

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, February 17, 2016, at the temporary Wellsville City Offices at 25 North 100 East. City officials present were Mayor Thomas G. Bailey, Councilwomen Karen Higley, and Mary Ann Degn, Councilmen Gary Bates, Carl Leatham, and Perry Maughan. City Manager/Recorder Don Hartle was also present. A copy of the Notice and Agenda was mailed to the Mayor and Council members and emailed and faxed to the Herald Journal on February 12, 2016. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

<u>Others Present:</u>	Jennifer Leishman	Kaylene Ames	Zan Murray
	Parker Murray	Carson Murray	Marshall Lindsay
	Marty Thompson	Monica Thompson	Steve Hall
	Megan Cooper	Annette Francis	Scott Wells
	Jonathan Cook		

Opening Ceremony: Carl Leatham

The Council reviewed the agenda. Carl Leatham made a motion, seconded by Mary Ann Degn, to approve the agenda as presented.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Mary Ann Degn	
Karen Higley	
Carl Leatham	
Perry Maughan	

The Council reviewed the minutes of the February 3, 2016 regular City Council meeting. There was a word change on line 134. Karen Higley made a motion, seconded by Mary Ann Degn, to approve the minutes of the February 3, 2016 regular City Council meeting with the change.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Mary Ann Degn	
Karen Higley	
Carl Leatham	
Perry Maughan	

Payroll is approved through the budget, therefore, the checks approved in the City Council minutes aren't in numerical order from City Council meeting to City Council meeting as the City uses the same checking account for payroll and accounts payable. After review and discussion, Carl Leatham made a motion, seconded by Gary Bates, to approve the City's account payables bills for payment, represented by check number 19156 through 19193.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Mary Ann Degn	
Karen Higley	
Carl Leatham	
Perry Maughan	

Annette Francis asked if Wellsville City is looking into having a CVTD bus stop. Mayor Thomas G. Bailey stated that Wellsville City has met with those individuals that work for CVTD and asked for service to Wellsville City. The CVTD Board has to approve service to a city. Mayor Bailey stated that even if the issue is added to the ballot, and it is passed, it doesn't mean anything unless the CVTD Board approves it. Perry Maughan stated that Doug Thompson stated that he was going to gather a group of college students to conduct a survey concerning a CVTD bus stop, but has never contacted him. Mr. Maughan asked that Ms. Francis contact Mr. Thompson about this issue.

Kaylene Ames met with the City Council to discuss continuing the Wednesdays in Wellsville program. Kaylene Ames stated that the Wellsville Tabernacle Foundation would like to continue this program for the summer of 2016. Mayor Thomas G. Bailey stated that it is a great activity and an excellent program. Gary Bates suggested that as new events and activity vendors come onboard, that they have their own insurance. After discussion, Perry Maughan made a motion, seconded by Mary Ann Degn, to approve the Wednesdays in Wellsville program, and that there will be no charge to use the pavilion.

YEA 5

NAY 0

Gary Bates  
Mary Ann Degn  
Karen Higley  
Carl Leatham  
Perry Maughan

At 6:15 p.m., conduct the following public hearing:

Receive public input, then consider for possible adoption a code amendment amending 5-3-4, "Hunting, Firearms, Discharge & Trapping" of the City Code. Zan Murray stated that he discussed this issue with the City Council 4 or 5 months ago. Mr. Murray stated that he appreciated the input and feedback that he received from the City Council. Mr. Murray stated that he worked with Don Hartle on this ordinance. Mr. Murray stated that several citizens have become aware of the ordinance, and are fully in support of it.

At 6:19 p.m., the public hearing was closed.

After discussion, Mary Ann Degn made a motion, seconded by Carl Leatham, to adopt **CODE AMENDMENT 2016-01** adopting **AN AMENDMENT AMENDING THE WELLSVILLE CITY CODE, TITLE 5, PUBLIC SAFETY, CHAPTER 3, CRIMES AND OFFENSES, BY AMENDING 5-3-4 "HUNTING, FIREARMS DISCHARGE, TRAPPING"**.

YEA 5

NAY 0

Gary Bates  
Mary Ann Degn  
Karen Higley  
Carl Leatham  
Perry Maughan

Mark Thompson was to meet with the City Council to discuss the sale of water outside City limits. Mark Thompson didn't show to the City Council meeting. Don Hartle stated that he never heard from Mr. Thompson.

