

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, February 6, 2013, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilwoman Glenna Petersen, Councilmen Gary Bates, Ron Case, and Colin Harrison. 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 February 1, 2013. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present:

Jennifer Leishman	Ryan Cooper	Paul Cooper
Scott Evans	Corbin Evans	Rose Branch
Abby Branch	Coralie Cooper	Leesa Cooper
Juanita Malm	Dallin Malm	Mitch Malm
Larry Mortensen	Cara Mortensen	Cori Mortensen
Brandy Nicholes	Taylor McDougal	Jeremy Ellis
Ruthanne Ellis	Kaitlyn Ellis	Bobbi Petersen
Jonathan Cook	Matt Pearce	Tom Maughan

Opening Ceremony: Dallin Malm

The Council reviewed the agenda. Mayor Thomas G. Bailey added Planning Commission business. Ron Case made a motion, seconded by Colin Harrison, to approve the agenda with the addition.

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

The Council reviewed the minutes of the January 16, 2013 regular City Council meeting. After discussion, Colin Harrison made a motion, seconded by Glenna Petersen, to approve the minutes of the January 16, 2013 regular City Council meeting as presented.

<u>YEA 3</u>	<u>NAY 0</u>	<u>ABSTAIN 1</u>
Gary Bates		Ron Case
Colin Harrison		
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 Gary Bates, to approve the City's bills for payment, represented by check number 15288 through 15381.

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

No one was in attendance for citizen input.

The City Council reviewed for approval the Final Plat for the Ryan Cooper Subdivision consisting of a total of 2 lots (1 additional building lot) on property at 1095 South 200 East. Ryan Cooper stated that he is seeking approval of the Final Plat for his subdivision. Colin Harrison asked if there were any concerns from the Planning Commission. Don Hartle stated no. Mr. Hartle stated that there were some corrections to the Preliminary Plat. Mr. Hartle delivered the mylar and Final Plat to City Engineer Chris Breinholt today. After discussion, Glenna Petersen made a motion, seconded by Gary Bates, to approve the Final Plat for the Ryan Cooper Subdivision consisting of a total of 2 lots (1 additional building lot) on property at 1095 South 200 East.

YEA 4

NAY 0

Gary Bates
Ron Case
Colin Harrison
Glenna Petersen

The City Council discussed the potential projects for the 2013 RAPZ/Restaurant tax application. Gary Bates stated that Wellsville City has 3 large projects in progress. There are 2 trail expansion projects and the expansion of the Red Slide park. The next large project is a soccer/softball complex located on the east side of Wellsville Dam. Wellsville City would need matching funds in order to apply for RAPZ tax or any grant. After discussing this issue with Don Hartle, Mr. Bates suggested that Wellsville City defer the RAPZ tax application for this year and reassess next year. Colin Harrison asked if by deferring means that they will not apply this year, but will ask for help in future years. Mr. Bates stated correct. Don Hartle stated that the soccer/softball complex will cost \$70,000 to \$80,000. This will give Wellsville City some time to complete the current projects and save some money. Mayor Thomas G. Bailey stated that Wellsville City will not apply for a couple of years. Mr. Hartle stated that Wellsville City will not apply this year, and will reevaluate next year. Mr. Harrison asked if the trails will be completed this year. Mr. Bates stated yes. Ron Case asked that the Parks & Recreation Committee consider adding an amphitheater in the community to their list of projects. Mr. Bates stated that the Parks & Recreation Committee will meet tomorrow night and add it to their list of projects. Mr. Bates stated that he proposes that Wellsville City defer the RAPZ tax application for this year. After discussion, Gary Bates made a motion, seconded by Colin Harrison, to defer the RAPZ tax application for 2013 and will reevaluate next year.

