

1 MINUTES of the regular City Council meeting of Wellsville City held Wednesday, June 17, 2009, at the
2 Wellsville City Offices at 75 East Main. City officials present were Mayor Ruth P. Maughan,
3 Councilwoman Marcene Parker, Councilmen Jackie D. Orton, Ron Case, Thomas G. Bailey, and Gary
4 Bates. A copy of the Notice and Agenda was mailed to the Mayor and Council members and emailed and
5 faxed to the Herald Journal on June 12, 2009. The meeting was called to order at 6:00 p.m. by Mayor Ruth
6 P. Maughan.

7
8 Others Present: Jennifer Leishman Mike Perkes
9 Camille Perkes Arlyn Brenchley

10
11 Opening Ceremony: Thomas G. Bailey

12
13 The Council reviewed the agenda. Thomas G. Bailey made a motion, seconded by Jackie D. Orton, to
14 approve the agenda as presented.

15
16 YEA 5 NAY 0

17 Thomas G. Bailey
18 Gary Bates
19 Ron Case
20 Jackie D. Orton
21 Marcene Parker
22

23 The Council reviewed the minutes of the June 3, 2009 meeting. Marcene Parker made a motion, seconded
24 by Thomas G. Bailey, to approve the minutes of the June 3, 2009 meeting as presented.

25
26 YEA 5 NAY 0

27 Thomas G. Bailey
28 Gary Bates
29 Ron Case
30 Jackie D. Orton
31 Marcene Parker
32

33 The City Council reviewed for approval the final plat for the Helen Jones subdivision at 621 South Center
34 consisting of a total of 2 lots (1 additional building lot). Ron Case stated that the City Engineer has signed
35 off and that the public works department has also signed off on the final plat. The sewer will run to the
36 west. Mr. Perkes is aware that he will have to install 2 manholes. Mayor Ruth P. Maughan asked why 2
37 manholes. Mr. Perkes stated that because of the slope of the ground, he will have to angle the sewer line.
38 After discussion, Ron Case made a motion, seconded by Jackie D. Orton, to approve the final plat for the
39 Helen Jones subdivision at 621 South Center consisting of a total of 2 lots (1 additional building lot).

40
41 YEA 5 NAY 0

42 Thomas G. Bailey
43 Gary Bates
44 Ron Case
45 Jackie D. Orton
46 Marcene Parker
47

48 At 6:15 p.m., Thomas G. Bailey made a motion, seconded by Jackie D. Orton, to go into public hearings:

49
50 YEA 5 NAY 0

51 Thomas G. Bailey
52 Gary Bates
53 Ron Case
54 Jackie D. Orton
55 Marcene Parker
56

57 First, receive public input on the adoption of a resolution opening all of the Cities' 2008/2009 budgets and
58 making interdepartmental transfers and adjustments to balance the budgets. Don Hartle reviewed with the
59 City Council the changes that were made to balance the budget. After discussion, Gary Bates made a
60 motion, seconded by Ron Case, to approve **RESOLUTION 2009-01 OPENING THE 2008/2009**
61 **FISCAL YEAR GENERAL FUND, CAPITAL FACILITIES FUND, WATER FUND, SEWER**
62 **FUND, AND STORM WATER FUND, BOTH OPERATING AND CAPITAL BUDGETS,**
63 **PREVIOUSLY ADOPTED AND MAKING TRANSFERS AND ADJUSTMENTS AND**
64 **AUTHORIZING CERTAIN INTERDEPARTMENTAL TRANSFERS WITHIN.**

65
66 YEA 5 NAY 0
67 Thomas G. Bailey
68 Gary Bates
69 Ron Case
70 Jackie D. Orton
71 Marcene Parker
72

73 Second, receive public input on the adoption of a resolution setting the salary ranges for the city employee
74 for 2009/2010. Don Hartle stated that due to the economy, there are no raises for City employees this year.
75 After discussion, Marcene Parker made a motion, seconded by Jackie D. Orton, to approve **RESOLUTION**
76 **2009-02 ESTABLISHING THE SALARY RANGES AND BENEFITS FOR THE EMPLOYEES OF**
77 **WELLSVILLE CITY, COVERING THE BUDGET YEAR JULY 1, 2009 THROUGH JUNE 30,**
78 **2010.**

