

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, January 16, 2013, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilwoman Glenna Petersen, Councilmen Gary Bates, Colin Harrison, 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 January 11, 2013. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present:

Jennifer Leishman	Danielle White	Bryant White III
Bobbi Petersen	Kevin Maughan	Kody Maughan
M. Kent Larsen	John Spence	Rachel Fry
Jonathan Cook	Matt Pearce	Mason Leishman
Julie Leishman	Joshua Leishman	Tori Smith
Dawson Smith	Paul Clark	Jackson Clark

Opening Ceremony: Mason Leishman

Councilman Ron Case was excused from this meeting due to illness.

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

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

The Council reviewed the minutes of the December 19, 2012 regular City Council meeting. There was a word change on line 138. After discussion, Colin Harrison made a motion, seconded by Glenna Petersen, to approve the minutes of the December 19, 2012 regular City Council meeting with the correction.

<u>YEA 4</u>	<u>NAY 0</u>
Gary Bates	
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, Colin Harrison made a motion, seconded by Carl Leatham, to approve the City's bills for payment, represented by check number 15222 through 15287.

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

Jonathan Cook asked if there would be time for public input concerning the discussion of the future of the existing Wellsville Elementary School. Mayor Thomas G. Bailey stated that the Cache County School District is hosting meetings concerning this issue.

Deputy Matt Pearce stated that it has been a couple of months since he had attended City Council meeting. He wanted to stop by and say hello.

Bryant White was to meet with the City Council concerning a business license. Mr. White is out of town, so his wife, Danielle White met with the City Council. Ms. White stated that she and her husband own

several pest control companies along the East Coast. They would like to have all of their secretaries in one location, and keep them local. They have rented 2 rooms in the old post office building located at 55 East Main. The secretaries will be doing customer service and billing out of this location. They do not own any pest control companies in Utah, so there will be no pesticides or storage of pesticides in the building. Mayor Thomas G. Bailey asked about traffic. Ms. White stated that there will be no traffic coming to or from this office, except for the secretaries. Carl Leatham stated that the Planning Commission approved this professional office space at 55 East Main with no restrictions. After discussion, Carl Leatham made a motion, seconded by Glenna Petersen, to approve the business license for Bryant White.

YEA 4

Gary Bates
Colin Harrison
Carl Leatham
Glenna Petersen

NAY 0

The Wellsville City Youth Council was to be sworn in. Don Hartle stated that Ruthanne Ellis called and asked that this item be rescheduled.

Kody Maughan met with the City Council to discuss a potential subdivision. Don Hartle stated that Kody Maughan came in and discussed this issue with him. Mr. Hartle handed out a plat map of the area. There are some problems that need to be addressed. Kevin Maughan built his home on parcel 10-016-0020 in 2004. He built it in the back of the lot. There is an 8-inch water line going north and south along the east boundary line. In the agreement, a 66-foot road was to be deeded to the City should another house be built on the property. There are 2.84 acres and 123,710 square feet of property. A subdivision can't be approved because it leaves some property landlocked. The Planning Commission could issue a lot line adjustment. The area that is marked in blue is within the city limits. Parcel 10-016-0023 is in the county. The area marked in blue would need its own tax identification number. There is 10,890 square feet that is not part of the remaining parcel. The right-of-way deeded to the city would require 21,780 square feet. Kevin Maughan's home sits on 91,040 square feet. This leaves 45,560 square feet, and they need 45,520 square feet to build another home. Mr. Hartle stated that this gives the background of the property. Mayor Thomas G. Bailey stated that the agreement states that a 66-foot right-of-way would be deeded to the city. Kevin Maughan stated that 66 feet is obsolete because the city requires a road to be 99 feet. Mayor Bailey stated that the agreement states 66 feet and that is what will be required. Kevin Maughan asked if he would have to annex the property into Wellsville City. Mayor Bailey stated that it is up to him. Kevin Maughan stated that the property is in greenbelt. Mayor Bailey stated that if the property is annexed in Wellsville City, it would remain in the greenbelt. Kevin Maughan asked if he would need to deed the full 330 length feet. Mayor Bailey stated yes. Mr. Hartle stated that if the property behind the Maughan's ever develops, the city would need that 66-foot right-of-way for a road. Kevin Maughan stated that nothing will be developed on the property behind him as long as he lives. Kody Maughan stated that if they deed the 66-foot right-of-way and finish the road, the land behind would be usable. Mayor Bailey stated correct. Kevin Maughan asked about frontage and the size of the lot. Mayor Bailey stated that Wellsville City does have 1-acre lots within the city. Mr. Hartle stated that since Kevin Maughan built his home, the city has adopted an open space code. The required open space in the RA-1 zone is 40%. Kody Maughan stated that he would like to set his house up on the knoll of the property. He can't get a septic tank in there, so he would have to connect to the sewer. Colin Harrison stated that Kevin Maughan says that nothing will develop on the property behind him as long as he lives, but Wellsville City has to look towards the future. Mayor Bailey stated that county access roads are 66 feet. Mr. Harrison stated that if the property was annexed into Wellsville City, it would solve the problem. Kevin Maughan stated that he has 49 acre feet of water out of Hyrum Dam. Kevin Maughan asked if he were to annex, does the water belong to Wellsville City or does he keep it. Mayor Bailey stated that the water remains his until he develops the property. When he develops the property, he has to bring water to the city. Kevin Maughan stated that if he deeds the 66-foot right-of-way to Wellsville City, he doesn't want the city telling him he has to have to pave the right-of-way in 2 years. Mayor Bailey stated that Kevin Maughan would have to pave the 66-foot right-of-way only if he decides to develop the property behind him. Carl Leatham stated that there are several places within Wellsville City that have undeveloped roads. Mr. Harrison asked when the original agreement was made. Kevin Maughan stated 8 years ago. Mr. Harrison asked if Kevin Maughan would have to be deannexed

