

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, June 20, 2012, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilmen Ron Case, Colin Harrison, Carl Leatham, and Councilwoman Glenna Petersen. 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 June 15, 2012. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present:

Jennifer Leishman	Janna Anderson	DeVon Anderson
Aleena Winward	Cory Hubbard	Tom Horlacher
Audrey Andrus	Jeff Andrus	Janalee Nielson
Bruce Parker	Cody Dobson	Foster Nix
Julie Nix	Jonathan Cook	Bevan Higbee
Matt Pearce		

Opening Ceremony: Carl Leatham

Councilman Gary Bates was excused from this meeting due to illness.

The Council reviewed the agenda. Colin Harrison made a motion, seconded by Glenna Petersen, to approve the agenda as presented.

<u>YEA 4</u>	<u>NAY 0</u>
Ron Case	
Colin Harrison	
Carl Leatham	
Glenna Petersen	

The Council reviewed the minutes of the June 6, 2012 regular City Council meeting. There were word changes on lines 100, 101, and 120. Ron Case made a motion, seconded by Colin Harrison, to approve the minutes of the June 6, 2012 regular City Council meeting as with the corrections.

<u>YEA 4</u>	<u>NAY 0</u>
Ron Case	
Colin Harrison	
Carl Leatham	
Glenna Petersen	

Don Hartle gave the Council a copy of the Warrant Register showing bills submitted to the Council for approval. After review and discussion, Carl Leatham made a motion, seconded by Glenna Petersen, to approve the City's bills for payment, represented by check number 14470 through 14505.

<u>YEA 4</u>	<u>NAY 0</u>
Ron Case	
Colin Harrison	
Carl Leatham	
Glenna Petersen	

No one was in attendance for citizen input.

Janna Anderson met with the City Council for a business license. Ms. Anderson would like to have a pre-school in her basement Monday through Thursday with morning and afternoon sessions. Ms. Anderson stated that she will have 10 students per class. Each class will last 2 hours. Colin Harrison asked Ms. Anderson's address. Ms. Anderson stated that she lives at 101 South 450 East. Carl Leatham stated that the Planning Commission approved the conditional use with no restrictions. After discussion, Carl Leatham made a motion, seconded by Ron Case, to approve the business license for Janna Anderson.

**YEA 4**

**NAY 0**

Ron Case  
Colin Harrison  
Carl Leatham  
Glenna Petersen

Aleena Winward met with the City Council for a business license. Ms. Winward stated that she owns a quilting machine and would like to start a quilting service from her home. Ms. Winward stated that she would sell a few quilting notions. There will be 1 customer at a time at her home. Carl Leatham stated that the Planning Commission approved the conditional use with no restrictions. Mr. Leatham stated that Ms. Winward had 2 addresses listed on her application. The home occupation can be located at the current residence only. When Ms. Winward moves, she will have to reapply. After discussion, Carl Leatham made a motion, seconded by Glenna Petersen, to approve the business license for Aleena Winward.

**YEA 4**

**NAY 0**

Ron Case  
Colin Harrison  
Carl Leatham  
Glenna Petersen

The City Council reviewed for approval the final plat for the Hubbard Subdivision consisting of a total of 2 lots on the west side of 200 West from 450 South to 475 South. Cory Hubbard stated that he is seeking final approval for his subdivision. Mayor Thomas G. Bailey asked if there were any questions. Colin Harrison asked if the City Engineer had signed off on his memorandum. Don Hartle stated that City Engineer Chris Breinholt had signed everything. After discussion, Carl Leatham made a motion, seconded by Colin Harrison, to approve the final plat for the Hubbard Subdivision consisting of a total of 2 lots on the west side of 200 West from 450 South to 475 South.

**YEA 4**

**NAY 0**

Ron Case  
Colin Harrison  
Carl Leatham  
Glenna Petersen

At 6:40 p.m., Mayor Thomas G. Bailey conducted the following public hearings:

