

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, December 21, 2016, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilwoman Mary Ann Degn, Councilmen Gary Bates, Colin Harrison, Carl Leatham, and Perry Maughan. City Manager/Recorder Scott Wells 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 December 16, 2016. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present:

Jennifer Leishman	Aaron Walker	Justin Jeppson
Beverly Jeppson	Curtis Knight	Corrick Knight
Clint Kerr	David Bankhead	Stephen Bankhead
Jeremy Burbank	Craig Smith	Val Lindley
Paul Willardson	Ryan Lamoreaux	Carol Nyman
Thelma Seeholzer	Clarice Higbee	Byron Anderson
Cody Anderson	Diana Cannell	Jennifer Hendricks
Jonathan Cook	Roger Cook	Jennifer Cook
Jim Bowles	Kaylene Ames	Ron Case
David Bell	Anne Bell	

Opening Ceremony: Perry Maughan

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

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

The Council reviewed the minutes of the December 7, 2016 regular City Council meeting. Gary Bates made a motion, seconded by Carl Leatham, to approve the minutes of the December 7, 2016 regular City Council meeting as presented.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Mary Ann Degn	
Colin Harrison	
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, Gary Bates made a motion, seconded by Colin Harrison, to approve the City's account payables bills for payment, represented by check number 20306 through 20340.

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

Aaron Walker stated that he lives at 1290 South Center Street. There is a water issue, and it is an issue only when it rains. The issue is along Center Street, from about 1490 South to 1250 South. There are two

sources of water in the area, the water that comes from the drainage out of Wellsville Canyon and the storm water from the two subdivisions. All of this water creates the perfect storm. Mr. Walker believes that there is too much water for the size of culverts that were installed. In addition, the culverts at the Cooper Ridge Subdivision are too high for the water to run into. Mr. Walker stated that both of these problems should be addressed, the size of the culverts and the elevation of the culverts. Perry Maughan agreed with Mr. Walker, and that it is something that needs to be reviewed. Mayor Thomas G. Bailey thanked Mr. Walker for his input.

Justin Jeppson met with the City Council for a business license. Mr. Jeppson stated that he purchases old, broken, cheap furniture and refurbishes it to sell. Mayor Thomas G. Bailey asked about parking and trailers. Mr. Jeppson stated that he owns a single-axle trailer that he uses to deliver most of the furniture. Mr. Jeppson stated that on occasion, a customer will come to his home, but it is very rare. Carl Leatham stated that the Planning Commission approved the conditional use permit with no restrictions. Mr. Leatham explained to Mr. Jeppson that there is an ordinance concerning the parking of trailers, and that the trailer is to be parked behind the home or to the side of the home behind the front corner of the home. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to approve the business license for Justin Jeppson.

YEA 5

NAY 0

Gary Bates
Mary Ann Degn
Colin Harrison
Carl Leatham
Perry Maughan

Beverly Jeppson met with the City Council for a business license. Ms. Jeppson stated that she makes and sells soaps. Ms. Jeppson used pre-made soap that she melts down and pours into molds. Ms. Jeppson stated that 90% of her business is conducted online. Carl Leatham stated that the Planning Commission approved the conditional use permit with no restrictions. Mr. Leatham asked if Ms. Jeppson pours any chemicals down the drain that would go into the sewer system. Ms. Jeppson stated that she uses as much of the soap as she can, and on occasion, does pour it down the drain, but it is just soap. Mr. Leatham asked if there are any smells. Ms. Jeppson stated no, she uses essential oils. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to approve the business license for Beverly Jeppson.

YEA 5

NAY 0

Gary Bates
Mary Ann Degn
Colin Harrison
Carl Leatham
Perry Maughan

Curtis Knight met with the City Council to discuss the possibility of storage units in the Commercial Highway zone. Mr. Knight stated that they are looking at three different properties for sale in Wellsville along the highway. Mr. Knight stated that while looking in the Wellsville City code, he is unable to find where Wellsville City allows storage units. Mr. Knight is wondering how the existing City Council feels about this issue. Carl Leatham stated that storage units of any kind are not allowed in Wellsville City. Mr. Knight asked if the current City Council is against storage units. Mr. Leatham stated that he sees no reason to discuss this issue. Mr. Leatham stated that storage units bring problem, generate no revenue, visibility, and they don't fit in. Mr. Leatham stated that the commercial zone is located along Highway 89/91. Mr. Leatham stated that Wellsville wants to protect the corridor into Cache Valley. Mr. Leatham stated that Mr. Knight does have the right to submit an application to modify the Wellsville City code. Mr. Knight stated that the storage units would not be located along Highway 89/91, but they would be back off the highway. Mr. Leatham stated that Mr. Knight is not the first individual to request storage units in Wellsville. Mayor Thomas G. Bailey stated that Mr. Knight has the right to request a modification to the Wellsville City code. Mayor Bailey stated that he can only tell Mr. Knight what has taken place in the past. Perry Maughan suggested that Mr. Knight begin the process with the Planning Commission. Mr. Knight

asked how the City Council feels about storage units because he doesn't want to waste his time. Gary Bates stated that he would not be supportive of storage units along Highway 89/91. Mr. Knight thanked the City Council for their time.