from Wellsville City. Mr. Hartle stated no, but he would have to check with City Attorney Bruce Jorgensen. Mayor Bailey recommends that Kevin Maughan and Kody Maughan decide where to they would like to build the house, discuss the plans with the Planning Commission, and deed the 66-foot road to Wellsville City. Mayor Bailey stated that Kevin Maughan wouldn't pay property taxes on the 66-foot right-of-way, and it can be run how it always has been. Gary Bates suggested that Kevin Maughan deed the 66-foot right-of-way to Wellsville, and then split it lengthwise. An agreement with Wellsville City could be made that it would be a gravel access road until development takes place behind Kevin Maughan. Kevin Maughan asked about frontage. Mr. Hartle asked if the frontage would be off of the new road. Mr. Bates stated yes. Mr. Hartle stated that Kevin Maughan has 90 feet of frontage, but he needs 96 feet. Mr. Bates stated that the City Council could give a variance of 6 feet. Mr. Hartle stated that the City Council can't give a variance. Mayor Bailey stated that Kevin Maughan and Kody Maughan need to decide what they want to do, draw up the plan, and present it to the Planning Commission.

The City Council discussed the future of the existing Wellsville Elementary school. Mayor Thomas G. Bailey stated the he and Don Hartle met with Assistant Superintendent Michael Liechty concerning Willow Valley Middle School change to the new elementary school. Mayor Bailey voiced his concerns about this. An elementary-aged student is required to walk if they live within 1 ½ miles of the elementary school. Students that live on 600 South and north would be required to walk to school. There is no place for a sidewalk along 200 West. There are a few sidewalks on 100 West. Center Street is a dangerous road, and doesn't know where a crossing guard would be stationed. Cache County School District would like to give Wellsville City the old elementary school building. This is not a decision that has to be made tonight. Mayor Bailey handed out a map of the original elementary school and when the additions were added on with dates. Mayor Bailey stated that he spoke with Bruce Parker, who estimates to tear down the building and haul it away would cost approximately \$500,000.00. The elementary school sits on 2.7 acres. Colin Harrison asked what the condition of the school currently is. Mayor Bailey stated that he didn't know. Glenna Petersen stated that there would need to be some seismic renovation, problems with mold, and the cost of heating the building. Mr. Harrison asked what the property is worth. Mayor Bailey stated that Wellsville City would need to discuss the issue with some realtors. Don Hartle stated that the property is not worth \$500,000.00. Mr. Harrison asked what would happen to the building if Wellsville City didn't take it. Mayor Bailey stated that it could go either way. Gary Bates stated that Wellsville City already has a building that is constructionally unsound and they need funding for. Wellsville City needs to think about this issue and be very careful. Mayor Bailey stated that the City Council needs to take a tour of the building. The City Council also needs to know how much the raw property is worth. Mayor Bailey stated that there is no rush in making this decision.

The City Council reviewed for approval a contract for future audits. Don Hartle stated that he met with Allred & Jackson. Mr. Hartle handed out a copy of the new contract with reduced prices. They are as follows:

<u>Year</u>	<u>Old Price</u>	<u>New Price</u>
2013	\$11,500	\$11,500
2014	\$12,600	\$12,000
2015	\$13,700	\$12,500
2016	\$14,800	\$13,000
2017	\$15,900	\$13,500

This is a savings of \$6,000 over 5 years. Mr. Hartle stated that because Ron Case brought up this issue, he called Mr. Case to discuss this with him. Mr. Case stated that he could agree to the new contract if that is what the City Council decides. After discussion, Colin Harrison made a motion, seconded by Gary Bates, to approve the new 5-year contract for future audits with Allred & Jackson.

