on Center Street would be part of the Trails Master Plan. Ms. Olsen asked if there was any park or green space as part of the subdivision. Mr. Case stated that he would like to discuss this issue later, and stated that this is the first subdivision to come into the City under the new open space format. Mr. Hartle stated that he would recommend that at this time the City Council address the sidewalks on Center Street and 1600 South so that Mr. Taylor can design the infrastructure so that he can include the sidewalks or waive them. Thomas G. Bailey stated that there would be many people that would use the sidewalk along Center Street which is outside of the subdivision. Mayor Maughan asked if there is going to be a fence along Center Street and 1600 South. Travis Taylor stated that there would be a screening strip, and that there would be options to choose from on the final plat that can be reviewed and recommended. Some of the options include planting material, trees, shrubs, a fence, but a burm is not an option. Mayor Maughan stated that the planting material would be the most desirable. Mr. Case stated that many owners may want to fence their backyards. Mr. Bailey stated that part of the CC&R's should include that the fence has to be uniform. Mr. Case stated that he can see sidewalks as part of the long-term trail plan, and that if Wellsville City doesn't start now, when will they start. Mr. Taylor stated that Wellsville City's subdivision code is very difficult to scan, but that the trails could be accomplished using part of the impact fees that will be paid when the lots are sold. Mr. Case stated that a trail could use a sidewalk as much as possible, or have a trail next to the sidewalk. Mr. Bates stated that the nearest sidewalk is at least a mile away and that people would have to cross a busy highway. Mr. Case asked if Wellsville City would wait another 5 years for the next development to come to Wellsville. Aaron Walker stated that his concern as a homeowner along Center Street is the bus stops along Center Street and the children walking to and from the bus stop. Other concerns include the extra vehicle traffic for 36 homes, and the plan for Center Street that is in bad shape and very narrow. Mr. Case stated that the City Council can't force Mr. Taylor to install sidewalks all the way down Center Street to Highway 89/91. Mr. Case stated that there are grants available for sidewalks under the safe way to school. Ms. Olsen stated that there is sidewalk in front of Brad Jensen, Cort Cooper, and Wilson's homes, but there is no sidewalk in front of Prices or Constantineau's. Mr. Case stated that now may be the time to start a sidewalk fund. Mr. Bailey stated with the increase in traffic, Center Street is in need of a sidewalk. Attorney Paxton Guymon who owns the property that the subdivision will be built on stated that they have worked on this project for a long time, and the City ordinance doesn't state anything about exterior sidewalks for a subdivision. Mr. Guymon stated that he is willing to cooperate with Wellsville City to build the sidewalk along Center Street if that is what is needed. Mr. Guymon stated that he is not disputing the sidewalk inside the subdivision, just the exterior sidewalk and the sidewalk along Center Street. Mr. Bates suggested that parents along Center Street work with the school district concerning the bus stops. Stan Rowland asked that the City Council give them some direction on the sidewalk so that they can comply with the code. Mayor Maughan stated that there is nothing in the code that addresses this, and that sidewalk is being installed in their subdivision. Ms. Olsen asked about 200 West next to Willow Valley, and what is being done there as far as sidewalks are concerned. Mayor Maughan stated that the City is very well aware of 200 West, but school children seem to walk down the middle of the street even if a sidewalk is provided.

