

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, July 20, 2016, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilwomen Mary Ann Degn, Karen Higley, Councilmen 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 July 15, 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	Kohler Ames
	Ernest Blankenship	Miles Jensen	Seth Tait
	Curtis Maughan	DeVon Parkinson	Dora Parkinson
	Jeremy Woodward	Brett LaMont	Bart LaMont
	Jerilyn Isom	Jonathan Cook	Karma Leatham
	Laurie Christensen		

Opening Ceremony: Mary Ann Degn

The Council reviewed the agenda. Don Hartle stated that #12 and #13 canceled. Karen Higley made a motion, seconded by Mary Ann Degn, to approve the agenda with the changes.

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

The Council reviewed the minutes of the June 15, 2016 regular City Council meeting. Mary Ann Degn made a motion, seconded by Carl Leatham, to approve the minutes of the June 15, 2016 regular City Council meeting as presented.

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

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

<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, Carl Leatham made a motion, seconded by Perry Maughan, to approve the City's account payables bills for payment, represented by check number 19673 through 19711.

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

Councilman Gary Bates arrived at the meeting at 6:07 p.m.

Kaylene Ames met with the City Council to discuss an Eagle Scout project. Ms. Ames stated that she has been working with a scout on a sign and a bench at the Wellsville Tabernacle. Ms. Ames stated that they would like to move the sign and bench across the sidewalk. Ms. Ames wanted to share the change with the City Council. Ms. Ames stated that the project has already been approved. Mayor Thomas G. Bailey stated that he has reviewed the location, and feels that the new location ties in better with the Wellsville Tabernacle. After discussion, Perry Maughan made a motion, seconded by Mary Ann Degn, to approve the revised plan for the sign and bench at the Wellsville Tabernacle.

YEA 5

Gary Bates

Mary Ann Degn

Karen Higley

Carl Leatham

Perry Maughan

NAY 0

Ernest Blankenship met with the City Council to discuss illegal dirt bikes that are on the roadway. Mr. Blankenship stated that these bikes are driving between 60 and 70 MPH. Mr. Blankenship stated that he has brought this issue forward before, and that it is still a problem. Mr. Blankenship stated that if a police car tries to follow someone on a dirt bike, the individual on the dirt bike gets away before they can be caught. Mr. Blankenship suggested using unmarked police cars. It was suggested that discussing motorcycles on the roadway be added to a future City Council agenda. Gary Bates asked what the status of the ATV code was. Mr. Bates suggested that the ATV code be brought to the City Council and discussed.

Miles Jensen, representing Olson & Hoggan, met with the City Council to discuss attorney services. Mr. Jensen stated that Olson & Hoggan, as well as Wellsville City, have suffered a great loss with the passing of Bruce Jorgensen. Mr. Jensen stated that as Olson & Hoggan and Wellsville City moves forward, he hopes that they can meet all of the needs and expectations. Mr. Jensen stated that for the past 4 years, Seth Tait has worked with Mr. Jorgensen. Mr. Jensen stated that they wanted to stop by and let the City Council know that they will be available to serve and meet the needs of Wellsville City. Mayor Thomas G. Bailey stated that one of the issues that Mr. Jorgensen worked with Wellsville City on extensively is water. Mayor Bailey stated that from time to time, Wellsville City purchases water or property with water shares. Mayor Bailey stated that Mr. Jorgensen was very good at handling all that is involved with water. Mayor Bailey asked if Mr. Jensen is comfortable handling water issues. Mr. Jensen stated that they have a paralegal and an attorney that is full-time that handles water issues. Gary Bates asked if Olson & Hoggan are offering their services. Mayor Bailey stated that the City Council will discuss the issue and contact Olson & Hoggan. Don Hartle stated that he strongly recommends Olson & Hoggan. Mr. Hartle stated that they have helped out on several projects. Mr. Hartle believes that they do an excellent job. Mayor Bailey thanked Mr. Jensen and Mr. Tait for being in attendance.

