

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, August 15, 2012, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilwoman Glenna Petersen, Councilmen Colin Harrison, Ron Case, Gary Bates, and Carl Leatham. 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 August 10, 2012. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present:

Jennifer Leishman	Gary Hansen	Josh Higbee
Ryan Higbee	Karen Higbee	Justin Cooper
Dave Bell	Sam Winward	Jim McCaughey
Paul Egbert	Wendy Egbert	Jonathan Cook
Garyn Perrett	Charee Vellinga	Kristine Bolton
Janie Isaacson	Kendall Leishman	Marcene Parker
Ray Bankhead	Clarice Higbee	Bevan Higbee
Matt Pearce		

Opening Ceremony: Glenna Petersen

The Council reviewed the agenda. Ron Case made a motion, seconded by Carl Leatham, to approve the agenda as presented.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Ron Case	
Colin Harrison	
Carl Leatham	
Glenna Petersen	

The Council reviewed the minutes of the July 18, 2012 regular City Council meeting. There was a word change on line 188. Colin Harrison made a motion, seconded by Gary Bates, to approve the minutes of the July 18, 2012 regular City Council meeting with the correction.

<u>YEA 4</u>	<u>NAY 0</u>	<u>ABSTAIN 1</u>
Ron Case		Glenna Petersen
Gary Bates		
Colin Harrison		
Carl Leatham		

Don Hartle gave the Council a copy of the Warrant Register showing bills submitted to the Council for approval. After review and discussion, Gary Bates made a motion, seconded by Colin Harrison, to approve the City's bills for payment, represented by check number 14506 through 14688.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Ron Case	
Colin Harrison	
Carl Leatham	
Glenna Petersen	

Gary Hansen stated that he met with the City Council about 7 to 8 months ago concerning the property that the cheese plant is currently located on. He is under contract to purchase the cheese plant. He has an appointment to meet with the Planning Commission next Wednesday. Mr. Hansen wanted to make the City aware of that fact and his intent for the property. Mr. Hansen would like to develop a townhome community. The property is not currently zoned for a townhome community and there is no current code for a townhome community. Mr. Hansen would like support moving ahead on this project and help from the City Council would be appreciated. Gary Bates stated that he didn't want to give Mr. Hansen any false

impressions. The City Council is neither supporting nor not supporting this issue. Carl Leatham stated that the City Council is not approving this issue tonight. Mr. Hansen stated that he would like to work with Wellsville City as partners. Mayor Thomas G. Bailey stated that he appreciates Mr. Hansen's interest in the property, and invited anyone who wants to attend the Planning & Zoning meeting next Wednesday night. Don Hartle stated that there are things that need to occur. Wellsville City needs to establish a specific zone and write a specific code. Mr. Hartle met with Logan City last week, and he handed out Logan City's code concerning this issue to the Planning Commission last week. The code will need to be reviewed, someone will need to write the code, and it will need to be written in ordinance form. The Planning Commission will then make a recommendation to the City Council. The process will take approximately 1 year. Mr. Hansen stated that he is aware of the process and asked to work through it as quickly as possible.

Josh Higbee met with the City Council concerning his Eagle Scout project. Mr. Higbee stated that he would like to create cement pads underneath the garbage cans located at the Wellsville Reservoir. Mr. Higbee stated that he will create 4 3-foot by 3-foot pads approximately 4 to 5 inches thick. Mr. Higbee stated that he would provide the labor, tools and equipment. The cost of the cement is \$104.00. Mr. Higbee asked that Wellsville City pay for half of the cost of the cement and he would pay for the other half of the cost with donations. Joel Jenson will help with and oversee this project. Mr. Higbee stated that he plans to have the project completed by October 1, 2012. Mr. Higbee asked for the support of the City Council on this project. Gary Bates stated that this is a project that has been on the list of the Parks and Recreation Committee to have completed. Mr. Bates asked that Mr. Higbee review the project with Dallas Hall. Mayor Thomas G. Bailey asked if Mr. Higbee would anchor the garbage cans to the cement pad. Mr. Higbee stated that one garbage can is chained to a metal pole. Another garbage can is located in a wood box. The other 2 garbage cans would be set on the cement pad. After discussion, Gary Bates made a motion, seconded by Ron Case, to approve this Eagle Scout project with the condition that Mr. Higbee contact Dallas Hall to review the locations of the garbage cans, and Wellsville City will pay 50% of the cost.