Mr. Rowlan stated that they would be willing to contribute to a sidewalk fund for the sidewalk on the other side of the road. Mayor Maughan stated that the existing sidewalk is south of 1600 South. Alan Barber stated that he is generally opposed to this subdivision. Mr. Barber stated that the developer is required to bring 3 acre feet of water for every buildable acre. Mr. Barber asked if that requirement has been met or waived. Mr. Barber stated that with the economy the way that it is, it would be very irresponsible of the City Council to approve another high density subdivision to grow weeds. Mr. Case stated that the developer has paid the funds for the water in lieu of installing a 12" line on 1600 South. Mr. Case explained that Wellsville City has access to a lot of water, and that Wellsville City has to show beneficial use or they will lose the water rights. Mr. Case stated that as long as the developer is willing to meet the requirements of the City, the City Council can't stop a development. Mayor Maughan asked that Mr. Case address the open space issue. Mr. Case stated that each new subdivision has been required to have open space. Mr. Case stated that it has been the experience of Wellsville City that this policy has not worked in all subdivisions and the open space turns into weed patches in some subdivisions. Mr. Case stated that the City Council began working on a new policy 1 1/2 years ago that in exchange for density bonus, a developer has 3 options which are: 1) pay into an open space fund, 2) purchase land elsewhere within the City limits and deed to the City, and 3) purchase development rights. Mr. Case stated that the City Council can't make the choice for the developer. Mr. Taylor stated that they have chosen to pay into an open space fund. Mr. Taylor handed out a rough estimate as to what the required open space would be in their subdivision, and the amount that Wellsville City would receive for the open space fund. There was a discussion concerning the handout, but the code stated that the property would be appraised, which it has not been appraised yet. Jackie D. Orton asked if there was to be a trail along 1600 South. Mr. Bates stated that it is part of the County-wide trail map. Mr. Orton asked if Center Street is part of the County-wide trail map. Mr. Bates doesn't know. Mr. Murray stated that the Trail Master Plan is unique to Wellsville City because it runs south along Center Street up to the LDS Church Farm. The park impact fee is roughly \$1900 times 36 homes, that money could be applied to trails. Mr. Hartle stated that the code states that the utilities would be ran the length of the frontage, and the frontage is inside the subdivision. Mr. Bates asked if the preliminary plat needs to go back to the Planning Commission. Mr. Hartle stated that there are no design drawings until the final plat. Mr. Taylor asked if he was to do a detailed design of Center Street, where would the sidewalk be located. Mr. Rowlan asked to what elevation the sidewalk would be built at. Shawn Smith is concerned about the children's safety because Center Street is very busy and in pretty bad shape. Mr. Smith asked if running the sewer line would require that the road be redone. Mr. Smith also asked about a cost estimate to connect to the sewer. Mr. Case stated that it is State law to connect to the sewer within 1 year. The City doesn't know a dollar amount to bore under the road. Mr. Case stated that with Center Street widened, there would be a lot more speeders. Mr. Smith asked if the City Council knew a cost to connect to the sewer. Mr. Smith asked if the City has a payment plan. Mr. Hartle stated that they require 25% down, and the rest being equal payments over 12 months plus one equal month for interest. Mr. Cooper stated that the City has a current employee that is not connected to the sewer. Mr. Case asked who is responsible to enforce the sewer connection law. Mr. Hartle stated that the City is. Mayor Maughan stated that there is no decision on the sidewalks along Center Street and 1600 South until there is further discussion. Mr. Bates suggested that the City Council look at it closely very soon. Mr. Hartle stated that when Center Street is rebuilt, it would need 22 feet of asphalt, and it currently has about 18 feet of asphalt. Mr. Murray suggested that the City Council meet on-site to discuss all of the issues. Mr. Rowlan stated that they could be reimbursed with impact fees for the extra depth required for the sewer line. Mr. Murray stated that common practice for a sewer line is 8 to 10 feet deep. Mr. Hartle stated that a majority of the sewer lines in Wellsville City are at least 10 feet, and that the average sewer line depth is 11 feet. Mr. Hartle stated that it is the responsibility of the City Engineer to determine the correct depth of the sewer line to accommodate all of the citizens. Mr. Murray stated that the City Council be aware that the northwest corner lot has the Hawbush drain. Mr. Taylor stated that the proper footprint would be used for this lot. Marcene Parker asked if lot 2 is the best place for the detention pond. Mr. Walker stated that in the spring of 1984 when the property that the proposed subdivision will be built on flooded. Any release to the west will be down the Hawbush drain. Mr. Case stated that one last issue that came before the Planning Commission was that Dale Cooper owns the property that is north of this subdivision and asked that a fence be installed along the north boundary so that individuals can't use his private lane for access to their backyards. Mr. Case stated that the Planning Commission said that this issue is between Dale Cooper and the land owners, and that the Planning Commission can't require a fence. After discussion, Ron Case made a motion, seconded by Jackie D. Orton, to approve the preliminary plat for the Sterling Ridge subdivision

consisting of a total of 36 lots on property on the west side of Center Street from approximately 1400 South to 1600 South with the following conditions: 1) that the sewer is deep enough for the required homes to connect without pumping and to the use of impact fees for the additional cost of the depth, 2) open space, which remains to be resolved, 3) further discussion to take place on sidewalks along Center Street and 1600 South, 4) retention pond landscape, 5) screening strip, and 6) require utilities to be run to the corner of Center Street and 1600 South or to the entrances of the subdivision.

YEA 5

NAY 0

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

Cody Perkes met with the City Council to discuss his Eagle Scout Project. Mr. Perkes stated that for his Eagle Project, he would like to refurbish a set of bleachers. His scope of the project will include the following: stripping off the existing lumber, wire brush the metal frame, paint the metal frame, acquire new lumber for the bleachers, cut the lumber to the required length, seal or paint the lumber as required, attach the new lumber to the repainted frame with carriage bolts, level ground beneath the bleacher. Thomas G. Bailey asked if the bleachers required a safety rail. Kurt Mitton stated that if the rodeo committee would address the safety rail. Mayor Ruth P. Maughan stated that it is the City's policy to pay for half of the cost of the project. After discussion, Gary Bates made a motion, seconded by Thomas G. Bailey, to approve the Eagle Scout Project of Cody Perkes.

