

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, April 20, 2016, at the temporary Wellsville City Offices at 25 North 100 East. City officials present were Mayor Thomas G. Bailey, Councilwomen Mary Ann Degn, and Karen Higley, 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 April 15, 2016. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

<u>Others Present:</u>	Jennifer Leishman	Tenaya Garrett	Kent Haddock
	Greg Duncan	Brenda Duncan	Nathan Duncan
	Doug Searle	Jenny Searle	Kassidy Searle
	Kirt Petersen	Patti Petersen	Paige Petersen
	Glenna Petersen	Bob Fotheringham	Jon White
	Ruth P. Maughan	Doyle Wyatt	Barbara Wyatt
	Deidre Wyatt	John Cherry	Curtis Thompson
	Sharen Thompson	Dayne Thompson	Mike Baldwin

Opening Ceremony: Mayor Thomas G. Bailey

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 April 6, 2016 regular City Council meeting. Karen Higley made a motion, seconded by Carl Leatham, to approve the minutes of the April 6, 2016 regular City Council meeting as presented.

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

There was no one in attendance for citizen input.

Tenaya Garrett met with the City Council to discuss a business license. Ms. Garrett stated that she would like to operate a daycare out of her home. Carl Leatham stated that the Planning Commission asked about fencing, which is required to become state-licensed. The Planning Commission also asked about dropping off and picking up the children. There is a maximum of 8 children in the home. Mr. Leatham stated that the Planning Commission approved the conditional use permit with no restrictions. Karen Higley asked where Ms. Garrett lives. Ms. Garrett stated that her address is 331 North 100 West. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to approve the business license for Tenaya Garrett.

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

Kent Haddock met with the City Council to discuss a business license. Mr. Haddock stated that he would like to operate a photography business from his home. Most of the photos will be taken outdoors. Carl Leatham stated that the Planning Commission stated that there would be low impact to the neighborhood and low traffic flow. Mr. Leatham stated that the Planning Commission approved the conditional use permit with no restriction. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to approve the business license for Kent Haddock.

YEA 5

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

Mayor Thomas G. Bailey introduced the Beehive Drive Scholarship recipients. The Beehive Drive Scholarships are made available by the Larry H. Miller Beehive Drive. The scholarships are offered to high school seniors. The combined GPA of the 3 recipients is 3.9. These 3 individuals have also excelled in other areas. Each recipient will receive \$2,000 to go towards higher education. The 3 recipients are Nathan Duncan, who will attend BATC, Kassidy Searle, who will attend USU, and Paige Petersen, who will attend SUU. Mayor Bailey congratulated the recipients.

The City Council considered a proposed resolution to initiate the creation of the Cache Water District. Jon White, representing Cache County, stated that the citizen of Cache County need to do something to preserve the water that is in Cache County. Mr. White stated that he is here asking that Wellsville City pass a resolution to list creating a Cache Water District on the ballot in November. Mr. White stated that they are requesting this in all of the cities of Cache County. Mary Ann Degn asked what the advantage is in having a Cache Water District. Mr. White stated that the Cache Water District would be responsible for the water in Cache Valley. Mr. White stated that there are 60,000 acre feet of water that is unclaimed. Carl Leatham asked who pays for the Cache Water District. Mr. White stated that the board is elected, and 1 person is appointed. Mr. White stated that the first 10 years, the board will be funded by Cache County. Mr. White stated that Cache County could raise taxes if necessary. Mr. Leatham asked if certain communities have more water than others, would the community be under obligation to share. Mr. White stated that the Cache Water District will have no affect on current water rights. Perry Maughan stated that the State of Utah owns the water. Mr. Maughan stated that if there are 60,000 acre feet of water unclaimed, Mr. Maughan asked where that water is. Mr. Maughan stated that water is very valuable. Mr. Maughan stated that the State of Utah tells the cities what they are and aren't going to do with water. Mayor Thomas G. Bailey stated that Wellsville City has enough water for the next 50 years. Mayor Bailey stated that the Cache Water District can't come in and dictate as to where that water is going. Bob Fotheringham stated that is correct. Mayor Bailey stated that Mendon needs water, and Wellsville City is willing to lease it to them. Mr. Fotheringham stated that the Cache Water District would be willing to help Mendon also. Mayor Bailey asked if Wellsville City would have a representative on the board. Mr. Fotheringham stated yes. Gary Bates stated that an informational meeting between now and then should be held to inform the residents of Wellsville City. Mr. Fotheringham stated that there will be informational meetings, and he explained the different options that Wellsville City has. After discussion, Gary Bates made a motion, seconded by Perry Maughan, to adopt **RESOLUTION 2016-05, A RESOLUTION TO INITIATE THE CREATION OF THE CACHE WATER DISTRICT, THAT IT BE PLACED ON THE BALLOT IN NOVEMBER, AND TO COORDINATE EDUCATIONAL AND INFORMATIONAL MEETINGS.**

