

MINUTES of the rescheduled regular City Council meeting of Wellsville City held Monday, July 1, 2013, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilmen Gary Bates, Ron Case, 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 June 27, 2013. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present: Jennifer Leishman Clint Kerr Aaron Walker  
Tim Parkinson Sandra Francis Josh Francis  
Larry Mortensen Cara Mortensen Jeremy Higley  
Karen Higley Tony Nielson Kevin Maughan

Opening Ceremony: Mayor Thomas G. Bailey

Councilwoman Glenna Petersen was excused from this meeting due to vacation.

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

YEA 4 NAY 0  
Gary Bates  
Ron Case  
Colin Harrison  
Carl Leatham

The Council reviewed the minutes of the June 5, 2013 regular City Council meeting. After discussion, Colin Harrison made a motion, seconded by Ron Case, to approve the minutes of the June 5, 2013 regular City Council meeting as presented.

YEA 4 NAY 0  
Gary Bates  
Ron Case  
Colin Harrison  
Carl Leatham

The Council reviewed the minutes of the June 13, 2013 special City Council meeting. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to approve the minutes of the June 13, 2013 special City Council meeting as presented.

YEA 4 NAY 0  
Gary Bates  
Ron Case  
Colin Harrison  
Carl Leatham

The Council reviewed the minutes of the June 19, 2013 regular City Council meeting. After discussion, Colin Harrison made a motion, seconded by Carl Leatham, to approve the minutes of the June 19, 2013 regular City Council meeting as presented.

YEA 3 NAY 0 ABSTAIN 1  
Ron Case 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, Carl Leatham made a motion, seconded by Gary Bates, to approve the City's bills for payment, represented by check number 15784 through 15828.

YEA 4

NAY 0

Gary Bates  
Ron Case  
Colin Harrison  
Carl Leatham

Wellsville City Fire Chief Clint Kerr met with the City Council to discuss fireworks restrictions. Mr. Kerr handed out a packet of information that shows a new bill passed by the legislature that the City Council has to make a motion to restrict fireworks within the city limits. Mayor Thomas G. Bailey asked what Mr. Kerr would recommend. Mr. Kerr asked that the City Council read items #77 through #85. The State Fire Marshall has put a ban on all fireworks in unincorporated areas of Cache County. Aaron Walker stated that the responsibility falls on the City Council for the incorporated areas of the city. Mayor Bailey stated that last year, Wellsville City provided an area to light fireworks if citizens wanted to. Mayor Bailey asked what areas were closed last year. Mr. Kerr stated that west of 200 West, south of 900 South, and north of 400 North was closed last year. Gary Bates stated that last year the City Council discussed banning all fireworks within the city limits. Several cities did ban all fireworks within city limits. Last year, the City Council wondered if it was legal to do that, and it was, and still is. Mr. Kerr asked how it was advertised last year. Mr. Bates stated that each city was listed in the newspaper that participated in banning fireworks and the restrictions. Mr. Walker stated that there will be a press release tomorrow about firework restrictions and he will have Wellsville City be part of that press release. Ron Case stated that he can add the restrictions to the website. After discussion, Colin Harrison made a motion, seconded by Carl Leatham, to restrict fireworks west of 200 West, south of 900 South, and north of 400 North for Wellsville City for 2013.

YEA 4

NAY 0

Gary Bates  
Ron Case  
Colin Harrison  
Carl Leatham

At 7:15 p.m., conduct a public hearing to receive public input, then consider for approval the Concept Plan for the Millicent Parkinson Subdivision, consisting of a total of 2 lots (1 additional building lot) on property at 620 North 200 East. Tim Parkinson stated that he is seeking approval of the Concept Plan so that his daughter and son-in-law can build a home. Mayor Thomas G. Bailey asked if Mr. Parkinson had seen the memorandum issued by City Engineer Chris Breinholt dated June 24, 2013. Mr. Parkinson stated yes, and that he had it in front of him. