

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, May 18, 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 May 13, 2016. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present:

Jennifer Leishman	Jay Davis	Robert Silk
Nevaloni Pulotu	Ben Andersen	Dan Durham
Mandy Durham	Zac Lyon	Dayton Crites
Scot Weaver	Cody Dobson	Aaron Selvage
Carrie Selvage	Grayson Selvage	Jamison Ellis
Carson Rupp	Rowe Walbridge	Scott Gary
Gary Saxton		

Opening Ceremony: Jamison Ellis & Carson Rupp

The Council reviewed the agenda. Carl Leatham made a motion, seconded by Gary Bates, 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 20, 2016 regular City Council meeting. Karen Higley made a motion, seconded by Gary Bates, to approve the minutes of the April 20, 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	

The Council reviewed the minutes of the May 4, 2016 executive City Council meeting. Mary Ann Degn made a motion, seconded by Perry Maughan, to approve the minutes of the May 4, 2016 executive City Council meeting as presented.

<u>YEA 3</u>	<u>NAY 0</u>	<u>ABSTAIN 2</u>
Gary Bates		Karen Higley
Mary Ann Degn		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, Perry Maughan made a motion, seconded by Carl Leatham, to approve the City's account payables bills for payment, represented by check number 19425 through 19473.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Mary Ann Degn	

Karen Higley  
Carl Leatham  
Perry Maughan

Grayson Selvage stated that he had a proposal for an Eagle Project to install the scoreboard at Darley Field. Mr. Selvage discussed with the City Council the order in which he plans to install the scoreboard at Darley Field. Perry Maughan asked if there would be a cost to Wellsville City to install the scoreboard. Mr. Selvage stated that he hasn't determined a cost yet, but is asking for volunteers and donations. Gary Bates stated that the City Council will approve the project and continue the conversation once Mr. Selvage has a dollar amount. After discussion, Gary Bates made a motion, seconded by Perry Maughan, to continue this discussion at a future City Council meeting.

**YEA 5**

Gary Bates  
Mary Ann Degn  
Karen Higley  
Carl Leatham  
Perry Maughan

**NAY 0**

The City Council reviewed for approval a revised Final Plat for the Pioneer Divide Subdivision. Jay Davis stated that he is seeking approval on the Final Plat for the Pioneer Divide Subdivision. Mr. Davis stated that the Planning Commission recommended approval. Carl Leatham stated that the Planning Commission had some concerns about the right-of-way for the irrigation company. The irrigation company has failed to respond. Mr. Leatham stated that Mr. Davis has done his due-diligence. Mr. Leatham stated that Mr. Davis has submitted a letter from his attorney. Mr. Davis has deeded a 12-foot lane. Mr. Leatham stated that there is no reason to deny Mr. Davis the use of his property. Mr. Leatham stated that he recommended approval of the Final Plat for the Pioneer Divide Subdivision. Perry Maughan asked that when the lots are sold, will people be aware that there is an irrigation line and that they can't build over it. Mr. Davis stated yes. Mayor Thomas G. Bailey asked Don Hartle if the letter from Mr. Davis' attorney can be filed with the Final Plat. Mr. Hartle stated no. Mayor Bailey asked if the letter will be put somewhere so that it can be found. Mr. Hartle stated that the letter will be filed in the subdivision file. After discussion, Carl Leatham made a motion, seconded by Mary Ann Degn, to approve a revised Final Plat for the Pioneer Divide Subdivision. Jay Davis stated that he is seeking approval on the Final Plat for the Pioneer Divide Subdivision.

**YEA 4**

Gary Bates  
Mary Ann Degn  
Karen Higley  
Carl Leatham

**NAY 1**

Perry Maughan

Robert Silk met with the City Council to discuss a possible donation of a painting for the new City Office. Mr. Silk stated that his aunt painted this oil painting when she was 82 years old. It was her last painting. Mr. Silk stated that the painting will have more exposure if it is viewed publicly. Mr. Silk stated that he would like to donate it to Wellsville City for the new City Office building. Mayor Thomas G. Bailey stated that it is a very nice painting and thanked Mr. Silk for it. After discussion, Mary Ann Degn made a motion, seconded by Karen Higley, to accept this oil painting from Mr. Silk with gratitude.