YEA 5

NAY 0

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

Trent Bailey and Skylar Richards met with the City Council to discuss their Eagle Scout Project. They stated that they would like to help the rodeo committee install the new bucking chutes. They would be willing to help with the posts and the cement. Parsons will charge them \$88 per yard for the cement, and the project will take about 7 yards of cement, with a cost of \$616. Metal Mart in Lehi, Utah has the posts that are needed which are 7 feet tall, .095 inches thick, and 2 7/8 inches in outer diameter. They will need a total of 40 posts with a cost of \$333.20. Mayor Ruth P. Maughan asked if there is any money from the LDS Church for Eagle Projects. Gary Bates stated that he has made a call to President Tibbetts, but has not received a return call. After discussion, Gary Bates made a motion, seconded by Thomas G. Bailey, to approve the Eagle Scout Project of Trent Bailey and Skylar Richards, with matching costs not to exceed \$475.

YEA 5

NAY 0

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

Nathan Miller, Brandon Lucas, and Michael Miller met with the City Council to discuss the Eagle Scout Project for Nathan Miller, Brandon Lucas, and Eddy Hall. Nathan Miller stated that he would like to propose improving the lower 30 feet of the stream bed at the Wellsville Dam. His scope of the project will include the following: tearing out a dam of debris that has formed near the fence line, remove old concrete and tires, trim the trees so that they look like trees instead of bushes, pull back some of the dirt and make a feathered edge so that if a child was to fall in to the streambed, they could climb out on their own, then with the excess dirt, he would like to make a small mound of dirt for children to play on. Nathan Miller asked if Wellsville City would allow them to use a City backhoe or small track hoe if they provided the licensed driver. Brandon Lucas stated that his Eagle Project would be from where Nathan Miller's project ends and go another 40 feet towards the dam. Mr. Lucas stated that his scope of the project would be the following: prune all of the trees and remove the deadwood, feather the dirt line at the top and remove all old stumps and sucker trees, clean out all trash and debris from the streambed, and remove the weeds and plant grass on the hillside. Mr. Lucas stated that his uncle, who owns Westridge Landscaping, Rusty Myers, would be willing to bring his skidster to assist with this project. Don Hartle stated that Wellsville City doesn't allow citizens to use the City's equipment, but he will check with the City's insurance to see if they would allow a volunteer to run the equipment. Nathan Miller stated that they would need the equipment for an evening, possibly 1 to 2 hours. Nathan Miller stated that they would acquire a burn permit when they are ready to burn the trimmings. Mr. Miller stated that they have contacted Gerald Leishman and would coordinate with him on the burning permit. Mr. Miller stated that Mr. Leishman would like to see a lot of small piles rather than one big pile burning. Mr. Miller stated that Eddy Hall had to leave the meeting, but his Eagle Project would be cleaning the top 60 feet of the stream bed and putting a safety grate over the pipe so that small children don't climb up it. Mr. Miller stated that Mr. Hall's scope of the Eagle Project would be the following: pull out all debris of old concrete and trash out of the stream bed, trim the trees and remove sucker trees from the edges, put rocks for the stream to follow without washing the mud as the water exits the pipe, install a grate over the edge of the pipe that will allow small debris to exit, but not children to climb on and enter. Mr. Miller asked if the City could donate some large landscape rock to disguise the pipe and have it look more like a stream than a pipe coming out of cement. Mr. Hartle stated that the City doesn't have any large landscape rock. Mr. Miller asked about smaller rocks for the streambed. Gary Bates stated that the young men could go to the church farm to gather smaller rocks, or contact Donald Jeppeson to see if they could go up to his farm in Dry Lake to gather smaller rock for the stream bed. Thomas G. Bailey stated that the young men should contact Arlyn Brenchley and Dee Stoddard to let them know of their plans with the stream. Mr. Bailey stated that these gentlemen would not have any objection, but Mr. Brenchley is the president of the Wellsville Irrigation Company and Mr. Stoddard spends a great deal of time cleaning up the dam and streambed. Mr. Hartle asked that the young men work with Reed Nielson concerning the sprinkling system that has been installed at the Wellsville Dam park. Mr. Miller stated that all of the young men will be working on this project Tuesday night and Saturday, weather permitting. Mr. Miller stated that they hope to have it completed before June. Mr. Hartle stated that he would check with the City's insurance, or that maybe Perry and Tom could work the backhoe and that would be Wellsville City's contribution to the project. Ron Case stated that this project is long overdue. After discussion, Marcene Parker made a motion, seconded by Gary Bates, to approve the Eagle Scout Projects of Nathan Miller, Brandon Lucas, and Eddy Hall.