YEA 4
 Gary Bates
 Colin Harrison
 Carl Leatham
 Glenna Petersen

NAY 0

The City Council considered adopting a resolution establishing the duties and responsibilities for the City Council, appoint personnel to the statutory offices of Recorder, Treasurer and City Manager. Also appointments to the Planning Commission, Board of Adjustments and Historical Commission. Mayor Thomas G. Bailey stated that there have been no changes for the assignments given to the City Council. The Planning Commission is currently working on guidelines to conduct a meeting. They have discussed that each year they would vote for a Chairperson and Vice-Chairperson. Don Hartle stated that he has a rough draft of the document prepared. Mayor Bailey stated that Russell Glenn's term on the Planning Commission has ended, and he doesn't want to renew it. Mayor Bailey recommended that Ruth P. Maughan fill the vacated seat on the Planning Commission. Mayor Bailey recommended that Paul Cooper fill the empty seat on the Board of Adjustments by Ruth P. Maughan being appointed to the Planning Commission. After discussion, Colin Harrison made a motion, seconded by Glenna Petersen, to approve **RESOLUTION 2013-01 ESTABLISHING THE DUTIES AND RESPONSIBILITIES FOR THE CITY COUNCIL. APPOINT PERSONNEL TO THE STATUTORY OFFICES OF RECORDER, TREASURER, AND CITY MANAGER. ALSO, APPOINTMENTS TO THE PLANNING COMMISSION, BOARD OF ADJUSTMENTS, AND HISTORICAL COMMISSION.**

YEA 4

NAY 0

Gary Bates
Colin Harrison
Carl Leatham
Glenna Petersen

The City Council discussed selection of Mayor Pro-tem for calendar year 2013. Mayor Thomas G. Bailey stated that Councilman Gary Bates has served as Mayor Pro-tem for calendar year 2012. The decision is up to the City Council. Carl Leatham nominated Colin Harrison to serve as Mayor Pro-tem for calendar year 2013. Gary Bates seconded the nomination. Colin Harrison accepted the nomination. After discussion, Glenna Petersen made a motion, seconded by Carl Leatham, that Colin Harrison serves as Mayor Pro-tem for calendar year 2013.

YEA 4

NAY 0

Gary Bates
Colin Harrison
Carl Leatham
Glenna Petersen

The City Council reviewed for possible approval an agreement with the Church of Jesus Christ of Latter-day Saints for use of some of their property. Gary Bates stated that this issue was discussed briefly at the last City Council meeting. There was a thought to incorporate youth sports and Founder's Day into the contract. After thinking about this, Mr. Bates believes that Founder's Day should be done as it has been in the past. This agreement is to open more fields for the youth sports programs. Mr. Bates stated that he has read through the agreement. The dates are April 1 through October 31. Mr. Bates believes that the ending date could be cut back to August 31. The uses of the fields are as follows: Monday – daytime until 6:00 p.m., Tuesday – 10:00 a.m. to 6:00 p.m., Wednesday through Saturday – 10:00 a.m. to 8:00 p.m. Carl Leatham suggested that Wednesday through Saturday should be 10:00 a.m. to dark. The contract is for 5 years, beginning on April 1, 2013. The contract is on a month-to-month basis. Wellsville City is required to carry general liability insurance. The youth sports programs, soccer, baseball, and softball, increase every year. Wellsville City will take care of lawn maintenance and water bills for those 5 months. Wellsville City will be responsible for any damage and clean up by their use. Mr. Bates stated that Wellsville City should document things that are already damaged at the properties. Don Hartle stated that Wellsville City doesn't have the man power to mow these properties. Mr. Hartle stated that Parks & Recreation operation costs have gone up 62% in the last 7 years. Mr. Hartle stated that it would cost approximately \$300 to \$400 per month to mow the properties. The Church fertilizes and sprays their properties. Wellsville City doesn't fertilize any property. Mr. Hartle stated that Public Works doesn't know how to maintain the Church's sprinkler system. Colin Harrison stated that if there are more fees from kids that are playing sports, it should help offset the costs. Mr. Bates agrees. Mr. Hartle stated that the operating budget for Parks and Recreation is \$35,000. The budget shows \$4,000 for registration fees.