**YEA 5**

Gary Bates  
Mary Ann Degn  
Karen Higley  
Carl Leatham  
Perry Maughan

**NAY 0**

Nevaloni Pulotu met with the City Council to discuss a water leak. Nevaloni Pulotu stated that he and his family purchased the home at 264 East 100 North. Mr. Pulotu stated that he noticed his water bill was rising. In February 2016, the water bill was \$300. Mr. Pulotu stated that he dug around on his property, but couldn't find a leak. Mr. Pulotu stated that he has received another bill, and it is now \$2,300. Mr. Pulotu stated that he dug up both sides of the meter, and that it is damp. Mr. Pulotu stated that he dug up around the hydrant, and that there was gushing water at the bottom of the hydrant. Mr. Pulotu stated that they have busted out the concrete, have cut the pipe at the elbow, and sealed it off. Mr. Pulotu stated that he is asking for some help with the water bill. Perry Maughan stated that meters are read between April and October. Mr. Maughan stated that Mr. Pulotu made a good faith effort to fix the leak, and it recommended waiving the water bill. Gary Bates stated that the City Council has waived water fees before. Don Hartle stated that it has only been done once. Mr. Maughan stated that Wellsville City may want to look into reading water meters monthly. After discussion, Perry Maughan made a motion, seconded by Carl Leatham, to waive the water bill for Nevaloni Pulotu.

**YEA 5**

Gary Bates  
Mary Ann Degn  
Karen Higley  
Carl Leatham  
Perry Maughan

**NAY 0**

The City Council discussed and considered the driveway between the City Fire Station and the old Post Office to the west. Don Hartle stated that the old Post Office building is owned by APEX Engineering. A new water line was installed, and the driveway was torn up. A majority of the traffic on the driveway is city-related. Mr. Hartle stated that they would like to resurface the driveway, and would like to work with APEX Engineering to resurface the entire driveway. Ben Andersen, representing APEX Engineering, stated that Mr. Hartle explained the issue. Mr. Andersen stated that the driveway wasn't new. Perry Maughan stated that the previous asphalt was laid on dirt. Mr. Maughan stated that while they resurface the driveway, they should try to resurface the entire driveway. Mr. Maughan suggested installing a new water service line to the old Post Office building before installing the asphalt. Mr. Hartle stated that he measured the driveway. There is approximately 3,510 square feet of asphalt. Mr. Maughan suggested having the Public Works department tear out the driveway, APEX Engineering replace the water service line and bring it to Wellsville City specifications, and then pay half of the asphalt cost. Mr. Hartle stated that the City specifications require 3 inches of asphalt, but Mr. Hartle suggested 4 inches of asphalt because of the heavy truck traffic on this driveway. Mr. Andersen stated that it is something APEX Engineering would be interested in, and would speak to his business partner about it. Mr. Maughan stated that Mr. Hartle will call and get prices for the asphalt. Mr. Hartle stated that he would have some answers within the next week. After discussion, Perry Maughan made a motion, seconded by Mary Ann Degn, to authorize Don Hartle and Mayor Thomas G. Bailey to work with APEX Engineering and Ben Andersen to resurface the driveway between the City Fire Station and the old Post Office building to the west, and that the prep work will be for heavy truck traffic.