Marshall Lindsay met with the City Council to discuss the possibility of temporary sewer at approximately 880 East 400 North. Marshall Lindsay stated that he met with the Planning Commission to discuss a business. Mr. Lindsay stated that he would like to have a temporary office, but was told he would need to have a sewer connection. Mr. Lindsay stated that he doesn't want to jump into this business all at once, but would like to test the waters and see how the business goes. Mr. Lindsay stated that he understands that there is a sidewalk that needs to be installed and landscaping of the property. Mr. Lindsay is asking permission to use a temporary restroom. Mayor Thomas G. Bailey stated that there is an irrigation ditch on this property, and that he would need to contact the Eastfield Irrigation Company. Mr. Lindsay stated that he has the name of an individual that he will contact concerning the irrigation ditch. Mayor Bailey asked if there is an option for Mr. Lindsay to purchase the property. Mr. Lindsay stated yes. Carl Leatham asked if there is water on the property. Mr. Lindsay stated no. Perry Maughan stated that the water line runs along the south side of 400 North, and the sewer line runs along the west side of 900 East. Gary Bates asked if the temporary sewer was for a portable restroom. Mr. Lindsay stated yes. Carl Leatham stated that the main issue is allowing Mr. Lindsay to have a portable restroom on the property to try out this business for 1 year. Mr. Leatham stated that Mr. Lindsay is a landscaping contractor. The sidewalk is a decision made by the City Council. Mr. Leatham stated that Mr. Lindsay will need running water on the property for this

business. Mr. Maughan asked if Mr. Lindsay owns the property. Mr. Lindsay stated no, not yet. Mr. Bates asked if this conversation is to see if the City Council will support Mr. Lindsay by allowing him to use a temporary restroom, and then return to the Planning Commission to sort out the rest of the details. Mr. Leatham stated yes. Mr. Bates stated that if this were an ice cream business, there would be many more requirements. This business is seasonal. Mr. Bates stated that if this business is long-term, there would need to be a permanent office and real landscaping of the property. Mr. Lindsay stated that he won't purchase the property unless this business works out. Mr. Bates asked if customers would access this business from 900 East or 400 South. Mr. Lindsay stated both. Mr. Bates stated that Wellsville City has spent years discussing a potential truck stop in the same area. Mr. Bates stated that looking from the highway, the access to this business will have the same effect on the neighborhood, but scaled down. Mr. Bates stated that when Wellsville City approved the business for Weeks Berries, they asked that the truck be visible for 1 year. The truck is now more of a permanent structure, and Weeks Berries is in gross violation. Mr. Bates stated that he believes this business would be great to have on the south end of Cache Valley. Mr. Lindsay asked about the rules for signage. Mr. Leatham stated that a sign can be about the size of a sheet of plywood. Don Hartle stated that signage is approved as a conditional use permit. Mr. Bates stated that he could support this idea. Mr. Maughan stated that he can't support this idea. Mr. Maughan stated that the next person that comes in and wants to try a business, it doesn't work out, and they abandon the property. Mr. Maughan stated that Wellsville City has ordinances, and they should be upheld. Mr. Maughan believes that Mr. Lindsay should be given 90 days, not an entire season. Mr. Lindsay stated that he didn't think 90 days was long enough. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to allow Marshall Lindsay 6 months after a business license is approved to install a commercial temporary restroom to determine if it is feasible for his landscaping products business.

YEA 4

Gary Bates  
Mary Ann Degn  
Karen Higley  
Carl Leatham

NAY 1

Perry Maughan

The City Council considered for possible approval a Resolution providing provision for the keeping of swine (pigs) specifically for youth 4-H and FFA projects. Gary Bates reviewed the Resolution with the City Council. Carl Leatham stated that he talked to Kirt Lindley, Wellsville City's Animal Control officer. Mr. Leatham stated that his concern is that citizens of Wellsville City will house pigs for residents of other cities. The Resolution outlines that the owner of the pigs has to be a citizen of Wellsville City. Mr. Bates stated that a property owner who has children that want to raise pigs for 4-H or FFA, can also use the property of a neighbor. Steve Hall stated that the Resolution states children ages 8 to 17. The age needs to be changed to 18. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to approve **RESOLUTION 2016-02 DEFINITONS, ANIMALS AND FOWL TO INCLUDE PROVIDION FOR THE KEEPING OF SWINE (PIGS) SPECIFICALLY FOR YOUTH 4-H AND FFA PROJECTS** with a change to paragraph I concerning the age of the children, and paragraph I, number 4, the pens should be located behind the front corner of the home. Mayor Thomas G. Bailey appointed Steve Hall as the Committee Chairman, and asked Marty Thompson and Megan Cooper to serve on the committee.

