

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, March 2, 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, and Carl Leatham. 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 26, 2016. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

<u>Others Present:</u>	Jennifer Leishman	Kurt Petersen	Patti Petersen
	Jon Leishman	Mason Leishman	Emilee Leishman
	Caleb Newman	Laraine Larson	Maddy Larson
	Austin Larson	Owen Larson	Mark Daines
	Marni Daines	Sarah Daines	Larry Mortensen
	Cara Mortensen	Austin Mortensen	Alex Mortensen
	Jeremy Ellis	Olivia Ellis	Sabrina Ellis
	John Cherry	Mark Thompson	Gina Thompson
	Zan Sharp	Betty Balls	Doug Balls
	Annette Francis	Clint Kerr	Arlyn Brenchley
	Scott Gary	Art Smith	Chris Breinholt
	Eric Shipley		

Opening Ceremony: Karen Higley

Councilman Perry Maughan was excused from this meeting.

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

<u>YEA 4</u>	<u>NAY 0</u>
Gary Bates	
Mary Ann Degn	
Karen Higley	
Carl Leatham	

The Council reviewed the minutes of the February 17, 2016 regular City Council meeting. Gary Bates made a motion, seconded by Karen Higley, to approve the minutes of the February 17, 2016 regular City Council meeting as presented.

<u>YEA 4</u>	<u>NAY 0</u>
Gary Bates	
Mary Ann Degn	
Karen Higley	
Carl Leatham	

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 19200 through 192018

<u>YEA 4</u>	<u>NAY 0</u>
Gary Bates	
Mary Ann Degn	
Karen Higley	
Carl Leatham	

There was no one in attendance for citizen input.

City Recorder Don Hartle swore in the Wellsville City Youth Council.

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

Receive public input, then consider the recommendation of the Planning Commission, then consider for approval the Concept Plan for the Cherry Subdivision, consisting of a total of 2 lots (1 additional building lot) on property at 165 South 300 East. Mayor Thomas G. Bailey explained the rules of a public hearing. John Cherry stated that they would like to subdivide the property in order to build a single-family dwelling. Carl Leatham stated that the Planning Commission reviewed the Concept Plan. Mr. Leatham stated that the Planning Commission reviewed the comments from City Engineer Chris Breinholt. Mr. Leatham reviewed the comments from City Engineer Chris Breinholt with the City Council. Mary Ann Degn asked who makes the decision concerning the sidewalk. Mr. Leatham stated that the City Council makes the decision concerning the sidewalk. Mr. Cherry stated that the surveyor that they hired gave his opinion, which is to construct a sidewalk on the opposite side of the road, which is the south side of 200 South. Karen Higley asked if the Planning Commission recommended having FEMA involved. Mr. Leatham stated that the code requires FEMA to be involved only if sensitive lands are disturbed. Mr. Leatham stated that the Cherry Subdivision is not disturbing sensitive lands. Mr. Cherry stated that he met with the surveyor and he is in the process of making the changes recommended by City Engineer Chris Breinholt. Gary Bates asked if the sidewalk should be switched to the other side of the road at the property line or the stream. Mr. Leatham stated that the sidewalk could be switched to the other side of the road at either the property line or the stream. Mr. Leatham stated that the sidewalk could be constructed on the north side of 200 South and pushed out to the road when it reaches the stream. Mr. Leatham stated that he doesn't know if an ADA sidewalk would be obtainable on either side of the road. Mayor Bailey stated that it would be a dangerous place to cross a road at 200 South and 200 East because it is located at the bottom of a dip. Mr. Bates stated that with Wellsville Elementary moving to 500 North, Wellsville City could push people to the north to use the sidewalk. Mayor Bailey asked about sidewalk along 300 East. Mr. Leatham stated that there is sidewalk on the east side of 300 East. Mr. Bates stated that this is another possibility for cash in lieu of sidewalk. Mr. Bates stated that the sidewalk along 200 South would be another sidewalk to nowhere. Arlyn Brenchley stated that he owns the property east of this subdivision. Mr. Brenchley stated that he has cows in the pasture. He doesn't let the cows out, but they sometimes get out. Mr. Brenchley wanted Mr. Cherry to be aware.