First, receive public input, then consider the recommendation of the Planning Commission on a request from Tom Horlacher that the code be amended to allow some type of multi-family dwellings in the RA-1 zone. Carl Leatham stated that the Planning Commission decided to continue the discussion in 4 weeks to give the members time to gather more information about this issue. Tom Horlacher stated that he is proposing to allow an over-the-garage, basement, mother-in-law apartments in the RA-1 zone, and any other zone that currently restricts multi-family dwellings. Mr. Horlacher stated that there should be very strict conditions, which include, 1) off-street parking, 2) maintains the appearance of a single-family dwelling, and 3) owner occupied with the owner being absent for a maximum of 2 years. There can be no duplexes or 4-plexes. Mr. Horlacher stated that there were density concerns discussed in the Planning Commission meeting. Mr. Horlacher stated that it needs to be avoided somehow. Mr. Horlacher stated that he does feel that it is important to maintain the appearance, and doesn't want to see 4 garbage cans at the same residence. Mr. Horlacher proposed sharing utilities. Mr. Horlacher explained his situation, and his home is built for a family of 10, not 2. Mr. Horlacher stated that he has 2 options: 1) sell the home to another large family, or 2) live in it with too much space. Colin Harrison stated that Mr. Horlacher is proposing that anyone can live in the basement of a home, not just family members. Mr. Horlacher stated that is correct. Mr. Harrison stated that anyone with a basement can turn it into a duplex. Carl Leatham stated that the same discussion took place about 6 years ago, and City Planner Jay Nielson is opposed to the idea. Logan City is trying to get away from the same situation. There are problems with enforcing the code and utility billings. Mr. Leatham stated that overall, the issue is problematic. Mr. Leatham stated that there are a couple of residences that have a similar situation. It is for healthcare reasons only. Glenna Petersen



Fifth, receive public input, then the adoption of a code amendment setting the salaries and benefits of statutory officers and elected officials for 2012/2013. Mayor Thomas G. Bailey read from the resolution the positions and the salary range. After discussion, Glenna Petersen made a motion, seconded by Colin Harrison, to **ADOPT CODE AMENDMENT 2012-05** adopting **AN AMENDMENT OF THE WELLSVILLE CITY CODE FOR THE PURPOSE OF SETTING SALARIES AND BENEFITS FOR THE ELECTED AND STATUTORY OFFICERS FOR FISCAL YEAR JULY 1, 2012 THROUGH JUNE 30, 2013.**

<u>YEA 4</u>	<u>NAY 0</u>
Ron Case	
Colin Harrison	
Carl Leatham	
Glenna Petersen	

Sixth, receive public input, then the adoption of a resolution adopting the 2012/2013 certified tax rate. Mayor Thomas G. Bailey stated that the tax rate for the fiscal year 2012/2013 is .001184. The certified tax rate is determined by the State Auditor's Office. After discussion, Carl Leatham made a motion, seconded by Glenna Petersen, to approve **RESOLUTION 2012-04 ESTABLISHING THE MUNICIPALITY CERTIFIED TAX RATE FOR FISCAL YEAR 2012/2013.**

<u>YEA 4</u>	<u>NAY 0</u>
Ron Case	
Colin Harrison	
Carl Leatham	
Glenna Petersen	

Seventh, receive public input, then the adoption of a resolution adopting the 2012/2013 operating and capital budgets for the General Fund, Capital Projects Fund, Water Fund, Sewer Fund, and Storm Water Fund. Don Hartle stated that there was one change and it was because the certified tax rate changed. Jeff Andrus asked what the next year's capital projects are. Mr. Hartle reviewed the list of capital projects. After discussion, Ron Case made a motion, seconded by Colin Harrison, to approve **RESOLUTION 2012-05 APPROVING AND ADOPTING THE FISCAL 2012/2013 OPERATING AND CAPITAL BUDGETS FOR WELLSVILLE CITY'S GENERAL FUND, CAPITAL FACILITIES FUND, WATER FUND, SEWER FUND, AND STORM WATER FUND.**

<u>YEA 4</u>	<u>NAY 0</u>
Ron Case	
Colin Harrison	
Carl Leatham	
Glenna Petersen	

Eighth, receive public input for the possible adoption of a resolution with sets the dollar value for the "Fee In Lieu of Water" Dedication Transfer upon development and/or subdividing for 2012/2013. Mayor Thomas G. Bailey gave some history on this subject. There is not much change, so the recommendation is to leave it at the current rate of \$3,000 per acre foot. After discussion, Colin Harrison made a motion, seconded by Carl Leatham, to leave the dollar value for the "Fee in Lieu of Water" Dedication Transfer upon development and/or subdividing for 2012/2013 at \$3,000 per acre foot.

<u>YEA 4</u>	<u>NAY 0</u>
Ron Case	
Colin Harrison	
Carl Leatham	
Glenna Petersen	

At 7:50 p.m., Mayor Thomas G. Bailey closed the public hearings.