Curtis Maughan met with the City Council to discuss electricity on the City Square. Mr. Maughan stated that he was invited to this City Council meeting to explain the infrastructure concerning electricity on the City Square. Mr. Maughan stated that there have been problems in the past. Mr. Maughan stated that the best place for power is in the southeast and northeast corners of the City Square. Mr. Maughan suggested limiting the concession vendors at Founder's Day to 1,000 watts of power. Mr. Maughan stated that the electricity system has been improved, but the infrastructure is not present. Mr. Maughan explained what a GFCI was, and when it would be required. Mr. Maughan stated that last year, the GFCI located at the restrooms was inoperative. Karen Higley stated that some vendors didn't have enough power. Mr. Maughan stated that he would volunteer to be involved with setting up the vendors to the extent as to how their equipment is set up. Perry Maughan stated that he agrees with Curtis Maughan. Perry Maughan suggested limiting the amount of power each vendor receives, and if the vendor requires more power, the vendor will need to supply a generator. Curtis Maughan suggested moving the vendor with the inflatables to the northeast corner of the City Square. Curtis Maughan suggested contacting the vendor to ask the horsepower on his motors so that Wellsville City will know his requirements and help supply him with adequate power. Mayor Thomas G. Bailey thanked Curtis Maughan for attending this meeting.

At 6:30 p.m., conduct a public hearing to receive public input, then consider for approval the concept plan for the Parkinson Acres Subdivision consisting of a total of 3 lots on property on the west side of 200 East from 1135 South to approximately 1249 South. DeVon Parkinson stated that he would like to subdivide his 3 acres of property into 3 lots for a subdivision. Jeremy Woodward stated that they attended the Planning Commission meeting last week, and reviewed the memorandum from City Engineer Chris Breinholt dated June 15, 2016. Mr. Woodward stated that they have some concerns about the following items: 1) waive the sidewalk requirement, 2) fire hydrants installed and that a precedence may have been set with Wellsville City helping to pay for them, 3) drainage swale as there is nothing in front of the property, it is completely flat, and 4) existing right-of-way is 33 feet, and the current code requires 49 ½ feet. Curtis Maughan stated that the Parkinson's have been good neighbors for many years and have always taken care of their property. Mr. Maughan recommended that the City Council listen to them and help them. Tom Maughan stated that eventually, the sewer line would run along 200 East on the south side of Highway 89/91. This issue needs to be addressed, as there are enough homes along the street to address it. Carl Leatham asked if Tom Maughan would recommend a septic tank located on the street side of the lot. Tom Maughan stated yes.

At 6:37 p.m., the public hearing was closed.

Perry Maughan stated that the sewer runs along Center Street, and suggested that Wellsville City shoot some grades to bring the sewer to 200 East. Mr. Maughan stated that the swale was there, someone must have filled it in, and needs to be replaced. Carl Leatham stated that there were only 3 members of the Planning Commission present at the last Planning Commission meeting. The Planning Commission couldn't agree on a motion to approve the concept plan, so it was passed on to the City Council. Mr. Leatham stated that there are 3 building lots, and if an additional 16 ½ feet is required for a right-of-way, there is not adequate acreage for the RA-1 zone. Mr. Parkinson could develop only 2 lots instead of 3 lots. Mr. Leatham stated that neighboring properties have only a 66-foot right-of-way, and in some places, maybe less. Mr. Leatham stated that there is an option to rezone the property, which would require 40% open space, but then there could be 3 lots, not just 2 lots. Karen Higley asked at what point in the development it requires open space. Don Hartle stated that open space is required in all residential zones except for R-1-12. Open space is required in the RA-1/2 and RA-1 zones. Mr. Leatham stated that the existing homes have been built 10 to 30 years ago. Mary Ann Degen stated that Wellsville City has the same problem along 200 West concerning the 66-foot right-of-way. Ms. Degen stated that she doesn't know when to waive and sidewalk and when not to. Ms. Degen asked about the sidewalk fund. Gary Bates stated that the sidewalk fund issue should be added to a future City Council agenda. Ms. Higley stated that because of the road, she would suggest staying with the 66-foot right-of-way to follow the flow of the road. Mr. Leatham stated that the Wellsville Ranches Subdivision tried the 66-foot right-of-way, and it doesn't work for plowing snow and utilities in the pavement. Mr. Leatham stated that problems are created with the 66-foot right-of-way. Mayor Thomas G. Bailey stated that 200 East south of Highway 89/91 was a county road when the property was annexed, and the 66-foot right-of-way came from the county. Mayor Bailey stated that Wellsville City has allowed development along 200 East and maintained the 66-foot right-of-way. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to waive the sidewalk.