YEA 5

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

The City Council reviewed for approval the Final Plat for the Cherry Subdivision, consisting of 2 lots (1 additional building lot) on property at 165 South 300 East. Don Hartle handed out a copy of the revised Final Plat. Mr. Hartle stated that the Planning Commission approved the previous Final Plat. City Engineer Chris Breinholt reviewed the Final Plat and issued comments dated April 19, 2016. Mr. Cherry delivered the revised Final Plat this morning. Mr. Hartle stated that if this is approved, he will contact Mr. Breinholt for his approval. Carl Leatham stated that the Planning Commission approved the Final Plat subject to complying with all of the conditions of City Engineer Chris Breinholt's comment. After discussion, Carl Leatham made a motion, seconded by Karen Higley, to approve the Final Plat for the Cherry Subdivision, consisting of 2 lots (1 additional building lot) on property at 165 South 300 East subject to City Engineer Chris Breinholt's approval.

YEA 5

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

Sharen Thompson met with the City Council to discuss water. Ms. Thompson stated that she would like to request 2 water connections for 2 homes that are located outside of the city limits. Ms. Thompson stated that these 2 homes will be built in the county. Ms. Thompson stated that she has worked with City Manager Don Hartle in the past concerning water. Ms. Thompson stated that she understands that that water bill is double because it is outside of city limits. Gary Bates asked if annexation is an option. Ms. Thompson stated no. Perry Maughan asked why these 2 homes don't want to annex into Wellsville City. Ms. Thompson stated that they can't annex into Wellsville City because they would be an island. Mr. Maughan stated that the impact fees and monthly bill will be double. Mayor Thomas G. Bailey asked if Ms. Thompson wanted to discuss the issue with Mr. Hartle and then return to a future City Council meeting. Curtis Thompson stated that they want to know if it is possible to obtain water from Wellsville City. Mayor Bailey stated that it is possible. After discussion, Perry Maughan made a motion, seconded by Gary Bates, that the water impact fee would be double, the monthly bill would be double, and that once the property is contiguous with property that is inside city limits, that the property be annexed into Wellsville City.

YEA 5

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

The City Council discussed for possible approval a reimbursement agreement with Maverik, Inc. Don Hartle stated that he has been working on this for several months. Mr. Hartle stated that he spoke with City Attorney Bruce Jorgensen on Monday. Both attorneys have agreed on the contract, and he was hoping to have it today, but he doesn't. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to continue the discussion of this issue at a future City Council meeting.

YEA 5

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

The City Council considered for approval amending the Final Plat for the Maverik Subdivision, reducing the number of lots from 3 to 2. Carl Leatham stated that the original parcel was divided into 3 lots. There is a long, narrow piece of property on the east side running north and south. That piece of property is being combined with lot #1. Mr. Leatham stated that this simplifies the process and the property. Don Hartle

stated that for the City Council's information, the Planning Commission approved the scales at their previous meeting. After discussion, Karen Higley made a motion, seconded by Perry Maughan, to approve amending the Final Plat for the Maverik Subdivision, reducing the number of lots from 3 to 2.

YEA 5

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

At 7:00 p.m., conduct a public hearing to receive public input, then consider the recommendation of the Planning Commission, then consider for possible approval a code amendment and amending the zoning map based on an application from Doyle Wyatt that property on the north side of 400 North from 725 East to 775 East be rezoned from RA-1 to RA-1/2. Properties identified by County tax I.D's: 11-088-0030, 11-088-0005, 11-088-0007, 11-088-0011, 11-088-0012, 11-088-0013, 11-088-0004, 11-088-0027, 11-088-0008, and 11-088-0026. Barbara Wyatt stated that her father, Doyle Wyatt, would like to get his will in order. He would like to give land to her and her brother. Ms. Wyatt stated that they did petition the neighborhood to do this. There was no public comment.