79 YEA 5 NAY 0
80 Thomas G. Bailey
81 Gary Bates
82 Ron Case
83 Jackie D. Orton
84 Marcene Parker
85

86 Third, receive public input on the adoption of a code amendment setting the salaries and salary ranges of
87 statutory officers and salaries of elected officers for 2009/2010. Don Hartle stated that because of the
88 economy, there will be no raises this year. After discussion, Thomas G. Bailey made a motion, seconded by
89 Ron Case, to **ADOPT CODE AMENDMENT 2009-04** adopting **AN AMENDMENT OF THE**
90 **WELLSVILLE CITY CODE FOR THE PURPOSE OF SETTING SALARY RANGES AND**
91 **BENEFITS FOR THE ELECTED AND STATUTORY OFFICERS FOR 2009-2010.**

92
93 YEA 5 NAY 0
94 Thomas G. Bailey
95 Gary Bates
96 Ron Case
97 Jackie D. Orton
98 Marcene Parker
99

100 Fourth, receive public input on the adoption of a resolution adopting the 2009/2010 certified tax rate. Don
101 Hartle stated that the tax rate for the fiscal year 2009/2010 is .001072. The current certified tax rate for
102 fiscal year 2008/2009 is .001097. Mr. Hartle stated that this tax rate decreases most years. Mr. Hartle
103 stated that by law, Wellsville City can't collect any more tax money on a home than in the past. After
104 discussion, Jackie D. Orton made a motion, seconded by Gary Bates, to approve **RESOLUTION 2009-03**
105 **ESTABLISHING THE MUNICIPALITY CERTIFIED TAX RATE FOR FISCAL YEAR 2009-2010.**

106
107 YEA 5 NAY 0
108 Thomas G. Bailey
109 Gary Bates
110 Ron Case
111 Jackie D. Orton
112 Marcene Parker

113 Fifth, receive public input on the adoption of a resolution adopting the 2009/2010 operating and capital
114 budgets for the General Fun, Capital Facilities Fund, Water Fund, Sewer Fund, and Storm Water Fund.
115 Don Hartle stated that there was very little change from the tentative budget that was adopted in April.
116 Wellsville City was awarded \$25,000 in RAPZ tax for 2009 so that was included in the budget. There is
117 still \$5,892 that Wellsville City should receive from the 2008 RAPZ tax. Mr. Hartle stated that Wellsville
118 City has submitted an application for a grant for a bridge across the dam. Mr. Hartle included the proposed
119 grant of \$123,246 in the budget. After discussion, Marcene Parker made a motion, seconded by Thomas G.
120 Bailey, to approve **RESOLUTION 2009-04 APPROVING AND ADOPTING THE FISCAL 2009/2010**
121 **OPERATING AND CAPITAL BUDGETS FOR WELLSVILLE CITY'S GENERAL FUND,**
122 **CAPITAL, CAPITAL FACILITIES FUND, WATER FUND, SEWER FUND, AND STORM**
123 **WATER FUND.**

124
125 YEA 5 NAY 0
126 Thomas G. Bailey
127 Gary Bates
128 Ron Case
129 Jackie D. Orton
130 Marcene Parker
131

132 Sixth, receive public input for the possible adoption of a resolution which sets the dollar value for the Fee in
133 Lieu of Water Dedication Transfer upon annexation, development, and/or subdividing for fiscal year
134 2009/2010. Don Hartle stated that there is not much that has changed with the water, so his
135 recommendation is to leave it at the current rate of \$3,000 per acre foot. After discussion, Thomas G.
136 Bailey made a motion, seconded by Gary Bates, to leave the dollar value for the Fee in Lieu of Water
137 Dedication Transfer upon annexation, development, and/or subdividing for fiscal year 2009/2010 at \$3,000
138 per acre foot.