YEA 5

Gary Bates  
Mary Ann Degn  
Karen Higley  
Carl Leatham  
Perry Maughan

NAY 0

The City Council considered for possible adoption a Resolution approving the 2015 Municipal Wastewater Planning Program. Don Hartle reviewed the Resolution with the City Council. After discussion, Carl Leatham made a motion, seconded by Karen Higley, to approved **RESOLUTION 2016-03 MUNICIPAL WASTEWATER PLANNING PROGRAM.**

**YEA 5**

**NAY 0**

Gary Bates  
Mary Ann Degn  
Karen Higley  
Carl Leatham  
Perry Maughan

The City Council considered for possible approval possible change orders and other related matters to the new City Office building. Don Hartle stated that the standard insulation is R38. The price is \$750 to go to R50. The R50 insulation is blown in instead of in bats. This is the insulation for the ceiling. Karen Higley stated that the price for the partition is \$2,884.20. Ms. Higley asked the City Council if they had any questions. Mayor Thomas G. Bailey is concerned about the brand of carpeting. Wellsville City received a bid from the State for carpeting, but Raymond Construction doesn't want to use the State. Ms. Higley stated that she spoke to Leslie about this issue. Ms. Higley stated that Leslie said that Raymond Construction has signed a contract with the carpet company, and if they don't use that company, they are breaking their contract. Gary Bates suggested pressing the issue and escalating it to a higher power than Leslie. Mayor Bailey stated that there was a discussion in the beginning about State bids. Perry Maughan stated that he would like to see Wellsville City pursue the State bid. Ms. Higley stated that she will get the prices for carpeting from Raymond Construction and bring them back to the City Council. After discussion, Gary Bates made a motion, seconded by Karen Higley, to approve \$2,884.20 for the partition.

**YEA 5**

**NAY 0**

Gary Bates  
Mary Ann Degn  
Karen Higley  
Carl Leatham  
Perry Maughan

#### Department Reports:

Carl Leatham – 1) Discussed animal control issues and pigs with Kirt Lindley, the animal control officer.  
2) Lyle Hoffman – City Engineer Chris Breinholt reviewed his issues and determined that the slope is less than 20 degrees, so he is not in violation of the City code and there will be no further action taken.

Perry Maughan – 1) Discussed last spring/fall with the City Council the cemetery property that is owned by Ivan Christensen. It is getting worse. Perry Maughan asked that Mr. Christensen attends a future City Council meeting to discuss the issue.  
2) Reviewed pictures of the snow plow hitting mailboxes – thinks that Wellsville City should require group mailboxes or group individual mailboxes together.

Mary Ann Degn – 1) Discussed swearing in Wellsville City Youth Council at a future City Council meeting.  
2) Received 3 applications for the Beehive Drive Scholarship  
3) Sidewalks – will meet with the SNAP committee on February 26, 2016. Discussed sidewalk along 200 West with the City Council. Perry Maughan suggested widening the road, make the road a one-way street, and draw a solid white line to allow the kids to walk along the road.

Karen Higley – 1) Pageant – April 30, 2016 – have a meeting scheduled February 25, 2016 at 7:00 p.m.

City Manager/Recorder's Report:

Don Hartle – 1) Received a telephone call from Pizza Pie Café – would like to donate Easter eggs for the Wellsville City Easter Egg Hunt this year – yes.

2) Attended a meeting last week in Ogden concerning Maverik – opening May 10<sup>th</sup> or 11<sup>th</sup> – open house for 4 hours that day. Anything that is the “Maverik” brand is free. Asked if wanted to add it to the newsletter – no. Asked about a ribbon-cutting ceremony – City not involved.

3) Snow Shack has been sold – asked that the City Council give some thought as to where it should be located. Mayor Thomas G. Bailey stated that it is not owned by Wellsville City, and shouldn't be Wellsville City's problem. Asked that they contact Sam Winward about renting the property that he owns on Main Street and 100 East.

4) The individual that purchased LaRee Brown's home asked that she make payments on the sewer impact fee – it has been paid off.

5) Need input from City Council concerning wages in 2 weeks – Gary Bates asked that Don Hartle provide the City Council with a recommendation – Don Hartle will provide the City Council with a recommendation.

At 8:29 p.m., Carl Leatham made a motion, seconded by Karen Higley, to adjourn the meeting.

YEA 5

Gary Bates  
Mary Ann Degn  
Karen Higley  
Carl Leatham  
Perry Maughan

NAY 0

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Thomas G. Bailey  
Mayor

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Don Hartle  
City Manager/Recorder