**YEA 5**

Gary Bates  
Mary Ann Degn  
Karen Higley  
Carl Leatham  
Perry Maughan

**NAY 0**

Dan Durham met with the City Council to discuss a charity run. Dan Durham stated that this charity run is to help supply service dogs to veterans who have PTSD. Mr. Durham stated that he has teamed up with K-9's Unleashed to help supply the service dogs. Mr. Durham stated that the cost of a service dog is between \$10,000 and \$30,000. Mr. Durham stated that he would like to take this beyond the race and set up a non-profit organization. Mr. Durham stated that he will be using the same race structure for a 5k as the race "Hotter than Haiti" uses. Mr. Durham would like to hold this race November 11 or 12, around Veteran's Day. Gary Bates stated that he encourages races like "Hotter Than Haiti" because they have had no issues

and very successful. Don Hartle stated that his concern is restrooms because the restrooms at the bowery will be winterized by that time. Mr. Durham stated that they will plan to bring in port-a-potties. Perry Maughan asked where the race would begin. Mr. Durham stated that they would start the race at the tabernacle. Mr. Bates asked what the name of the group is. Mr. Durham stated that the name of the group is Assault Team Rescue. After discussion, Gary Bates made a motion, seconded by Perry Maughan, to approve the charity run for Assault Team Rescue on November 11 or 12, around Veteran's Day.

**YEA 5**

Gary Bates  
Mary Ann Degn  
Karen Higley  
Carl Leatham  
Perry Maughan

**NAY 0**

The City Council discussed a possible trailhead grant and commitment. Scot Weaver, representing Cache County Trail Planning Office, stated that he has an application for a grant to improve the trailhead at the Murray property. Mr. Weaver stated that he is asking Wellsville City for their support of the grant. There will be improvements to the area such as restrooms, a parking area, and a picnic area. Mr. Weaver stated that the commitment from Wellsville City would be an annual cost of \$290.10 for maintenance of the area. Mr. Weaver stated that a majority of the funding is from the US Forest Service. Mayor Thomas G. Bailey asked where the parking lot would be located. Mr. Weaver stated that he wasn't sure where it would be located. Gary Bates stated that he has been thinking about this issue since he saw that it was part of the agenda. Mr. Bates stated that the trailhead is being used already without any improvements. Mr. Bates stated that Mrs. Murray is still living in the family home. Mr. Bates stated that the trailhead is usable as it is, and is not sure about buying into this grant application just yet. Perry Maughan stated that since the forest service has taken over the area, it has gone to hell. There is a gate across the city's right-of-way. Mr. Maughan stated that he agrees with Mr. Bates, and is not in favor of it. Mr. Bates stated that there is private property to the north. As you follow the path and drop in, the property is private. There is private property to the left of the trail. Mr. Bates stated that if a scout group was to hike up, there is not enough space for everyone. Mary Ann Degn stated that her concern is vandalism because the area is so isolated. Carl Leatham stated that his concern is with Mrs. Murray, and not wanting her to feel that Wellsville City is pushing her out. After discussion, Gary Bates made a motion, seconded by Perry Maughan, that Wellsville City not support the application of a grant prepared by the Cache County Trail Planning Office for improvement to the Murray trailhead, and not support maintaining the facilities.

**YEA 4**

Gary Bates  
Mary Ann Degn  
Carl Leatham  
Perry Maughan

**NAY 1**

Karen Higley

At 7:30 p.m., conduct a public hearing to receive public input then consider for possible approval the General Fund and the Water Fund each loaning the Sewer Fund up to \$200,000.00 each. Don Hartle stated that each City Council member has a copy of the contract from City Attorney Bruce Jorgensen. Mr. Hartle stated that the sewer fund doesn't have the money for the screen or the improvements to the building. Mr. Hartle stated that this is strictly a loan, and that the sewer fund will pay the same interest rate to the funds that Wellsville City would pay to the State Treasury. Mr. Hartle stated that a public hearing will be held. There were no public comments.

At 7:34 p.m., the public hearing was closed.

Karen Higley asked if the funds would be paid back contingent upon bonding for the water and sewer. Don Hartle stated that Wellsville City doesn't bond for projects. After discussion, Perry Maughan made a motion, seconded by Carl Leatham, to approve the General Fund and the Water Fund each loaning the Sewer Fund up to \$200,000.00 each for the real estate purchase, and authorize Mayor Thomas G. Bailey to sign the loan closing documents.