At 6:32 p.m., Carl Leatham made a motion, seconded by Gary Bates, to close the public hearing.

YEA 4

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham

NAY 0

After discussion, Carl Leatham made a motion, seconded by Gary Bates, to approve the Concept Plan for the Cherry Subdivision, consisting of a total of 2 lots (1 additional building lot) on property at 165 South 300 East, and to waive the sidewalk requirement.

YEA 4

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham

NAY 0

Mark Thompson met with the City Council to discuss a request for culinary water. Mr. Thompson stated that he is building a home across the highway, but not inside city limits. Mr. Thompson would like to have permission to connect to Wellsville City water for culinary use. Mr. Thompson is asking for a letter from Wellsville City stating that he has obtained water from Wellsville City. Carl Leatham asked if the stock water rights could be transferred to culinary water. Don Hartle stated that in 1988, a judge ordered 3 stock water rights on the property. Mr. Hartle stated that he doesn't see any problem with Mr. Thompson

connecting to the city water. Mr. Hartle asked if Tom Maughan had any problem with Mr. Thompson connecting to the city water. Mr. Maughan stated that he doesn't see any problem with it. Mayor Thomas G. Bailey stated that as it was discussed previously; water rates are double outside city limits. Mr. Thompson stated that he is looking for a letter from Wellsville City stated that water is there if it is needed. Mr. Thompson stated that he can't start construction on the home without water. Karen Higley stated that there is speculation that there is more than 1 home that is being built. Mr. Thompson assured Wellsville City that he is only building 1 home. Gary Bates asked about a shared well in partnership with Wellsville City. Mr. Thompson stated that he has no opposition to annex into Wellsville City, as long as it doesn't hinder his property in greenbelt. Mr. Bates stated that Wellsville City should proceed with the letter, but to keep the dialog open on a shared well. Mr. Thompson stated that the well would be for 1 home only, but he does own 2 wells that Wellsville City may be interested in. Mr. Hartle stated that in 1988, a judge ruled that the Lindley family owns 4.2% of the water that comes out of Wellsville Canyon. Mr. Hartle stated that in his opinion, Mr. Thompson has the right for water anyway. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to approve the use of 1 existing water meter for a single-family residence.

YEA 4

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham

Zan Sharp, representing Sharp Transportation, met with the City Council requesting a waiver of curbs and sidewalks on 400 North street as a result of building an office building at 390 North 900 East. Mr. Sharp stated that the curbs and sidewalks don't connect to anything. Mr. Sharp stated that the Planning Commission referred him to the City Council to discuss the issue. Carl Leatham stated that this property is in the commercial zone, and that the commercial zone requires curb, gutter, and sidewalk. Don Hartle stated that he asked City Engineer Chris Breinholt to attend to give an update on the things that he has been working on with Mr. Sharp. Chris Breinholt stated that he hasn't seen any updates from Mr. Sharp, and has nothing to update the City Council on. Mr. Sharp stated that he submitted a plan to line up 400 North. Mr. Hartle asked when Mr. Sharp plans to occupy the new building. Mr. Sharp stated that they are shooting for May 2016. Mr. Hartle suggested getting City Planner Jay Nielson, City Engineer Chris Breinholt, and Mr. Sharp's team together to discuss what needs to be completed and when. Mr. Sharp stated that he is referring to the Wellsville City master plan, and straightening the road in the front of the shop. Gary Bates stated that this discussion is getting off of the topic. Mr. Sharp stated that he would like to do all that is required at one time. Mr. Leatham asked what the advantage of curb and gutter is. Mr. Hartle stated that today, there is no advantage, but the City Council has always discussed having curb and gutter in the commercial zone. Mr. Bates suggested discussing this issue in 2 weeks and having each member of the City Council review the area. Mr. Leatham asked if there was sidewalk in the area. Mayor Thomas G. Bailey stated that a decision concerning where the road is going to be needs to happen before adding the sidewalk. Mr. Bates suggested a bond for curb, gutter, and sidewalk to have completed at a future date. Mr. Bates stated that the recommendation from the Planning Commission was to follow the current code and require curb, gutter, and sidewalk. Mayor Bailey asked how many feet of curb, gutter, and sidewalk is being discussed. Mr. Sharp stated that it was required to run everything back to the trailer lot. Mr. Hartle stated that it would be 472 feet along 400 North. Karen Higley stated that she agrees with Mr. Bates, and to think about it for 2 weeks and review the area. Mr. Hartle stated that he would add this issue to the March 16, 2016 agenda, and that the City Council will meet at Sharp Transportation at 5:30 p.m. to review the area. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to continue this discussion in 2 weeks at Sharp Transportation.