YEA 5

Gary Bates

Ron Case

Colin Harrison

Carl Leatham

Glenna Petersen

NAY 0

At 6:15 p.m., Mayor Thomas G. Bailey conducted a public hearing to receive public input and consider for approval the concept plan for the Parker Escape Subdivision consisting of a total of 3 lots on the north side of 800 South from 50 West to 100 West. Mr. Cooper stated that he has worked with City Engineer Chris Breinholt and has met all of the city ordinances concerning this subdivision. Mr. Cooper stated that there was a question from the Planning Commission about piping the ditch that runs in front of this subdivision. Mr. Cooper has spoken with Ray Bankhead about this issue and the irrigation company approves of piping the ditch. Carl Leatham stated that the Planning Commission approved the concept plan on the condition that the items of the memorandum issued by City Engineer Chris Breinholt are met. Colin Harrison stated that there are no other sidewalks in the area, so he doesn't think that sidewalks should be installed in this subdivision. Glenna Petersen stated that she had a different opinion because there may be a new elementary school and sidewalks need to be installed sometime. Ron Case stated that the school district would install sidewalks. Ms. Petersen stated that she still wanted sidewalks. Carl Leatham stated that he agreed with Ms. Petersen. Gary Bates stated that a sidewalk system needs to be started along Center Street to the area of the new elementary school. Mr. Case stated that he doesn't have any strong feelings either way. Paul Egbert stated that Wellsville City needs to define which streets have and/or need sidewalks. Sidewalks are of value to Wellsville City. Wellsville City doesn't have the option of filling in the gaps where there are no sidewalks. Mr. Cooper stated that there is no consistency concerning sidewalks. Mr. Harrison stated that if sidewalks are required in this subdivision, there will be 2 homes on the same block that have no sidewalk in front of them. Wellsville City can't force homeowners to install sidewalks. Therefore, this would not be a complete sidewalk system. Sam Winward asked if the money for the sidewalk could be put into an escrow account. Mr. Winward asked if now is not a good time to install sidewalks, when is a good time to install the sidewalks. Mr. Case explained the problem with putting funds for a sidewalk in escrow. The cost of

the sidewalk increases, and then who picks up the extra cost. Mr. Case stated that there has been discussion about creating sidewalk districts and charging the citizens for sidewalks. Mr. Bates asked about assessing a sidewalk fee similar to what is done with the fee in lieu of open space ordinance. Mr. Case stated that Wellsville City can't come back to residents and assess a fee because the sidewalk has already been paid for as part of the subdivision. After discussion, Glenna Petersen made a motion, seconded by Carl Leatham, to require sidewalks as part of this subdivision. Due to voting, the motion didn't carry. After discussion, Colin Harrison made a motion, seconded by Ron Case, to not require sidewalks as part of this subdivision. Due to voting, this motion didn't carry. After discussion, Gary Bates made a motion to the money for sidewalks are deposited into an escrow fund for 5 years. The motion failed due to no second on the motion. Don Hartle stated that Wellsville City has tried escrow accounts for sidewalks and it doesn't work because the cost of the sidewalk goes up. Mr. Leatham stated that there will be sidewalks to nowhere, but eventually they will all connect. Mr. Leatham stated that he believes that it is a safety issue. Marcene Parker suggested that the sidewalk be installed in front of the subdivision and use the sidewalk fund to finish the sidewalk in front of the existing 2 homes. Mr. Harrison stated that a sidewalk on 800 South is not a priority. After discussion, Glenna Petersen made a motion, seconded by Carl Leatham, that sidewalks be installed in the Parker Escape Subdivision on 800 South and 100 West.

YEA 4

Gary Bates
Ron Case
Carl Leatham
Glenna Petersen

NAY 1

Colin Harrison

After discussion, Carl Leatham made a motion, seconded by Glenna Petersen, to approve the concept plan for the Parker Escape Subdivision consisting of a total of 3 lots on the north side of 800 South from 50 West to 100 West.

YEA 4

Gary Bates
Ron Case
Carl Leatham
Glenna Petersen

NAY 1

Colin Harrison

The City Council reviewed a concept plan for the proposed park at 390 West 285 North. Dave Bell presented the concept plan. Mr. Bell requested that some grades be shot of the property. Gary Bates asked if by late fall, the grading, sprinkler system, and seeding will be completed. Don Hartle stated no. Mr. Bates asked if the grading will be completed before winter. Mr. Hartle stated yes to some degree, but not a finished grade. Mr. Bates asked if that is all that will be completed before winter. Mr. Hartle stated yes. Mr. Bates proposed that Wellsville City works with City Engineer Chris Breinholt to have his draftsman shoot some grades while he is in town to work on the trail at 400 South and Center Street. Mayor Thomas G. Bailey stated that he and the City Council appreciates Dave Bell and all of his work that has been done on this park.

Paul Egbert and Carl Leatham presented a concept plan for roads in the CH, Highway Commercial zone on the east side of Highway 89/91 north of Main Street. Mr. Egbert handed out a map of the proposed roads. A discussion was held. Mayor Thomas G. Bailey and the City Council appreciate the work of the Commercial Development Committee.