At 7:02 p.m., the public hearing was closed.

Carl Leatham stated that there was no public input at the Planning Commission meeting, and the Planning Commission recommended approval of the rezone. After discussion, Carl Leatham made a motion, seconded by Perry Maughan, to adopt **CODE AMENDMENT 2016-02** adopting **AN AMENDMENT AMENDING THE WELLSVILLE CITY CODE, TITLE 10, LAND USE REGULATIONS, WHICH INCLUDES AMENDING THE ZONING MAP TO REZONE CERTAIN PROPEORTY FROM RA-1 RESIDENTIAL – AGRICULTURE ZONE TO AR-1/2 RESIDENTIAL – AGRICUTLURE ZONE.**

YEA 5

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

The City Council discussed options concerning 200 West for student safety. Gary Bates thanked Mary Ann Degn for putting the neighborhood meeting together two weeks ago. Mary Ann Degn stated that she has met with the sidewalk committee, and the following are suggestions from the sidewalk committee:

We propose that 200 West is made into a one-way street, with traffic heading north on the east side of the street with an 11' wide traffic land and a shoulder line on the east side of the street. On the west side o the street is an 8' to 9' wide strip for pedestrians and bicycles. The one-way could extend to the highway or just to 500 North. Our recommendation is all the way to the highway. The one-way would begin at 100 south at the curve.

We would also suggest adding the following:

3 stop signs, at the intersections of Main, 200 North, and 400 North or 500 North

Speed limit signs of 25 MPH and signs of "One-Way", and "Children Walking"

Pedestrian and bicycle images displayed on street

There were a number of requests for barriers of some kind to further protect the children walking

Recognizing the inconvenience to snowplow, farm equipment, RV's and horse trailers; any of these would be a difficult solution.

Other suggestions are rumble strips, reflectors, or plastic barriers to fill with sand.

Mayor Thomas G. Bailey asked what the proposal for the summer is. Mary Ann Degn believes that Wellsville City should start with the one-way street. Gary Bates stated that Ms. Degn has met with the sidewalk committee, the sidewalk committee helped with the neighborhood meeting, and the sidewalk committee has made suggestions. Mr. Bates stated after considering recommendations from the sidewalk committee, the City Council should now move forward towards a decision. Mayor Bailey stated that he doesn't know what it is, but there are not near the number of students walking on the road as there have been in the past. Mayor Bailey agrees that something should be done now, but doesn't want to spend a fortune doing it. Mayor Bailey stated that he recommends a white line with a one-way street. Ms. Degn asked about the stop signs. Mayor Bailey stated that stop signs are to move traffic, not regulate traffic. Perry Maughan suggested flashing lights. Mr. Maughan stated that he is against a one-way street because it is an inconvenience for every citizen. Mr. Bates suggested a stripe, sidewalk, crosswalk, and flashing lights and signs. Mr. Bates suggested that a member of the SNAP committee attend the City Council meeting in two weeks. Mr. Bates stated that Wellsville City needs to get a motion in place and move on it. After discussion, Mary Ann Degn made a motion, seconded by Perry Maughan, to install a sidewalk on 500 North from Center Street to 100 West on the north side, crosswalk with crossing guard, 2 flashing lights, power poles, and maintenance.

YEA 5

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

The City Council discussed for approval the Comcast franchise agreement. Don Hartle stated that City Attorney Bruce Jorgensen has been working on this agreement. It is the same agreement as other communities have signed. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to approve the Comcast franchise agreement.

YEA 5

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

Don Hartle presented for possible approval the 2016-2017 tentative budget. Don Hartle reviewed the budget with the City Council. Mr. Hartle reviewed the upcoming capital projects with the City Council. Mr. Hartle stated that when he hands out the final budget, he will include the supporting documents for the budget. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to approve the 2016-2017 tentative budget.