At 6:30 p.m., receive public input, then consider for possible approval the resolution to ratify and authorize the City's utility billing rate structure of \$3.00 per month per utility bill to continue. Mayor Thomas G. Bailey stated that the document was mailed to the City Council. This issue was discussed at the previous City Council meeting as to why Wellsville City is doing this. It is to cover any loose ends. Carl Leatham stated that this is not an additional fee; it is for the current fee. Gary Bates stated that the fee was to pay for the fire truck, and it was discussed as an on-going fee. Mr. Bates stated that the fee was approved for the length of the payment plan of the truck. Mr. Bates stated that this resolution allows this fee to be open-ended now. Mr. Bates stated that he supports this issue because he believes that the fire department is in need of these funds. Scott Wells stated that City Attorney Miles Jensen informed him that a resolution has a 5-year term. Mr. Wells stated that he believes there is approximately 3 years left on the fire truck. Colin Harrison stated that he is supportive of the \$3.00 per month fee as long as it ends once the fire truck is paid off. Mary Ann Degen suggested that the \$3.00 per month fee continue for 3 years until the fire truck is paid for, and then evaluate expenses for the fire department then. Perry Maughan suggested leaving the term at 5 years, the length of the resolution. Cody Anderson asked once the fire truck is paid off, where the money from the fee goes. Mayor Bailey stated that the money has to remain with the fire department. Clint Kerr stated that when the \$3.00 per month fee was approved, the minutes reflect that it was approved for fire equipment, not a fire truck. Mr. Kerr stated that the need for funds for the fire department is there. Ron Case stated that he remembers the \$3.00 per month fee as a way to continue to fund the fire department. Mr. Kerr stated that this fee is for fire equipment, not just a fire truck. Mr. Harrison stated that he doesn't want to see this fee continue just because it can. Mr. Harrison stated that he understood that the fee was for the fire truck only, and would continue until the fire truck is paid off. Mr. Harrison stated that he is in favor of helping the fire department. Mr. Harrison believes that the \$3.00 per month fee should end when the fire truck is paid for, and if the public agrees, begin a new fee. Mr. Leatham stated that it was suggested to increase the fee in the future. Mr. Leatham stated that once the fire truck is paid off, the fire department is still in need.

At 6:43, the public hearing was closed.

After discussion, Perry Maughan made a motion, seconded by Gary Bates, to adopt **RESOLUTION 2016-11, A RESOLUTION RATIFYING, AUTHORIZING AND IMPOSING A FIRE AND WATER SERVICE FEE/RATE/TAX WITHIN THE CITY OF WELLSVILLE, UTAH**, and to readdress this issue in 5 years.

YEA 5

NAY 0

Gary Bates
Mary Ann Degen
Colin Harrison
Carl Leatham
Perry Maughan

At 6:45 p.m., receive public input, then consider for possible approval the concept plan for the Bankhead Subdivision consisting of a total of 14 lots from 800 South to 900 South and from Center Street to 100 East. David Bankhead stated that the Planning Commission had approved the concept plan. Mr. Bankhead stated that there is another subdivision being built across Center Street, and he has some questions concerning the sidewalk. Mayor Thomas G. Bailey asked if Mr. Bankhead received a copy of the memorandum issued by City Engineer Chris Breinholt dated October 20, 2016. Mr. Bankhead stated yes. Carl Leatham stated that the comments from Mr. Breinholt had been discussed with the Planning Commission, and asked if there had been any changes to the concept plan. Mr. Bankhead stated no. The City Council reviewed the list of comments from Mr. Breinholt with Mr. Bankhead. Mr. Leatham stated that the fire hydrants are required every 300 feet by the State of Utah. Mr. Bankhead stated that both subdivisions will share the fire hydrants and the sidewalk along Center Street. Mr. Leatham stated that there is not a sidewalk in the neighborhood until 500 South. Mr. Leatham stated that sidewalks would be required on the east side and south side of the