YEA 4

NAY 0

Gary Bates
Ron Case
Colin Harrison
Glenna Petersen

The Wellsville City Youth Council is to be sworn in. Glenna Petersen thanks the previous Wellsville City Youth Council for all of their hard work for Primary Children's Hospital and the "Pennies by the Inch" campaign. There were able to raise \$1,690. Ms. Petersen also thanked Jeremy and Ruthanne Ellis for their time and effort that they put into the Wellsville City Youth Council. Jeremy Ellis stated that this year, they would like the Wellsville City Youth Council to work more closely with the City Council on projects that are going on in Wellsville City. Ruthanne Ellis thanked the outgoing mayor, Bobbi Petersen. She did a great job. Don Hartle swore in the Wellsville City Youth Council. They are as follows: Mayor, Corbin Evans, Abby Branch, Cori Cooper, Kaitlyn Ellis, Dallin Malm, and Cori Mortensen. Mayor Thomas G. Bailey congratulated the Wellsville City Youth Council and thanked them for their willingness to serve in the community.

Councilman Carl Leatham arrived at the meeting at 6:30 p.m.

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 he has been working on an agreement between Wellsville City and the LDS Church for recreation property south of the Stake Center and north of the 700 South Church. The concerns that have been discussed are the times the properties are available and lawn care and maintenance. The property south of the Stake Center will be used moderately heavily in April and May for soccer games. The property north of the 700 South Church will be used for soccer practices and baseball and softball practices. Mr. Bates has discussed with the people in Salt Lake City that the amount of use will be in trade for water. The LDS Church has sent a new agreement. The dates are April 1 through October 31. The times are Monday and Tuesday from 8:00 a.m. to 6:00 p.m., Wednesday through Saturday from 8:00 a.m. to 9:00 p.m. There will be no Sunday use. The agreement is for 5 years beginning on April 1, 2013. Wellsville City is required to have a 1-million dollar liability insurance policy. Mr. Bates stated that he was concerned about damage to the property and whether it is from City or Church use. The people in Salt Lake City suggested that Wellsville City work through Stake President Scott Evans. Wellsville City will not be responsible for mowing the properties. Mr. Bates stated that he suggested that

both parties try it for 1 or 2 years, and then reevaluate. The people in Salt Lake City said that the agreement is for 5 years, and they are great with it. Either party can terminate the agreement at any time. Colin Harrison asked if the water for the building and irrigation are on separate lines. Don Hartle stated that the property south of the Stake Center is on separate lines. The 700 South Church is all on the same bill. Mr. Hartle suggested installing a water meter at the 700 South Church for irrigation. Mr. Bates suggested using the square footage and ratios to determine the cost of irrigation water. Mr. Bates suggested that anyone who wants to use the recreation property to contact the building scheduler. Ron Case stated that the building scheduler would need to be made aware of this agreement. President Scott Evans stated that when the agreement is finalized, he will inform the bishops of the agreement. After discussion, Glenna Petersen made a motion, seconded by Gary Bates, to approval an agreement with the Church of Jesus Christ of Latter-day Saints for use of some recreation property south of the Stake Center and north of the 700 South Church.