YEA 5

NAY 0

Gary Bates
Mary Ann Degen
Karen Higley
Carl Leatham
Perry Maughan

Gary Bates stated that he likes Perry Maughan's idea about the sewer line. Perry Maughan stated that he strongly recommends shooting some grades for the sewer line. Mr. Maughan stated that they have to start somewhere. Carl Leatham asked if Wellsville City would run the main line from Center Street to 200 East. Mr. Maughan stated no, Wellsville City wouldn't run the main sewer line, but the developer would run the main sewer line. Mr. Bates stated that a sewer improvement district might need to be created. Karen Higley stated that running a main sewer line is quite a hit for a small subdivision. Mr. Maughan stated that if the grades are shot, and it doesn't work, at least Wellsville City knows that. Mr. Bates asked what the cost of sewer line is. Don Hartle stated that it is approximately \$35 to \$40 a foot. Tom Maughan stated that

he likes Mr. Bates' idea of a sewer improvement district. Mr. Bates asked that the sewer improvement district be added to the next City Council agenda. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to allow the 3 lots to install septic tanks if approved by the Bear River Health Department.

YEA 4

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham

NAY 1

Perry Maughan

Karen Higley asked if Wellsville City has ever paid for fire hydrants for a development. Perry Maughan stated no. Mr. Maughan stated that the fire hydrants are now required every 300 feet. After discussion, Gary Bates made a motion, seconded by Perry Maughan, to require fire hydrants as shown on the west side.

YEA 5

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

NAY 0

After discussion, Perry Maughan made a motion, seconded by Gary Bates to install swales as shown and grades with culverts.

YEA 5

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

NAY 0

After discussion, Karen Higley made a motion, seconded by Perry Maughan, to approve the 66-foot right-of-way.

YEA 5

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

NAY 0

After discussion, Gary Bates made a motion, seconded by Perry Maughan, to approve #4, 5, and 7 of the memorandum issued by City Engineer Chris Breinholt dated June 15, 2016.

YEA 5

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

NAY 0

After discussion, Carl Leatham made a motion, seconded by Karen Higley, to approve the concept plan for the Parkinson Acres Subdivision consisting of a total of 3 lots on property on the west side of 200 East from 1135 South to approximately 1249 South with compliance of all recommendations from City Engineer Chris Breinholt.

YEA 5

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

Brett LaMont met with the City Council to discuss leasing the open space in the Mount Sterling Estates Subdivision between Aspen Way and Highway 89/91. Mr. LaMont stated that he and his family have leased the property for the past 3 years for farming purposes. Mr. LaMont stated that the lease is up this year. Mr. LaMont stated that they would like to disc the property and plant something better in there. Mr. LaMont would like to extend the lease to 6 years. Mr. LaMont stated that he plans to disc the property this fall. Karen Higley stated that some homeowners have expressed an interest in the property when the lease has expired. Ms. Higley stated that her concern is that if something is planted on the property, and asked if kids could still play on the property if someone else is leasing it. Mayor Thomas G. Bailey asked who owns the open space. Don Hartle stated that Wellsville City owns the open space. Mayor Bailey stated that when someone is leasing property as farm ground, kids are not allowed to play on it. Ms. Higley stated that personally, she doesn't have a problem with leasing the property. Gary Bates stated that Wellsville City owes it to the homeowners in the area to discuss the issue. Perry Maughan suggested running an ad in the newspaper to give everyone a fair chance to lease the property. Mr. Maughan stated that he has no problem with leasing the property for 6 years. Ms. Higley stated that she agrees with a 6-year lease. Mayor Bailey asked that Don Hartle add this issue to the next City Council agenda on August 3, 2016. Mayo Bailey thanked Mr. LaMont for attending this City Council meeting.