subdivision. Mr. Bankhead proposed that sidewalk be installed along 900 South, 100 East, and back to the property line of Michael Willardson. Mr. Bankhead proposed not installing sidewalk on the east side of Center Street, and instead, installing it on the west side of Center Street. Mayor Bailey stated that there is an irrigation ditch that runs along Center Street, and asked if there is room for the ditch and sidewalk. Mr. Bankhead stated that the sewer line and water line are located on the east side of Center Street, to there is room for the ditch and sidewalk on the west side. Mr. Leatham stated that the pressurized water system has been discussed before. Gary Bates asked who would maintain the pressurized water system. Mr. Bankhead stated that there would be a HOA that maintains the pressurized water system. Mayor Bailey stated that neighbors are concerned about the irrigation line that runs through the middle of the property. Mr. Bankhead stated that the irrigation line will fall into one of the 10-foot P.U.E.'s. Mr. Bankhead stated that he has no intension of doing anything to disrupt the irrigation line, so there will be no impact to it. Mr. Leatham asked if the pressurized water system will run in the 10-foot P.U.E.'s. Mr. Bankhead stated yes. Mr. Leatham stated that ditches around the property are not there for flood control because they have been filled in. Mr. Leatham asked if Mr. Bankhead understood the concern, and what he was doing to address it. Mr. Bankhead stated that he is waiting to hear from the engineer to give him some direction. Perry Maughan stated that he agrees with Mr. Bankhead on this issue. Jonathan Cook explained what a big deal sidewalk can be, and that it would be a benefit to have sidewalk on both sides of Center Street. Mr. Cook stated that there are chunks of sidewalk that exist on the east side of Center Street. Mr. Cook stated that he would agree with no sidewalk if there was a fee in lieu of sidewalk. Val Lindley stated that he is concerned about the sewer line, and if it can handle 14 more homes. Mr. Maughan stated that it would. Scott Wells stated that he discussed the sewer line issue with City Engineer Chris Breinholt, and Mr. Breinholt has no problems with the size of sewer line that is currently there. Mr. Lindley stated that the runoff water needs to be controlled. Mary Ann Degn stated that she appreciates Jonathon Cook's comments concerning the sidewalks.

At 7:09 p.m., the public hearing was closed.

After discussion, Carl Leatham made a motion, seconded by Gary Bates, to require the installation of sidewalk around the perimeter of the project.

YEA 4

Gary Bates
Mary Ann Degn
Colin Harrison
Carl Leatham

NAY 1

Perry Maughan

After discussion, Gary Bates made a motion, seconded by Mary Ann Degn, that a catch basin is constructed or an engineering study be completed for the storm water.

YEA 5

Gary Bates
Mary Ann Degn
Colin Harrison
Carl Leatham
Perry Maughan

NAY 0

Carl Leatham stated that the Planning Commission approved the concept plan for David Bankhead, with the condition that Mr. Bankhead complies with the comments from City Engineer Chris Breinholt. After discussion, Carl Leatham made a motion, seconded by Colin Harrison, to approve the concept plan for the Bankhead Subdivision consisting of a total of 14 lots from 800 South to 900 South and from Center Street to 100 East, with the conditions that the drainage on the property be reviewed, an easement for the irrigation pipe, and that 49 ½ feet be dedicated to Wellsville City for the road right-of-way.

YEA 5

Gary Bates
Mary Ann Degn

NAY 0

Cook stated that there are three stages. They are as follows: 1) Visionary Stage, 2) Planning Stage, and 3) Design/Detail Stage. The parts of the Visionary Stage are Contextual Analysis, Existing Conditions Analysis, Program Development, and Imagery & Character Sketches. The parts of the Planning State are Master Plan & Phases and Visualization. The parts of the Design/Detail Stage are the Design Guideline. Mr. Cook presented his plan for the Wellsville Dam Park at 500 South 100 East. Mayor Thomas G. Bailey thanked Mr. Cook for his presentation.

The City Council discussed the future location of the green waste bin. Scott Wells suggested locating the green waste bin on the east side of Wellsville Dam on the north end of the camping spot. Mr. Wells stated that he is concerned with moving the green waste bin to the gravel pit because it is out of site. Mr. Wells stated that there is potential for more vandalism. Ron Case stated that when the green waste bin becomes full, people will still dump around it. Perry Maughan suggested moving the green waste bin to the site of the old dump, which is the north side of the cemetery. Mr. Maughan stated that he is looking to build for the future. Mr. Maughan suggested the City Council review the area. Mayor Thomas G. Bailey asked that the City Council review the area that Mr. Maughan suggested, and that this issue be added to the next agenda.

Department Reports:

Colin Harrison – 1) Actions taken on items not on the agenda – just a reminder.
2) Storage Units – why opposed – drain on the commercial area and no revenue is generated.
3) Discuss the triangle piece of property to trade to Cache County School District – suggested abandon 200 West from 500 North to Highway 23. Carl Leatham stated that UDOT would not recommend abandoning 200 West. If the intersection of 500 North and 200 West is retained, Wellsville City will have to build it to UDOT standards. No one knows what the answer is, but a decision needs to be made concerning the issue.

Councilman Gary Bates left the meeting at 8:24 p.m.

Carl Leatham – 1) New salt building – concerned about water aquifer and water runoff with salt – will not store salt there until it is covered.
2) New city code – complete – ready for approval – review online – will be at least March before any action is taken.
3) Reviewed grandfather clause concerning existing commercial buildings in residential zones that have been abandoned – Mike Leishman & Tracy Bailey – there are options for both buildings.

City Manager/Recorder's Report:

Scott Wells – 1) Fire Department would like to rent Council Chambers, and asked that the rental fee be waived. Because the Fire Department is part of the City, there will be no rental fee.

Mayor Thomas G. Bailey wished the City Council a very Merry Christmas.

At 8:43 p.m., Colin Harrison made a motion, seconded by Carl Leatham, to adjourn the meeting.

YEA 4
Mary Ann Degn
Colin Harrison
Carl Leatham
Perry Maughan

NAY 0

Thomas G. Bailey
Mayor

Scott E. Wells
City Manager/Recorder