YEA 5

NAY 0

Gary Bates  
Mary Ann Degn  
Karen Higley  
Carl Leatham  
Perry Maughan

The City Council continued the discussion on safe access for students to the relocated Wellsville Elementary school. Mary Ann Degn stated that this issue was discussed two weeks ago. The entrance and exit plan that the SNAP committee prepared was reviewed. Ms. Degn stated that Paul Egbert submitted a plan with a different entrance and exit. Ms. Degn stated that at one point, a trade of property between Wellsville City and Cache County School District was discussed. Ms. Degn stated that the entrance that Mr. Egbert suggested may not be completed before school is back in session. Carl Leatham stated that he spoke with Mr. Egbert about his proposal. The estimated cost is \$50,000, but that Wellsville City could do it for a lot less because Wellsville City owns the equipment. Mr. Leatham stated that Wellsville City may be able to approach Whitaker Construction about contributing to the project. Mr. Leatham stated that his wife works for Cache County School District. Mr. Leatham stated that she bounced the idea of a property swap off the superintendent and another individual, and they are very open to the concept. Perry Maughan stated that there are water and sewer service lines along 500 North. Mr. Maughan stated that if that road turns to a private lane, what are the thoughts concerning maintenance of the water and sewer service lines. Mr. Leatham stated that he didn't know. Mayor Thomas G. Bailey stated that his concern was that if the entrance and exit to the school changes, it may require turning lanes. Gary Bates stated that UDOT would like to have turning lanes, but they couldn't be required. Mr. Bates stated that finding grants for this type of work may be a possibility. Ms. Degn asked City Engineer Chris Breinholt what his thoughts were concerning Mr. Egbert's proposal. Chris Breinholt stated that he liked Mr. Egbert's proposal very much. Mr. Maughan stated that it is not Wellsville City's responsibility to put students in a bubble in order to get them to and from school. Mayor Bailey asked what the cost of one block of road would cost. Don Hartle stated that the cost is approximately \$40,000 if Wellsville City completes the work. Mr. Hartle reminded the City Council that if the one block of road goes through the park, sprinklers will need to be fixed. Mayor Bailey stated that swapping property with Cache County School District would be a great trade, as well as investing \$50,000. However, Mayor Bailey stated that Wellsville City is not willing to trade property as long as the old Wellsville Elementary is still standing on the property. Mr. Hartle stated that his concern is turning lanes. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to continue this discussion in two weeks, further discuss the proposal from Paul Egbert, Mary Ann Degn and committee will contact the homeowners along 500 North, Mary Ann Degn will work with UDOT, funding options will be reviewed, ensure all other restriction, discuss swapping property with the school district, Mayor Thomas G. Bailey and Perry Maughan will discuss this issue with Whitaker Construction, and Mayor Thomas G. Bailey will contact the irrigation company.

YEA 5

NAY 0

Gary Bates  
Mary Ann Degn  
Karen Higley  
Carl Leatham  
Perry Maughan

Mary Ann Degn asked if City Engineer Chris Breinholt would discuss his feelings concerning 200 West as a one-way street. Chris Breinholt stated that he feels there should be a separated sidewalk. Mr. Breinholt stated that he doesn't agree with Paul Egbert about leaving 200 West along and letting cars drive around students. Mr. Breinholt stated that neither the money nor the land is there to widen 200 West. Mr. Breinholt stated that the next best option is a one-way street. Mayor Thomas G. Bailey stated that he spoke with the Bureau of Reclamation concerning the canal. Mayor Bailey stated that the canal from the Red Slide Subdivision to the school is a very dangerous piece of canal. Perry Maughan suggested installing cement barriers from 500 North to Red Slide Subdivision to protect the students from the canal and 200 West. After discussion, Karen Higley made a motion, seconded by Carl Leatham, to have 200 West as a one-way street traveling north, install a pedestrian lane, accept the crosswalk plan from the SNAP

committee installing crosswalk at 500 North and 200 West, and to review stop signs.