The City Council reviewed for approval Phase 1 of safe sidewalks on State Highway 23. Mary Ann Degn stated that phase 1 (12H) is the sidewalk on the north side of State Highway 23 (500 North) from Center Street to 100 West. The total cost of the project is \$23,200. The amount that UDOT will pay is \$17,400. The amount Wellsville City will pay is \$5,800. Ms. Degn stated that this is a 75%/25% contract. After discussion, Mary Ann Degn made a motion, seconded by Carl Leatham, to approved Phase 1 of safe sidewalks on State Highway 23 (12H).

YEA 5

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

The City Council reviewed for approval Phase 2 of safe sidewalks on State Highway 23. Mary Ann Degn stated that phase 2 (13H) is the sidewalk on the east side of State Highway 23 (Center Street) between 400 North and 500 North. The total cost of the project is \$23,700. The amount that UDOT will pay is \$17,775. The amount Wellsville City will pay is \$5,925. Ms. Degn stated that this is a 75%/25% contract. After discussion, Mary Ann Degn made a motion, seconded by Karen Higley, to approve Phase 2 of safe sidewalks on State Highway 23 (13H).

YEA 5

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

The City Council discussed for approval the installation of signs and crosswalk necessary for the relocation of the elementary school. Mary Ann Degn reviewed the cost of traffic signs, lines, and bicycle/pedestrian figures on 200 West between 100 South and 500 South. Wellsville City would need 16 one-way signs and 2 do not enter signs. The total cost of the signs and posts is \$1,253. This cost doesn't include installation.

Ms. Degn suggested using Eagle Scout projects for the installation of the signs. Ms. Degn received 2 bids for the line stripping and bicycle/pedestrian figures. The first bid is from Bright Stripes located in Providence. Their bid is \$3,880. The second bid is from Interstate Barricade located in Layton. Their bid is \$2,767.31. Ms. Degn stated as much as she would like to keep the business in the valley, she suggested that Wellsville City award the contract to Interstate Barricade. After discussion, Mary Ann Degn made a motion, seconded by Karen Higley, to award the contract to Interstate Barricade for a total of \$4,020 plus the best price for installation of the signs and posts.

YEA 5

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

Department Reports:

Gary Bates – 1) Jerilyn Isom is the camp host for the campground around Wellsville Dam. There is an individual that has been living at the campground, and isn't very cooperative. She has paid for 14 days, which is through July 28, 2016. She has stated that she would be leaving in August for surgery, but plans to return in September. Mr. Bates suggests that Wellsville City follow the City code that says there is a 3-day limit. Mr. Bates proposed that the 3-day limit be within any given month. Mr. Bates suggested that after July 28, 2016, no more money is to be taken from this individual, and that law enforcement come and remove her from the premises. After discussion, Gary Bates made a motion, seconded by Perry Maughan, to limit camping at the campground around Wellsville Dam to 3 days per month.

YEA 5

NAY 0

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

- 2) Received a grant from the Department of Wildlife Resources for \$800 for the Fishing Derby.
- 3) Talked to Cache County School District about locating the horseshoe pits next to the fence on the west side of the school next to Sarah Lindley's. Mr. Bates stated that he received a good response. Mr. Bates is concerned that there may be disconnect between the Superintendent and the Business Manager. Mr. Bates stated that he should hear more about the issue tomorrow.
- 4) Youth Council would like to donate another bench at the splash pad because of the lack of seating.
- 5) Believes the issue concerning the benches for the Branch's and Leatham's have been resolved. Great Western will pay for the concrete, and the installation of the benches will be an Eagle Scout project.
- 6) Splash Pad – has had some vandalism concerning the button to push to turn it on. Mr. Bates has received another button. If this button becomes broken, some other type of activation will need to be installed.
- 7) Splash Pad – called and stated that they have sent the invoice, and asked if final payment could be sent – yes.