YEA 5

NAY 0

Gary Bates

Ron Case

Colin Harrison

Carl Leatham

Glenna Petersen

The City Council discussed for approval the proposal for upgrading the UV lights at the sewer lagoons. Don Hartle stated that they began working with a company for a proposal to upgrade the UV lights. The effluent building would need some modifications, so it wouldn't work. They looked into another company. There are 2 proposals. The first bid is for \$70,000 for treating 1.4 million gallons of effluent per day. Mr. Hartle stated that Wellsville discharges between 2.7 and 3.1 million gallons of effluent per day. The second bid is for \$130,000 for treating 3.0 million gallons of effluent per day. Mr. Hartle stated that there is no doubt in the minds of the Public Works department that Wellsville City needs to go with the second bid. Mr. Hartle stated that impact fees can be used because Wellsville City is increasing capacity. Wellsville City has \$76,820.98 in impact fees. The remainder of the money will come from the non-restricted reserves funds. Wellsville City has the resources to pay for this upgrade without borrowing money. Ron Case asked if impact fees needed to be used before Wellsville City loses them. Mr. Hartle stated no as long as they are used within 6 years of receipt. Mayor Thomas G. Bailey stated that there was an article in the newspaper that sales tax has been on the rise. Mr. Hartle stated that it has been up slightly. It is up about 6% from last June. Wellsville City receives B&C road funds. Wellsville City received a deposit in January, which is down about 20% from last January. Gary Bates is concerned about the reoccurring and maintenance costs for the second bid. Mr. Hartle stated that those are the costs if the system is used on a continual basis. Mr. Bates asked about purchasing 2 of the smaller systems. It would cost \$10,000 more, but the maintenance costs are considerably lower. Ron Case asked if the lights are housed somewhere or if there are inside. Mr. Bates stated that they are located inside. Mr. Case asked if there was room for 2 sets of smaller lights. Mr. Hartle stated no. There is an automatic cleaning system included. Mr. Hartle stated that in 2012, Wellsville City discharged 70 days for the entire year. Colin Harrison asked if the lights are used when Wellsville City discharges. Mr. Hartle stated yes. Mr. Harrison asked if the lights are used only when Wellsville City discharges. Mr. Hartle stated yes. Mayor Bailey asked if the larger lights will fit. Mr. Hartle stated yes. Mayor Bailey stated that 2 smaller lights will not fit. Mr. Hartle stated that they won't because he asked the salesman. Mr. Harrison asked if there are lights down there now. Mr. Hartle stated yes. They were installed about 20 years ago, but Wellsville City can't purchase replacement bulbs. Mr. Harrison asked if the lights are installed, would there be a chance that Wellsville City will not use them. Mr. Hartle stated that the UV lights are used to treat coliform. Wellsville City has to use UV lights or chlorine. Mr. Bates asked how long do the bulbs last. Tom Maughan stated that when the system was installed, Wellsville City purchased 1 complete set of light bulbs. Mr. Hartle stated that some backup light bulbs are included in the purchase price. Tom Maughan stated that he believes this company will be around for a while. After discussion, Ron Case made a motion, seconded by Colin Harrison, to approve bid #LJKR1066 for \$130,000 from Cooms-Hopkins Company to upgrade the UV lights at the sewer lagoons.

YEA 5

NAY 0

Gary Bates

Ron Case
Colin Harrison
Carl Leatham
Glenna Petersen

The City Council held a workshop on the open space code. Ron Case stated that as he has been reading through the open space code, he has some questions. Don Hartle stated that City Planner Jay Nielson wrote the open space code, and suggested that any discussion or questions be put off for 1 month until Mr. Nielson returns. Mr. Case stated that there are 2 sections for open space requirements, 10-1-8 and 10-1-9. There are 2 different type of open space, open space in a regular subdivision, and open space in lieu of cash. Mr. Case asked if that is what Wellsville City intended to do was have 2 sections for open space requirements. Mr. Case stated that he believes that Wellsville City needs 2 different types of open space. Mr. Case stated that he is satisfied with what Wellsville City has as a code for open space. He now needs to understand it better. Mr. Case stated that section 8 lists 2 items, golf courses and country clubs, which he is not sure Wellsville City wants in their open space. Carl Leatham stated that there is open space that includes buildings. Colin Harrison asked if golf courses and country clubs were listed because of Sherwood Hills. Mr. Case stated that it is question for City Planner Jay Nielson. Public facilities are located on open space property. Mr. Case stated that the open space code needs to be reopened and thought through. Mr. Case stated that the open space in lieu of cash code should be more restrictive than the other open space code. Mr. Harrison stated that if a code is limited too much, it might not fit. It would be nice to leave the code open just a bit. Tom Maughan stated that open space is meant to be pleasant. Gary Bates stated that open space in a subdivision code can be put into a conservation easement. Mr. Case asked who owned the easement. Mr. Bates stated that Wellsville City would. Mr. Case stated that it is possible. Mr. Case stated that the whole intent of the open space codes is to preserve the area. Mr. Case suggested that this be put on hold until City Planner Jay Nielson returns.