YEA 5

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

The City Council discussed with possible action on the power problems at the new office. Don Hartle stated that there is a difference between right-hand power and left-hand power. Rocky Mountain Power is

unable to bring power to the new office. They need to set a new pole. The cost is \$10,033. Karen Higley stated that a new transformer is needed. The electrical engineer from Raymond Construction met with Rocky Mountain Power and stated that everything looks good. Now, Rocky Mountain Power will not install the power. Ted Ricks has given an easement for the new power pole. Mayor Thomas G. Bailey asked if there are any suggestions for discussion. Mr. Hartle stated that Rocky Mountain Power will not schedule the installation of the power pole until they have the money. Mayor Bailey stated that had the architect known upfront about this issue, they would have deducted \$10,033 and any upgrades wouldn't have happened. Gary Bates stated that Wellsville City has no choice but to approve it. Mr. Hartle stated that Wellsville City paid it, but Raymond Construction deducted it from their bill. Mr. Hartle asked that Raymond Construction bill Wellsville City for the power pole. Mayor Bailey stated that Raymond Construction has been excellent to work with. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to pay Rocky Mountain Power \$10,033 for the new power pole.

YEA 5

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

Department Reports:

Carl Leatham – 1) The city float is ready. Marcene Parker and Rachel Creger did a great job. Art Smith will head up finding drivers for the float for each parade. Asked about other options for storage of the float. Discussed contact Mike Leishman about storing it in his shop. Asked if the new Public Works building will have room to store the float – yes. Asked if the new Public Works building will have room to store the covered wagons – yes, under a lean-to.

Gary Bates – 1) Sherwood Hills – asked about the number of residents they are allowed. Because they are state-licensed, they are allowed 85 residents.

Perry Maughan – 1) Emailed each City Council member the bus survey.
2) Arbor Day – April 30, 2016 – 10:00 a.m. – honoring Arlyn Brenchley.
3) If anyone hears of any grants for trees, please let Perry Maughan know.

Mary Ann Degn – 1) Asked about contacting Ron Case to add events to the webpage. Each City Council member will contact Ron Case about adding information to the webpage.

Karen Higley – 1) Miss Wellsville Scholarship Pageant – April 30, 2016 – 7:00 p.m. It will be held in the gym at the Wellsville Elementary school. Ms. Higley has received \$4,150 donated for scholarships.
2) Thanked those who implemented the street light located at 200 West and Highway 89/91.

Mayor Thomas G. Bailey – 1) Meeting with the Historical Committee next Thursday, April 28, 2016. Discussed a date for an open house for the new building – June 17, 2016 from 6:00 p.m. to 8:00 p.m. The city will ask the Wellsville City Youth Council to help. Discussed serving hot dogs and drinks.
2) Fire Department – used to have 2 ladder trucks at the cemetery to hold a flag up. Asked if the City Council would approve 2 poles with a cable between them to hang a flag from. Gary Bates thought that Chris Breinholt's son was taking on this project as an Eagle Scout project. Mr. Bates will check with Mr. Breinholt and report back.

City Manager/Recorder's Report:

Don Hartle – 1) Handed out quarterly financial report – reviewed it with the City Council.

At 8:53 p.m., Karen Higley made a motion, seconded by Gary Bates, to go out of regular City Council meeting.

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

At 8:53 p.m., Karen Higley made a motion, seconded by Gary Bates, to go into an executive session.

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

At 9:15 p.m., Councilman Gary Bates let the meeting

At 9:25 p.m., Carl Leatham made a motion, seconded by Karen Higley, to leave executive session and return to regular City Council meeting.

<u>YEA 4</u>	<u>NAY 0</u>
Mary Ann Degn	
Karen Higley	
Carl Leatham	
Perry Maughan	

After discussion, Perry Maughan made a motion, seconded by Karen Higley, to authorize City Manager Don Hartle to proceed with the purchase of the property discussed in the executive session.

<u>YEA 4</u>	<u>NAY 0</u>
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, Karen Higley made a motion, seconded by Perry Maughan, to approve the City's account payables bills for payment, represented by check number 19324 through 19362.

<u>YEA 4</u>	<u>NAY 0</u>
Mary Ann Degn	
Karen Higley	
Carl Leatham	
Perry Maughan	

At 9:28 p.m., Carl Leatham made a motion, seconded by Karen Higley, to adjourn the meeting.

YEA 4

Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

NAY 0

Thomas G. Bailey
Mayor

Don Hartle
City Manager/Recorder