YEA 4

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham

Larry Mortensen met with the City Council to discuss damaged mailbox due to snow removal. Mr. Mortensen stated that was crushed while snow was being removed. Mr. Mortensen stated that the mailbox is not in close proximity. It is 9 feet away from where the snow was being removed. Mr. Mortensen stated that he would like to be reimbursed for the cost of the post and mailbox. Carl Leatham asked if there was work being done on the fire hydrant. Don Hartle stated that the Public Works department was working on removing snow from around the fire hydrant. Tom Maughan stated that he was removing the snow from around the fire hydrant. Mr. Maughan stated that the snow banks were high, the color of the mailbox was white, and it was sticking out. Mr. Maughan stated that the mailbox is closer than 8 feet. Mr. Maughan admitted to hitting the mailbox. Gary Bates asked what the cost of the damage is. Mr. Mortensen stated that it is less than \$70. Mr. Hartle reminded the City Council that they have turned down many mailbox replacements. Mr. Hartle stated that the City Council has never approved replacing a damaged mailbox because of snow removal in the past 31 years. Mr. Bates stated that it is not the policy to pay for damaged mailboxes because of snow removal, but the home owner should have been contacted. Mr. Hartle stated that he went to the Mortensen home and visited with Mrs. Mortensen after she called the city office. Mr. Mortensen stated that Mr. Hartle did visit with his wife about the situation 3 or 4 after the damage occurred. Mr. Leatham stated that he believes there is dual responsibility for the damaged mailbox. Mr. Mortensen handed out pictures of damaged mailbox. After discussion, Gary Bates made a motion, seconded by Karen Higley, to apologize on behalf of Wellsville City for knocking the mailbox down and damaging it, but not pay for the damages.

YEA 3

Gary Bates
Karen Higley
Carl Leatham

NAY 1

Mary Ann Degn

Betty Balls met with the City Council to discuss Cache Valley Transit. Ms. Balls asked for an update concerning the Cache Valley Transit. Mayor Thomas G. Bailey stated that he spoke with Todd Butler about this issue Monday, February 29, 2016. Mayor Bailey stated that a committee is being formed that consists of 2 members of the Cache Valley Transit Board, 2 members of the Wellsville City Council, Mayor Bailey, and Todd Butler. This committee will research and discuss bringing buses to Wellsville City. Annette Francis asked if the City Council will consider adding the Cache Valley Transit to the ballot, and work on the issue together. Ms. Francis stated that there is no cost to adding this issue to the ballot. Gary Bates stated that in the past, it does cost Wellsville City to add an issue to a ballot. Ms. Balls stated that she has taken a petition around Wellsville City, and has about 30 signatures. Doug Balls stated that citizens of Wellsville City are in favor of the Cache Valley Transit coming to Wellsville. Mayor Bailey asked how Wellsville City adds an issue to the ballot. Don Hartle stated that there is a legal process, but he doesn't know what that process is. Mr. Bates stated that a committee is good for postponing an issue. Mr. Bates stated that he would like to see the issue added to the ballot. Mr. Hartle stated that there is a cost to print the ballots. Mr. Balls asked if it is feasible to add this issue to the ballot. Mr. Hartle stated that it is not a backbreaker, but it is not free. Ms. Francis stated that she attended the Cache Valley Transit Board meeting, and the board wants buses to come to Wellsville City. Ms. Francis stated that a motion was made to rush this issue through the process. Mayor Bailey asked Mr. Hartle to contact City Attorney Bruce Jorgensen about adding the Cache Valley Transit issue to the ballot. After discussion Carl Leatham made a motion, seconded by Gary Bates, to proceed with the requirements of adding the Cache Valley Transit issue to the ballot.