**YEA 4**

Gary Bates  
Mary Ann Degn  
Karen Higley  
Carl Leatham

**NAY 1**

Perry Maughan

The City Council continued discussion for possible approval relating to needed improvements at the sewer lagoons. Don Hartle stated that Tom Maughan is not in attendance, and asked that this issue is added to a future City Council meeting agenda.

The City Council discussed the possibility of amending the beer code 3-2A-13-D. Mayor Thomas G. Bailey stated that when Maverik opened, they reviewed the beer code because they are open 24 hours a day, 7 days a week. The code states that beer cannot be sold between 1:00 a.m. and 10:00 a.m. Don Hartle stated that he spoke with Wellcome Mart, and they sell beer during the time that they are open. Mr. Hartle stated that he checked with Cache County Sheriff's Office, and there is no law that limits the time for selling beer. Mr. Hartle stated that there would need to be a public hearing to amend the code. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to have Don Hartle schedule a public hearing to amend the beer code 3-2A-13-D.

**YEA 5**

Gary Bates  
Mary Ann Degn  
Karen Higley  
Carl Leatham  
Perry Maughan

**NAY 0**

The City Council conducted a workshop on the 2016/2017 budget. Gary Bates stated that there are no maintenance fees for parks, trails, and ball fields in the budget. Mr. Bates suggested hiring a high school or post high school person for 10 hours a week to perform maintenance tasks. The amount is approximately \$1,600. Mr. Bates stated that Wellsville City is building capital, but the maintenance costs are sneaking up. Perry Maughan stated that he agreed with Gary Bates. Mr. Bates stated that there are impact fees that can be used. Don Hartle stated that a city can't spend impact fees for operational costs. Mr. Maughan stated that if the budget needs to be reopened, he is in favor of doing it. Karen Higley asked about resurfacing the trails. Mr. Bates stated that the cost is approximately \$2,000 and it has to be done every 3 years. Ms. Higley stated that she thinks it is a great idea. Ms. Higley stated that she is nervous about the amount of parks, trails, and ball fields that Wellsville City is taking on. After discussion, Perry Maughan made a motion, seconded by Gary Bates, to approve opening the budget and spending \$1,600 to hire someone for maintenance tasks on the parks, trails, and ball fields.

**YEA 5**

Gary Bates  
Mary Ann Degn  
Karen Higley  
Carl Leatham  
Perry Maughan

**NAY 0**

Department Reports:

Carl Leatham – 1) Had first parade, float held together, girls looked good. Art Smith is having problems finding drivers, but will keep looking.

Gary Bates – 1) New Parks & Recreation Director has been named and accepted. Sam Winward will still be overseeing the Movies in the Park.

2) Memorial Day program is coming together.

Thomas G. Bailey – 1) Moving day is tomorrow.

2) Will be meeting next Wednesday with the Historical Committee to finalize the open house.

3) Spoke with City Engineer Chris Breinholt – public works shed is coming together.

4) Thanked Karen Higley for the fantastic job that she did on the Miss Wellsville Scholarship pageant.

Perry Maughan – 1) Rebuilding 600 South from Center Street to 200 West and new bridge.

2) Looking for a new tree trimmer.

3) Trees have been sprayed again.

Mary Ann Degn – 1) Asked if the new sign at the Wellsville Dam will have a glass front. Discussed installing plexi-glass.

2) Discussed 145 W 200 S – has a cement driveway and the sidewalk is a mess. Asked if they can replace the sidewalk and driveway with cement. It has to be asphalt from sidewalk out. If Wellsville City has to dig it up, it will be up to the homeowner to replace it.

3) Rocky Mountain Power permit – June 16, 2016 to set streetlight and flashing lights.

4) Jonathan Cook still wants to work on the webpage – will talk to him again.

Karen Higley – 1) Thanked Don Hartle and Mayor Thomas G. Bailey for the amazing new City Office building. It is because of the relationships that Don Hartle has created that the building came together as it did.

2) Glass for the bookshelf – glass person will be coming.

At 8:35 p.m., Karen Higley made a motion, seconded by Carl Leatham, 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