Mayor Thomas G. Bailey discussed some Planning Commission business with the City Council. Mayor Bailey stated that the Planning Commission has had some rough times since the issue with the truck stop began. It became worse the night that Steve Kyriopoulos attended the Planning Commission meeting and reviewed the code word for word. Chairman Loyal Green has resigned. Mr. Green is convinced that the rest of the members of the Planning Commission wanted him off. Mayor Bailey stated that Mr. Green has done an outstanding job of being the Chairman for the Planning Commission. Carl Leatham stated that Mr. Green has done an excellent job. He is very knowledgeable and does considerable research on issues concerning Wellsville City. Mayor Bailey presented the name of John Spence as the Chairman of the Planning Commission. Some City Council members expressed concerns about Mr. Spence's temper. Gary Bates stated that the code does allow anyone to be dismissed with cause. Mayor Bailey stated that he has discussed this with Mr. Spence and that he has said he will keep it under control. Mr. Bates stated that the Planning Commission has more tough times coming. All of the City Council members agreed with John Spence as Chairman of the Planning Commission. Mayor Bailey presented the name of Brian Pattee as a member of the Planning Commission. All of the City Council members agreed with Brian Pattee as a member of the Planning Commission.

Department Reports:

Mayor Thomas G. Bailey – 1) He and Don Hartle met with Mendon City today to discuss running a water line from Wellsville to Mendon to supply them with water. Today was the first meeting.
2) Need to discuss sidewalks if the elementary school moves north to the existing middle school building.
3) Mark Thompson purchased the Lindley property, but nothing will change for now. It will stay the same.

Colin Harrison – 1) Seen an article in the newspaper that Logan City is reviewing their impact fees and lowering some. Asked if it was time to review Wellsville City's impact fees. Don Hartle stated that half of the impact fee is sewer and that is because of phosphorus. Ron Case stated that Nibley City is in the process of raising their impact fees. Mr. Hartle stated that is will cost \$20,000 to \$25,000 to do an impact fee study. Mr. Hartle doesn't think that Wellsville City's impact fees are out of line at all.
2) Shade Tree & Beautification Committee – discussed having a tree care clinic in late March or early April. Contacted people at USU and they are willing to do it for free. They say that this kind of clinic is

not well attended. Wants to help people in the community to beautify the trees on their property. Ron Case suggested holding it in conjunction with Arbor Day. Mr. Harrison likes that idea.

Ron Case – 1) Asked the status of the Clarke Maughan property that was purchased by Wellsville City. Don Hartle stated that he received an email from City Attorney Bruce Jorgensen that they were having problems tracing the water back. Mr. Jorgensen has scheduled this week to work on the issue.

2) His first year on the City Council, a portion of sales tax was designated to help with the 2002 Winter Olympics. After the Olympics, the Eccles Ice Arena asked of that portion of sales tax to support the ice arena. He believes it was for 15 years. This has been on the back of his mind. After the 15 years are up and the ice arena comes back for that portion of sales tax to be given to them, Mr. Case would say no to their request and earmark that money for recreational use in Wellsville City. Don Hartle doesn't know if Wellsville City contributes or not, but will check on it.

Gary Bates – 1) The Youth Sports directors will remain the same. They will be adding Natalie Hancock to the Parks & Recreation Committee.

2) Memorial Day – need public address system fixed if possible – could rent one if needed.

3) Some cities have rented the Logan City Aquatic Center for City days. Wellsville City has the fishing derby, movie night, and 2 concerts in the park. Decided to pass on renting the Logan Aquatic Center.

4) Dave Bell worked on the Red Slide park by designing the park. He will not take any money for his work. Mr. Bates proposed that Wellsville City purchase a gift card of \$100 for him and his wife. Ron Case suggested that he be invited to the Wellsville City Appreciation Dinner. Mayor Thomas G. Bailey asked if Leesa Cooper would add Dave Bell and his wife to the list.

Carl Leatham – 1) Steve Kyriopoulos has been working with the owner of the property adjacent to his property for access to 500 North. Mr. Peterson owns approximately 86 acres in the area, and is looking to donate it to USU.

2) The Multi-family Unit Committee is meeting tomorrow night. They are on the agenda for the Planning Commission next Wednesday for a workshop.

3) Handed out a bid on a projector system for Wellsville City from Karma Leatham.

Don Hartle – 1) Handed out financial updates. Compared November 2012 to December 2012.

At 9:05 p.m., Glenna Petersen made a motion, seconded by Colin Harrison, to adjourn the meeting.

YEA 5

Gary Bates

Ron Case

Colin Harrison

Carl Leatham

Glenna Petersen

NAY 0

Mayor Thomas G. Bailey

Mayor

Don Hartle

City Manager/Recorder