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

NAY 0

Kaden Christensen met with the City Council to discuss his Eagle Scout Project. Mr. Christensen stated that for his Eagle Project, he would like to remove the two park benches from the Wellsville dam, and relocate them to the tabernacle park. His scope of the Eagle Project would be the following: break off the existing concrete and put it in the church dumpster, dig the hole where indicated for the benches, and form pads of cement to place the benches in. Mr. Christensen discussed with the City Council the use of post mix or having ready mix delivered. Gary Bates stated that he would like to see Mr. Christensen use the ready mix, which is about \$80 to \$100 plus a small load fee. Mr. Bates asked where the City Council would want the benches. Don Hartle stated that the benches would be used more if they were located around the edge of the playground, outside of the bark chips. Thomas G. Bailey stated that if all of the young men worked together, they could possibly have all of the cement delivered at the same time. Mr. Miller stated that it would also depend on the man power that they would have to finish the cement once it has been poured. Mayor Ruth P. Maughan stated that Reed Nielson installed the sprinkling system at the tabernacle, so to work with him concerning the sprinkling lines. Mr. Christensen asked if there was a gravel base under the cement. Mr. Bates stated that contact Chris Breinholt to verify, but he believes that there is a gravel base under the cement. After discussion, Thomas G. Bailey made a motion, seconded by Ron Case, to approve the Eagle Scout Project of Kaden Christensen.

YEA 5

NAY 0

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

Department Reports:

Gary Bates – 1) Review the preliminary code for the Parks & Recreation Committee.

2) Contacted the Fish & Game concerning fishing at Wellsville Dam. Discussed having a Community Fishery, which includes having adults teach children to fish, activities for children, fishing year-around. Would be willing to stock the dam with fish several times a year. There would be o changes in the age of the fishermen, and Wellsville City could discuss the limit of fish caught.

3) Discussed renting the pavilion at the Wellsville Dam, and having camping by permit only. Asked to be put on the agenda in 2 weeks to discuss the policies of camping, drinking/smoking, hours and relations.

Marcene Parker – 1) Handed out information from Jake Petersen concerning the 800 MHz radios.

2) Easter Egg Hunt – April 11, 2009 – Fire Department helping – yes.

3) Discussed Troy Lowe needing business license for the roping events that he is conducting at the Wellsville Arena.

4) Kerr Dairy – Mr. Hartle is not doing anything because what the Kerr’s are doing is illegal. Ms. Parker believes that Wellsville City needs to finish what they said they were going to do and follow through. Discussed finding a composite sampler instead of doing a grab sample.

Thomas G. Bailey – 1) Water Meeting – 40 year plan to prove Wellsville City needs water. If Wellsville City doesn’t need water, can’t force a developer to bringing water with a subdivision.

2) The creek that runs through town – Wellsville City has to allow recreation along the creek and up to 5 feet from the bank – didn’t pass.

3) Discussed with Bruce McCammon repairing and repainting the entrance signs – will contact Mr. Bailey.

Ron Case – 1) List of water irrigation companies – gave to Leesa

2) Information for the Recreation pages.

3) Richard Rawlinson – extending term on the Planning Commission – discuss missing meetings and want to know if he wants to be replaced.

Jackie D. Orton – 1) Meeting at Sterling Ridge subdivision – April 15, 2009 at 5:00 p.m.

2) Contacted Emily Wheeler at the Herald Journal – receives 20 to 30 agendas per week – in no way has denied Wellsville City because she doesn’t like them. Discussed emailing the agenda.

Mayor Ruth P. Maughan – 1) Wellsville Ranches – no backyards face the road – very nice looking development – how did Wellsville City get away from that.

City Manager/Recorder's Report:

City Manager/Recorders Report:

Don Hartle – 1) All-horse parade is scheduled for July 18, 2009 at 9:30 a.m.

2) A couple of people have called the City concerning the tennis courts, and that they need some work done on them. Gary Bates will check into it.

3) Update on the sewer – the rain that Wellsville City received the first part of March washed out a ditch on USU's property, which sent water into the lagoons. On March 6, 2009, Wellsville City began discharging out of the lagoons. Wellsville City did violate their permit on e-coli. Mr. Hartle informed the City Council that the public works department shut down the discharging yesterday.

4) Handed out a copy of a letter received from Bevan Higbee regarding the walking trail and the park by the Wellsville Dam.

5) Wellsville City signed the contract with Staker Parson's today for \$101,978.50, which is subject to volumes.

At 9:45 p.m., Ron Case 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

Ruth P. Maughan
Mayor

Don Hartle
City Manager/Recorder