Audrey Andrus met with the City Council to present recommendation for the Building Task Force Committee for a new elementary school in Wellsville. Ms. Andrus stated that she is here to receive recommendations for a new elementary school in Wellsville. Mayor Thomas G. Bailey stated that there are 3 options: 1) build on the same site, just south of the existing school, 2) find a 10-acre parcel of property, and 3) convert Willow Valley Middle School to an elementary school. Mayor Bailey asked Ms. Andrus to introduce her committee. The Building Task Force Committee consists of Audrey Andrus, Cody Dobson, Janalee Nielson, and Bruce Parker. Mayor Bailey asked Ms. Nielson her thoughts on the subject. Ms. Nielson stated that she thinks a new location in the south part of town would be the best. Mayor Bailey stated that he met with Lynn Archibald and gave him a list of 3 parcels of property. The first is 800 South from Center Street to 200 West. The tax identification numbers are 10-038-0042, 10-038-0039, and 10-038-040. The second is on 200 West from 600 South to 700 South. The tax identification numbers are 10-037-0010 and 10-037-0008. The third is on Center Street from 900 South to approximately 1100 South. The tax identification number is 10-040-0001. Ms. Nielson asked if there has been any thought about the safety of the children and sidewalks on these properties. Mayor Bailey stated that there are no sidewalks on these properties, but there are sidewalks within a few blocks of the properties. Mayor Bailey stated that it would be hard to find 10 acres in the center of Wellsville City. Don Hartle stated that there is another parcel located on the east side of Wellsville Dam on 200 East from 500 South to 700 South. The tax identification number is 10-041-0001. Ms. Andrus thanked the City Council for their input.

Foster Nix met with the City Council about an Eagle Scout project. Mr. Nix stated that he would like to refinish the tables at the bowery located on the Wellsville City Square. Mr. Nix stated that he will be stripping and painting the tables. Mr. Nix stated that he estimates he will need 2 gallons of paint. The estimate from Sherwin Williams is approximately \$85.00. Mayor Thomas G. Bailey asked Mr. Nix will be using paint or stain. Mr. Nix stated that he will be using paint like the kind of paint that is already on the tables. Glenna Petersen asked if Mr. Nix will remove the tables from the cement so that paint isn't dripped on the cement. Mr. Nix stated that the tables will be picked up and put on a drop cloth. Mr. Nix stated that there is 1 table that is bolted down and can't be moved. Ms. Petersen asked if there are any boards missing from the tables. Mr. Nix stated that there is 1 board missing from the table that is bolted down. Don Hartle stated that Mr. Nix will need to coordinate this project with the City office so that the bowery is not rented out when he starts this project. Ms. Petersen asked how long he thinks the project will take. Mr. Nix stated about 2 days. Carl Leatham stated that there are some name plaques on the tables that shouldn't be painted over. Mr. Nix stated that he will tape off the name plaques. Mr. Hartle stated that Wellsville City pays for half of Eagle Scout projects. Mr. Hartle stated that keep the bills, bring all of them to him, and Wellsville City will reimburse him. After discussion, Colin Harrison made a motion, seconded by Carl Leatham, to approve the Eagle Scout project for Foster Nix.

**YEA 4**

Ron Case  
Colin Harrison  
Carl Leatham  
Glenna Petersen

**NAY 0**

Jonathan Cook discussed with the City Council an upgrade to the wireless network. Mr. Cook stated that he and a friend would like to upgrade the wireless network. There would be 1 network for the City office and 1 network for the public to access the internet. Mr. Cook stated that he believes that the physical equipment exists. All that they would need to do is change a few settings. Ron Case asked about additional cost or equipment. Mr. Cook stated that there would be no additional cost and no additional equipment. Mr. Cook stated that if they started working on the project and found that they needed additional equipment, they would stop. Mr. Case asked if the City office side would be secure. Mr. Cook stated yes. Mayor Thomas G. Bailey stated that Mr. Cook would need to work with the City's IT person. Mr. Cook stated that he has spoken to him once, but there are been some missed calls and he is still trying to get in touch with him. Glenna Petersen asked if a lot of people could be on the internet. Mr. Cook stated that about 20 people could be on the internet before it would start to slow down. Don Hartle stated that he is opposed to this plan. Mr. Hartle stated that he doesn't know a lot about computer, but is concerned with the security. Mr. Case stated that it could be up and going with no maintenance. Mayor Bailey stated that the only people using it are in this room. Mr. Cook stated that Paul Egbert from the Planning Commission expressed

a desire to be able to connect to the internet. Ms. Petersen stated that she likes the idea. Ms. Petersen asked if people could access it any time of day and if they could access from outside of the building. Mr. Cook stated that the public side could be accessed at any time, but the secure side could not be accessed. Carl Leatham asked if there would be a distance range on it. Mr. Cook stated yes. Mayor Bailey stated that no one should have the City password so that they can get information that they don't need. Mr. Cook stated that the IT person, his friend, and himself will work together to set it up. Mayor Bailey asked that the 3 of them meet to check the equipment and then return to the next City Council meeting. Mr. Cook thanked the City Council for their time.