139
140 YEA 5 NAY 0
141 Thomas G. Bailey
142 Gary Bates
143 Ron Case
144 Jackie D. Orton
145 Marcene Parker
146

147 At 6:47 p.m., Marcene Parker made a motion, seconded by Gary Bates, to leave public hearings.
148

149 YEA 5 NAY 0
150 Thomas G. Bailey
151 Gary Bates
152 Ron Case
153 Jackie D. Orton
154 Marcene Parker
155

156 Mayor Ruth P. Maughan stated that she appreciates all of the work that Don Hartle has done on the budget.
157

158 Arlyn Brenchley representing the Wellsville City Irrigation Company met with the City Council to discuss
159 some issues. There is a culvert at 100 East 500 North that needs to be replaced. Also, at Nolan Maughan's
160 home on 400 North, a culvert was never installed. Don Hartle stated that individual has access to the
161 pressurized water system, but that it is not finished yet. Mr. Brenchley stated that the irrigation bill is \$408
162 per year and he wants to make sure that the resident has access to water. Another concern is when an
163 individual moves out of Wellsville City, the irrigation water is forgotten about. Mr. Brenchley asked about
164 a transfer form that has culinary water, sewer, and irrigation water on the form. Mr. Hartle explained that
165 Wellsville City doesn't know when a resident moves out of Wellsville City. Mr. Hartle stated that the bill is
166 sent to the former resident, and that the former resident informs Wellsville City that they have moved out.
167 Mr. Brenchley asked if something could be implemented when a person fills out an application for utilities.
168 Mr. Hartle suggested adding to the by-laws that when an individual is 2 years and 1 penny past due on the

169 irrigation bill, the Wellsville City Irrigation Company conducts a public sale and they sell the water.
170 Thomas G. Bailey stated that he is concerned with someone purchasing the water and it leaving Wellsville
171 City. Mr. Hartle stated to add the condition to the by-laws that the water can't leave Wellsville City. Arlyn
172 Brenchley suggested that the Wellsville City Irrigation Committee call in all certificates, and new certificate
173 be issued. This would only be on shares of water. Wellsville City has first rights to any shares of water for
174 sale. Mr. Brenchley will contact an attorney and proceed from there. Mr. Brenchley stated that the water
175 rates increased and he has had many complaints about the minimum fee increasing to \$40. If an individual
176 has 1/2, 1/4, or 1/3 share, the minimum fee is \$40, which is the same amount as a full share. Arlyn Brenchley
177 stated that at 250 North 100 East, there is a small pipe that goes into a bigger pipe. Mr. Brenchley stated
178 that he has been there 4 times to unplug it. There is 55 feet of open ditch that Wellsville City Irrigation
179 Company is going to pipe because the resident is paying for the pipe. Mayor Ruth P. Maughan thanked
180 Arlyn Brenchley for coming to City Council meeting and keeping the City Council and herself updated on
181 the Wellsville City Irrigation Committee.
182

183 Mayor Ruth P. Maughan stated that Richard Rawlinson is no longer a member of the Planning Commission.
184 Mayor Maughan stated that she is recommending John Spence as a member of the Planning Commission.
185 After discussion, Jackie D. Orton made a motion, seconded by Gary Bates, to approve John Spence as a
186 member of the Planning Commission.
187

188 YEA 5 NAY 0
189 Thomas G. Bailey
190 Gary Bates
191 Ron Case
192 Jackie D. Orton
193 Marcene Parker
194

195 The City Council discussed the bids received for the 2009 asphalt work. Don Hartle stated that the price is
196 per ton, fine grade with 3 inches of asphalt. The bids are as follows:
197

<u>Business Name</u>	<u>Bid per Ton</u>
198 Consolidated	\$ 68.92
199 Staker-Parson	\$ 63.20
200 LeGrand Johnson	\$ 60.20

201
202
203 Gary Bates asked how many tons would be needed. Mr. Hartle stated that he doesn't know the number of
204 tons that would be needed, but could figure it out. After discussion, Gary Bates made a motion, seconded
205 by Marcene Parker, to award the contract for the 2009 asphalt work to LeGrand Johnson, which is the
206 lowest bid.
207

208 YEA 5 NAY 0
209 Thomas G. Bailey
210 Gary Bates
211 Ron Case
212 Jackie D. Orton
213 Marcene Parker
214

215 The City Council discussed problems associate with large organized bike rides held in Wellsville. In the
216 last bike race, there were 2,700 participants. They were charged \$50 per entry, and Wellsville City received
217 \$300 for rental of the pavilion. Gary Bates stated that he asked for this issue to be on the agenda tonight
218 because he heard a lot of complaints about these bike races. The bikers are very rude, riding 4 across the
219 road and weaving. Mr. Bates stated that he spoke with Boyd Pugmire from Clarkston because they have a
220 lot of bike races there. Mr. Pugmire stated that Clarkston charges \$500, which includes 1 lane of the road,
221 and Clarkston City required restrooms and cleanup. Mr. Pugmire stated that the residents of Clarkston are
222 fed up with bike races so at the last bike race, someone put down thumb tacks on the road, which cause flat
223 tires on most of the bikes. Mr. Bates stated that it is good to have fund raisers, there are many citizens of
224 Wellsville City who like to ride bikes and be involved in races, but is Wellsville City treating the citizens of