Carl Leatham – 1) Planning Commission – public works building – list of requirements for final approval – update road master plan, landscape plan, fence plan, 300 West road dedication shown and protected to the north.

- 2) Donating benches and picnic tables – post in City newsletter.
- 3) Asked when we stand with technology in the new City Office building. Don Hartle explained the issue that they are having with the projector.
- 4) Splash pad – closed on Sundays – yes. The times that the splash pad is opened are Monday through Saturday from 11:00 a.m. to 7:30 p.m.
- 5) Spoke with Ron Case concerning the fence – chain link with privacy slats. Discussed contacting the Brandts since they are using the field for hay.

6) Discussed with Superintendent Norton concerning the decision with the elementary school and going ahead with the demolition. Also discussed the land swap with Cache County School District. Mr. Norton stated that he is willing to listen and definitely interested. Ran into Dale Hansen at the same place. He discussed the land swap, and he is interested in listening to anything Wellsville City has to say.

Mary Ann Degn – 1) Jeff & Michelle Andrews – Cache County Fair booth – doesn't need any help, but would like to see the City Council come and visit to see what it is they are doing.

2) Thanked Ron Case for starting the website.

Karen Higley – 1) Recreation property – a soccer field for U13 competitive.

2) Tony Nielson – had pressure problems with his sprinkling system when the Mount Sterling Estates Subdivision had water problems. His property has been blue-staked, and is wondering if he would get some help digging in his yard. Don Hartle stated that he would contact him and schedule a time.

Mayor Thomas G. Bailey – 1) Had a conversation with Don Hartle, and he would like to retire October 4, 2016. Mr. Hartle explained that there are 2,080 hours in a year, if you work a 40-hour week. Mr. Hartle has over 2,300 hours of vacation and sick leave accrued. Mr. Hartle proposed to Wellsville City that he receive an employment check every month, and give 77 hours to Wellsville City in return for payment of the premium on his retirement and medical insurance. Mr. Hartle stated that by doing this, his hours will take him through June 30, 2017. Mr. Hartle stated that he met with City Attorney Bruce Jorgensen before he passed away concerning this plan. Mr. Hartle stated that he wants to leave the City with good feelings and that he didn't take advantage of Wellsville City. Mayor Bailey stated that Wellsville City has 2 options; the option that Mr. Hartle just explained, or to pay out Mr. Hartle in one-lump sum. Mayor Bailey stated that he believes it is a benefit to Wellsville City to spread it over 9 months. Gary Bates stated that his concern is that there isn't much time to recruit and train someone. Mr. Hartle stated that he is willing to train someone, and if he needs to, push his retirement date out a month. Mayor Bailey asked if any City Council member has any problems with proceeding. Carl Leatham stated that he believes it is more than fair. Mr. Hartle stated that he wants to drift off into the sunset, and asked that Wellsville City doesn't organize an open house for him. After discussion, Carl Leatham made a motion, seconded by Karen Higley, to approve in concept the retirement plan for Don Hartle.

YEA 5

NAY 0

Gary Bates

Mary Ann Degn

Karen Higley

Carl Leatham

Perry Maughan

City Manager/Recorder Report:

Don Hartle – 1) Received 3 bids for the Public Works Building – they are as follows:

Raymond Construction	\$924,400
Spindler Construction	\$1,040,944
Wadman Corporation	\$1,775,000

Sand and salt building is included. Will talk to City Engineer Chris Breinholt concerning an estimate on earthwork.

2) New City Office building – has a set of keys that fits the west door and Council Chambers. The irrigation company meets monthly. Asked if they should have a key, or if someone should sign out the key every time. It was decided to give the irrigation company a key.

3) Sherwood Hills – handed out a packet of information for the City Council to review.

4) Christmas Party – Maddox – December 2, 3, 9, or 10.

At 9:25 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

Thomas G. Bailey
Mayor

Don Hartle
City Manager/Recorder