YEA 4

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham

NAY 0

The City Council discussed for possible decision on a 2016 Restaurant/RAPZ tax application. Gary Bates asked when the application is due. Don Hartle stated that the application is due Friday, March 4, 2016. Mr. Bates stated that he heard that most of the funding is going for parks at the new high schools that are being built. Mr. Hartle stated that he would like to update the City Council on a few items. Mr. Hartle stated

that there is \$16,254 left from last year, \$23,220 that has been taken in so far, and \$6,576 in impact fees. Mr. Hartle stated that the City Council has discussed purchasing some bleachers for the rodeo arena. Mr. Hartle reminded the City Council that they can use impact fees for capital facilities projects. Mr. Hartle stated that the Public Works department has put together a list of capital facilities projects, but there has been no input from the City Council. Mr. Bates stated that he doesn't think Wellsville City has enough time to put together a proposal for the 2016 RAPZ tax application. Mr. Bates would like to see Wellsville City pursue the bleachers because the information has already been gathered and given to them. Mr. Hartle stated that the more money a city has to match the RAPZ tax, the better their chances are. Mr. Hartle suggested waiting another year when Wellsville City will have considerably more money. Mr. Bates stated that Wellsville City skipped 1 year, and then received money from the RAPZ tax for the splash pad. After discussion, Gary Bates made a motion, seconded by Carl Leatham, that Wellsville City not apply for the 2016 RAPZ tax grant.

YEA 4

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham

The City Council considered for possible approval change orders and other related matters to the new City Office building. Karen Higley stated that the carpet issue was discussed at the previous City Council meeting. The bid from Raymond Construction to build the City Office building did include carpet. Ms. Higley stated that she met with Leslie today, and the carpet has been ordered. Ms. Higley reviewed the 2 bids with the City Council, and the difference is \$2,953. Ms. Higley stated that Leslie is willing to split the difference with Wellsville City. Ms. Higley stated that she feels Wellsville City should accept this offer. Carl Leatham stated that he believes it is a good compromise. Gary Bates stated that both carpets look comparable. Ms. Higley stated that Wellsville City should carpet the storage room, which is a cost of \$517.50. Mayor Thomas G. Bailey stated that he talked with Randy Wall today. Mayor Bailey stated that Mr. Wall said it is customary that the construction company give the owner of the building 10% more of the materials for future use. Mayor Bailey stated that Wellsville City should meet with Raymond Construction and discuss having extra materials on hand. Ms. Higley stated that she will discuss this issue with Leslie. After discussion, Karen Higley made a motion, seconded by Carl Leatham, to carpet the storage room, and allow up to \$1,000 for the carpeting of the storage room and extra materials.

YEA 4

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham

Fire Chief Clint Kerr met with the City Council to give an update on the fire department. Mr. Kerr stated that the Wellsville City Council passed a resolution concerning charging a fee for false fire alarms. Mr. Kerr stated that there is one business that is well out of control when it comes to false fire alarms. Mr. Kerr stated that he has sent bills for 5 false fire alarms at \$250 per call. Mr. Kerr suggested that after 10 false fire alarms, the amount should be raised. Don Hartle stated that an individual came into the office and delivered a check for 2 of the false fire alarms. Mr. Hartle stated that he sent the bill today for 3 false fire alarms. Mr. Hartle stated that he will bill the false fire alarms on the first of each month for the previous month. Mr. Kerr stated that the fire department has responded to 8 false fire alarms since the beginning of 2016. Mr. Kerr stated that the fire department has spent between 15 and 20 hours at the business since the beginning of 2016 responding to these false fire alarms. Mayor Thomas G. Bailey stated that he knows they have had some problems with some of the residents of the business. Mayor Bailey stated that they are looking at doing some reorganization, but he doesn't know if it will get any better. Mayor Bailey stated that this same business also has a water leak that is costing them a fair amount of money also. Gary Bates stated that he likes the idea of doubling the fee for false fire alarms if it is over a certain number of times. Mr. Bates asked that a new resolution be written that states in any calendar year, any client using the Wellsville City Fire Department responds to more than 9 call outs, the false fire alarm fee doubles for the remainder of