225 Wellsville fairly by accommodating bike races. Mr. Bates suggested increasing the fee for renting the
226 pavilion. Mr. Bates also suggested not opening the schedule of the pavilion to outsiders until May 1 of each
227 year. Jackie D. Orton asked what the process was. Don Hartle stated that on January 2 of each year, the
228 office starts receiving calls about renting the pavilion. There is no revenue to Wellsville City except the
229 rental of the pavilion. Mr. Bates stated that the LDS Church was upset because they had baptisms
230 scheduled at the Stake Center, and had to block off the parking lot as well as posting someone to turn cars
231 with bike racers away. Mr. Orton asked what the requirements for cleanup are. Mr. Hartle stated that there
232 are none that the cleanup is mostly done by the event organizers. Ron Case stated that there were many
233 bikers that were not registered that waited down the road to ride with others, and that there were some cars
234 that followed bike racers. Mr. Bates stated that Wellsville City should charge enough to make some money.
235 Mr. Bates suggested blocking out time on the calendar that only Wellsville City residents could reserve the
236 pavilion. Mr. Bates also suggested limiting the number of people that Wellsville City can accommodate. It
237 was suggested that Wellsville City get a biker fee, have a minimum fee, and a clean-up deposit. Mr. Hartle
238 stated that it is too late to add regulations this year. Mayor Ruth P. Maughan asked that everyone think about
239 this issue for 2 weeks and come with some suggestions to the next City Council meeting.

240
241 Department Reports:

242
243 Jackie D. Orton – 1) Are there any Sunday organized sports currently in Wellsville City? – No.

244
245 Ron Case – 1) What was the amount that Wellsville City asked for in their application for the RAPZ tax? -
246 \$42,000, and Wellsville City received \$25,000.

247
248 Mayor Ruth P. Maughan – 1) Would like to thank Gary Bates for taking hold of the Parks & Recreation
249 Committee and all the improvements that have happened at Christensen Field because of his hard work.

250
251 Thomas G. Bailey – 1) The Rodeo Committee is having a hard time renting out the Wellsville Arena
252 because there is a pond of water in the middle of the arena. Discussed different drainage options and
253 removing the hard pan.

254
255 Marcene Parker – 1) Spoke to a deputy about the problems at the gravel pit with 4-wheelers, motorcycles
256 and trucks – was told to watch for them, problem happens mostly in the afternoon. Discussed posting signs
257 and putting up cement barriers. Concerned about liability if someone hits the cement barrier.

258
259 Gary Bates – 1) Meeting with a representative from DWR next Wednesday at 1:00 p.m. concerning the
260 Community Fishery.

261 2) Bridge across the dam – feels good about the chances – will know by July 15, 2009.

262 3) Parks & Recreation Committee meeting – next Tuesday – will schedule the City building.

263 4) Has asked Natalie Bates to be the publicity representative and she will be responsible for loading the
264 website.

265 5) Needs another representative from the north end of Wellsville City for the Parks & Recreation
266 Committee – suggested Eric Baugh.

267
268 City Manager/Recorders Report:

269
270 Don Hartle – 1) There is \$45,000 in the water budget to have an engineer design a 1-million gallon
271 reservoir with transmission lines to wells 1 and 3.

272 2) Met with the developer of Sterling Ridge subdivision. The City Council has stated in the past that they
273 want everything on a grid system and no street names. There is a real problem with numbering homes in
274 the Sterling Ridge subdivision because Center Street curves at 900 South and is not a straight line. After a
275 long discussion, Gary Bates made a motion, seconded by Marcene Parker, to name the street parallel to
276 Center Street in the Sterling Ridge subdivision. It will be noted on the subdivision plat.

277
278
279
280

281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336

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

NAY 0

At 8:47 p.m., Gary Bates made a motion, seconded by Jackie D. Orton, 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