Mr. Bates stated that his opinion is to ask Scott Wells about how much time he thinks it would take to mow the properties. Mr. Bates stated that another option would be to have Wellsville City ask the Church if they think they could mow the properties. Mr. Bates stated that the Church has been very kind to Wellsville City. The Church has known that Wellsville City has used the properties in the past. Mr. Harrison stated that this is a good benefit for Wellsville City, and watering and mowing the properties doesn't seem that big of a deal. Mr. Bates stated that he could invite Stake President Evans to a City Council and lay out a tighter schedule. They could also ask if the Church would be willing to continue to mow the properties. Mayor Thomas G. Bailey asked if Mr. Bates would discuss the issue with President Evans. Mr. Harrison stated that Mr. Bates has worked on this agreement for some time, and asked what his thoughts were. Mr. Bates stated that Wellsville City has active youth sports programs with happy sports directors. Mr. Bates would like to see that continue. Mr. Harrison stated that it isn't that easy to ask President Evans because he has to take it back to Church Headquarters. Mr. Harrison stated that the Church might say to forget the agreement. Mr. Leatham stated that the only holdup in this agreement is mowing the properties. Mr. Leatham stated that Wellsville City needs the space. Mr. Bates stated that the Church has a contract with a mowing company, and it may be cheaper to pay the contracting company. Mr. Hartle stated that he would have to think about it. Mayor Bailey stated that a decision has to be made concerning this agreement at the next City Council meeting.

The City Council was to hold a workshop on the open space code. Don Hartle stated that Ron Case asked for this workshop, and because he is not here, asked that it be rescheduled until the next City Council meeting.

The City Council held a discussion on the 2013/2014 budget. Don Hartle handed out the 2013/2014 budget worksheets. Mr. Hartle stated that the revenues for Wellsville City don't change much. Mr. Hartle stated that he has some concerns about 2 expenses: the amount that is paid out to engineering fees and the amount that is paid out to attorney fees. For the last year, it was about \$75,000 each. Mr. Hartle stated that overall; Wellsville City is in good financial shape. Wellsville City is making good progress. Mr. Hartle asked that the City Council keep their finger on budgets and expenses. Mr. Hartle asked for the worksheets and input 4 weeks from today, or the second City Council meeting in February.

Department Reports:

Colin Harrison – 1) Kade Harris fried some of his speakers at Founder's Day. He sent Mr. Harrison a bill for \$320.70. Mr. Harrison stated that he didn't promise Mr. Harris anything, but said he would take the bill before the City Council. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to pay for Mr. Harris' speakers.

YEA 4

NAY 0

Gary Bates

Colin Harrison

Carl Leatham

Glenna Petersen

2) He is ready to pass off Founder's Day chairmanship. It has become very big. He would like input on people who could take this over. They have to be a good organizer and have a vested interest in the community. He would like a couple that would be willing to take this over. He has felt guilty for taking the \$500. The money is an incentive to taking this over. Mayor Thomas G. Bailey stated that it used to rotate through the City Council. Carl Leatham commended Mr. Harrison on the great job that he has done with Founder's Day. Some names that were discussed were: Yvonne Jessop, Carrie Salvage, Angie Law, Kirt & Cindy Farmer, Mike & Tami Newman, Mike & Erica Siler, and Earl & Natalie Bates.

3) Truck stop – had some questions about Perry City, the infrastructure, and \$2,000,000.00. Asked if that is what it cost the developer and impacted Perry City. There is 106 acres where the truck stop was built in Perry City. It is what Perry City got out of the deal is \$2,000,000 worth of infrastructure.

Mayor Thomas G. Bailey – 1) Mike Kroft passed way. He was 28 years old. The family is struggling, and the neighbors are getting together to pay for the funeral costs. The burial fee for a non-resident is \$400. Mayor asked if there would be any objection to charging \$200 for the burial fee, or waiving the fee all together. The code states that a resident of Wellsville City is a tax payer or owns property in Wellsville City. The code also states that the Mayor can make special concessions for burials in Wellsville City. Mayor Bailey recommended that the burial fee be lowered to \$200. The City Council agreed.

Carl Leatham – 1) The Planning Commission discussed a proposal for Sherwood Hills last week. Mr. Leatham asked that the City Council stay updated on the issue.

2) FYI – after snow storms, Mr. Leatham plows the trail around the dam.

At 8:35 p.m., Colin Harrison made a motion, seconded by Glenna Petersen, to adjourn the meeting.

YEA 4

Gary Bates

Colin Harrison

Carl Leatham

Glenna Petersen

NAY 0

Mayor Thomas G. Bailey
Mayor

Don Hartle
City Manager/Recorder