The City Council discussed the cement that has been poured in the street right-of-way at 400 North and 100 West. Mayor Thomas G. Bailey stated that he has rode around Wellsville City, and there are many places where the cement and asphalt are right next to the City right-of-way. Glenna Petersen stated that there is gravel that has been hauled in and built up around the cement. Mayor Bailey stated that he thinks it looks nice, and it is not much different than any other place around Wellsville. The City Council doesn't see a problem with the cement.

The City Council continued the discussion concerning the Community Covenant Program. Ron Case stated that the City Council wanted to discuss this issue when Mayor Thomas G. Bailey is present. Mr. Case stated that the program helps support military families. Wellsville City asks someone to be a liaison between this group and families in Wellsville City. Mr. Case thinks this is a good thing. The person doesn't have to be a member of the City Council, but someone who will stay on top of the issue. Colin Harrison stated that the names of Jerry Cokely and Jackie D. Orton were discussed as people that would be interested in this, active in the community, and active in the military. Mr. Case thinks that this person needs to report to someone that is on the City Council. Mayor Bailey asked if Colin Harrison will talk to Jerry Cokely about being the liaison.

The City Council reviewed the bids for approval of the 2012 asphalt work. Don Hartle stated that the bids are as follows:

Consolidated Paving	\$63.73/ton
LeGrand Johnson Construction	\$58.40/ton
Staker Parson	\$57.00.ton

Glenna Petersen asked if there were problems with any of these companies. Don Hartle stated no. Mr. Hartle stated that Wellsville City is required to go with the lowest bid. After discussion, Ron Case made a motion, seconded by Colin Harrison, to accept the bid from Staker Parson at \$57.00 per ton for the 2012 asphalt work.

**YEA 4**

**NAY 0**

Ron Case  
Colin Harrison  
Carl Leatham  
Glenna Petersen

The City Council continued the discussion of a fee for moving headstones in the cemetery. Don Hartle stated that Wellsville City is blamed for many things that happen at the cemetery. Mr. Hartle recommends that the fee for opening and closing graves be increased to hire a monument company to move and set the headstone. Mr. Hartle recommends increasing the cost of opening and closing graves by \$200. Mr. Hartle stated that he will bring back the proposal in resolution form.

Department Reports:

Colin Harrison – 1) Started on Founder’s Day

Glenna Petersen – 1) Composed follow up letter to Mr. Larsen concerning their water leak. Mayor Bailey approved the letter and it was mailed.

2) Asked about trees that fell onto fence at Wellsville Ranches – Colin contacted Clark Stewart and he will clear the trees. The HOA will plant new trees.

3) Sidewalks – would like to get started on this project, but would like to know where the new elementary school will be located before a decision is made.

4) Want to get businesses into the buildings along Main Street – survey citizens of Wellsville City to see what kind of businesses they would support – add the survey to the website and the utility billing.

Ron Case – 1) Garbage behind old Wellsville Market – needs to be cleaned up and hauled off – Don Hartle will work on it.

2) Having a problem with kids shooting bows and arrows inside city limits. Discussed having an ordinance against shooting arrows within city limits. Doesn’t think there would be support for the ordinance.

Carl Leatham – 1) Commercial Development committee made a presentation to the Planning Commission last Wednesday about proposing revamping the CH zone. Discussed creating a C3 zone with mixed use CH.

2) Discussed purchasing a projector, document camera, and laptop for Council Chambers.

3) Jonathan Cook asked for permission to continue with the project if no additional equipment is needed to upgrade the wireless network. Mayor Bailey stated it would be fine as long as the IT person is involved.

City Manager’s/Recorder’s Report:

Don Hartle – 1) The next City Council meeting is scheduled for July 4, 2012. Currently, Mr. Hartle has nothing for the agenda. This meeting will be canceled.

At 8:52 p.m., Colin Harrison made a motion, seconded by Glenna Petersen, to adjourn the meeting.

**YEA 4**

Ron Case  
Colin Harrison  
Carl Leatham  
Glenna Petersen

**NAY 0**

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Thomas G. Bailey  
Mayor

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Don Hartle  
City Manager/Recorder