the year. Mr. Kerr asked if that money will go to the fire department. Mr. Hartle stated that it will pay for wages because the fire department will be over. Mr. Kerr stated that he will be getting the state involved in testing the smoke detectors for this business because there is a lot more to it. Mr. Kerr stated that a couple of months ago, he met with Lewiston and Clarkston to receive help in writing a grant for air packs. This grant will pay for 10 air packs if Wellsville City receives it. Mr. Kerr stated that he requested \$10,000 more in his budget this year to purchase 10 sets of turnouts and 10 pairs of boots. Mr. Kerr asked if it would be possible to obtain a prepaid credit card. Mr. Kerr stated that he felt foolish when the fire above the Mt. Sterling Estates happened and he had no way to paying for the firemen to have something to eat. Mayor Bailey asked Mr. Hartle if this is a possibility. Mr. Hartle stated that he had no idea. Mr. Hartle stated that it is a nightmare to track down receipts or invoices. Mr. Kerr stated that a monthly statement would be sent to Wellsville City. Mr. Hartle stated that a statement doesn't mean anything. Mr. Bates stated that some banks put the invoices online. Mr. Hartle stated that he didn't know if that was a possibility. Mr. Kerr asked if Mr. Hartle would look into a prepaid credit card and see how it works. Mr. Kerr stated that with new businesses coming into Wellsville City, the fire department needs access inside the building. Mr. Kerr stated that there is paperwork for each business to fill out and obtain a lockbox from Hansen Locksmith. The fire department will have a master key to lockbox. The master key will open each lockbox. Mr. Kerr stated that the insurance adjuster that rates Wellsville City would like to visit Wellsville City at the end of March. Mr. Kerr stated that he is not ready. The fire hydrants are a big issue, and they need to be flowed, tested, and the information recorded. Mr. Bates asked how often the fire hydrants should be tested. Mr. Kerr stated yearly. Tom Maughan stated that the Public Works department has flushed some hydrants and tested those that are required by engineers to be tested. Mr. Hartle stated that they will figure out a plan how to flush and test the hydrants for rating. Mayor Bailey thanked Mr. Kerr for updating the City Council.

The City Council discussed potential wages for 2016/2017 budget year. Don Hartle stated that he contacted 2 different entities. Hyrum City is just beginning to work on their budget, and they are anticipating a 2.5 to 3% raise. Cache County had a little more flexibility. During the 2014/2015 budget year, some employees received a little more, and some employees received a little less. Mr. Hartle stated that overall, the raise was 3%. Mr. Hartle stated that because of the repercussions from the previous year, Cache County gave a 3% raise to all employees last year. Mr. Hartle stated that he needs to check on the insurance. Mr. Hartle stated that he anticipates a 5% increase in dental insurance, but not sure about the medical insurance yet. Mr. Hartle stated that in his opinion, he would give a 2.5 to 3% increase to all employees. Gary Bates asked if a decision needs to be made tonight. Mr. Hartle stated yes. Mr. Hartle stated that budget worksheets and wages are due tonight. Carl Leatham stated that personally, he hasn't had a raise in 7 years. The employees of Wellsville City do an outstanding job. Mr. Leatham suggested following Mr. Hartle's recommendation. Mr. Bates asked how many new homes were started last year. Mr. Hartle stated that he believes it was 17. Mr. Bates stated that is approximately a 1.7% growth in the city. Mr. Bates stated that he read an advertisement for another city for a wastewater operator, and was surprised at how low the starting wage was. Mr. Bates stated that he could support a cost of living adjustment, but that it is not a merit raise. Mary Ann Degn stated that she could support a cost of living adjustment. Karen Higley stated that she agrees with Mr. Bates. Wellsville City is growing, but Wellsville City is not increasing their staff. Ms. Higley stated that she also feels for Mr. Leatham because not all employees receive a raise. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to approve a cost of living adjustment for all Wellsville City employees of 2.5%, both benefited and non-benefited, and that this does not include the Mayor or City Council.