The City Council discussed leasing property for recreation programs and Founder's Day. Gary Bates stated that some months ago, the soccer director came to City Council to discuss the availability of more soccer fields. Wellsville City is unable to use LDS church—owned property for recreation because of the liability issue. Mr. Bates spoke with Stake President Evans concerning this issue and received a positive response. A preliminary contract is being drawn up in order to use church-owner property at the Stake Center and the South building. There is a questionnaire about the days of the week and hours that the property will be used. Mr. Bates stated that he is answering the questions to the best of his ability. The contract will be reviewed by the City Council, Don Hartle, and President Evans. After the contract is finalized, President

Evans should attend a City Council meeting to discuss the issue. The contract is from April to October for 10 years. The rent to use the property is the City to pay for the watering of the property during the time frame.

Don Hartle stated that his concern is he doesn't know the cost of the water, but will know more at the end of the month. Mr. Bates stated that he will continue to work on the issue.

Department Reports:

Colin Harrison – 1) Founder's Day – set up sound system at 7:30 a.m. – Tom & Perry set up tarp, tables, and chairs. Flowers – call and discuss with Mayor Thomas G. Bailey.

Glenna Petersen – 1) Cache County Fair Booth – Wellsville City – those who contributed did an excellent job.

2) A neighbor lady has been chased by dogs 3 times. Discussed adding something concerning this issue to the newsletter. Use phone to take a picture of the dog and call animal control. Have to step forward.

3) Marshall Lindsay – replace a section of sidewalk in front of house and asked if City would pay for the cement if he did the work – No.

4) Sent out in the newsletter a survey for the preferred businesses – other suggestions for more responses. Discussed using the website.

Ron Case – 1) Wireless in City Council Chambers – August 24, 2012

2) Promoting RAPZ tax – add to newsletter what RAPZ tax has paid for in Wellsville City – Don Hartle will discuss the issue with City Attorney Bruce Jorgensen.

3) Trail – planned to start this week. Gary Bates will discuss this in his department report.

4) Dave Bell – concept plan for Red Slide Subdivision park – amphitheater would be nice to have. Willow Park has a small one and it is very nice.

5) Concept plan for Red Slide Subdivision park – trail through it tie into the master trail plan – No.

Mayor Thomas G. Bailey – 1) Letters to citizens that are active in the community that pass away – done.

2) Thank you letters for Founder's Day – invited to appreciation dinner.

3) Ted Ricks – talked to him last Thursday – clean up the back of the old Wellsville Market before Founder's Day – how far to take it. Go for it. Don Hartle will call City Attorney Bruce Jorgensen on how to proceed.

Gary Bates – 1) Since the developer left the Red Slide Subdivision, there is interest to let Wellsville City have the property to the west of the subdivision – may be back in to discuss the issue.

2) Utah League of Cities & Towns – not going – Don Hartle made no reservations for anyone.

3) Tractor Pull – north side of cemetery – restrooms opened at the cemetery – sound system, under control

4) National Guard Band – send a thank you letter.

5) Movie in the Park – August 17, 2012 – 9:00 p.m.

6) Bill for paint of the tables at the pavilion – not seen one. Looks very nice.

7) Met with UDOT and Chris Breinholt – handed out a copy of the proposal of 400 South and Center Street – 6-footwide paved shoulder across the hollow – working up the cost and UDOT is willing to pay for all of it.

8) The trail is laid out and work will begin this week.

9) Mosquito Abatement – any problems call into the office manager.

10) Charge every development for a sidewalk whether they have a sidewalk in front of the subdivision or not – think about it – may be time to do something.

Carl Leatham – 1) Eagle Scout project – cement pad for the picnic table – ask Josh Higbee to donate the labor if Wellsville City will pay for the cement.

City Manager's/Recorder's Report:

Don Hartle – 1) Progressing on land application at the sewer lagoons – application has been sent to the State.
2) Handed out copies of Logan City's code concerning townhomes that are planned to be built where the cheese plant is.

At 9:21 p.m., Colin Harrison made a motion, seconded by Gary Bates, to go into an executive session.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Ron Case	
Colin Harrison	
Carl Leatham	
Glenna Petersen	

At 9:47 p.m., Colin Harrison made a motion, seconded by Glenna Petersen, to go out of the executive session and into regular City Council meeting.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Ron Case	
Colin Harrison	
Carl Leatham	
Glenna Petersen	

Ron Case made a motion, seconded by Gary Bates, that the City Council give Mayor Thomas G. Bailey and City Manager Don Hartle the authorization to negotiate with the late Clarke Maughan Family for the purchase of 23 +/- acres for up to \$300,000.00, including all water with said property. Property is identified by the following county tax identification numbers: 11-086-0040, 11-086-0039, 11-086-0037, 11-089-0001, and 11-08-0005.

<u>YEA 5</u>	<u>NAY 1</u>
Gary Bates	Colin Harrison
Ron Case	
Carl Leatham	
Glenna Petersen	

At 9:50 p.m., Colin Harrison made a motion, seconded by Gary Bates, to adjourn the meeting.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Ron Case	
Colin Harrison	
Carl Leatham	
Glenna Petersen	

Thomas G. Bailey
Mayor

Don Hartle
City Manager/Recorder