YEA 4

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham

NAY 0

Department Reports:

Carl Leatham – 1) Received an email from Wade Campbell, grandson of Ike Christensen, about a gate on their property. Reminded him of the property east of the cemetery where his cattle are located. Mayor Thomas G. Bailey asked Tom Maughan about the gate. The Public Works department cut the chain that

was on the gate, and told Mr. Campbell that they would install a gate when the weather gets better. Mr. Maughan stated that he doesn't think install a gate changes the problem. Mr. Maughan doesn't know what the gate will accomplish. Don Hartle suggested asking Mr. Campbell to attend the next City Council meeting to discuss all of the issue at once.

Gary Bates – 1) Tonight was another example of Wellsville City losing money on sidewalks. Mr. Bates asked that 'Cash in lieu of sidewalks' be added to the next agenda.

2) Mr. Bates encouraged Don Hartle to work with Fire Chief Clint Kerr on obtaining a prepaid debit card. Mr. Hartle stated that he doesn't have any problems with a prepaid credit card. He needs the invoices for the items that are purchased.

Mayor Thomas G. Bailey – 1) Councilwoman Karen Higley and himself met with the historical committee. They talked about an open house for the new building. They discussed the ideas of displaying photographs, playing a slideshow, and cooking hotdogs and drinks for the community. Asked that the Youth Council, Wellsville City Royalty, and the historical committee help.

Mary Ann Degn – 1) Talked with City Engineer Chris Breinholt about surveying 200 West and turning it into a one-way street.

2) Sometime in March, the application for the County Booth arrives. Don Hartle asked Ms. Degn to contact Jill Zollinger in the Cache County Clerk's Office.

Karen Higley – 1) Float Drivers – Carl Leatham will talk to Art Smith about this issue. Marcene Parker is working on the float.

2) Pageant – have 10 girls – looking for specialty numbers in between routines.

3) Founder's Day – asked the City Council to be on the lookout for any type of cool things at other city celebrations.

City Manager/Recorder's Report:

Don Hartle – 1) Impact fees – need any input in 2 weeks.

2) Asked about lettering on the door of the new City Office – 'no dogs allowed except for service dogs'. The City Council has no problem with this.

3) Property along Highway 101 is up for sale – has received many calls concerning the sewer – someone was in the office yesterday and the property is under contract. A small portion is in Wellsville City limits, and the rest is in the county. The subdivision will come in phases, and the property will eventually be annexed into Wellsville City. Mr. Hartle asked about the road master plan, and if UDOT will allow access onto highway 101. Carl Leatham recommended sticking with the master plan, and bringing the plat to the City council for review.

4) Subdivision about Mt. Sterling Estates – no more development in the area until there is a second water source. Carl Leatham suggested waiting until City Engineer Chris Breinholt and City Planner Jay Nielson reviews the plat. Mayor Thomas G. Bailey stated that he believes the area has a 20% slope. Mr. Hartle stated that he will wait until there is input from City Engineer Chris Breinholt and City Planner Jay Nielson.

At 9:45 p.m., Karen Higley made a motion, seconded by Mary Ann Degn, to adjourn the meeting.

YEA 4

Gary Bates

Mary Ann Degn

Karen Higley

Carl Leatham

NAY 0

Thomas G. Bailey

Mayor

Don Hartle

City Manager/Recorder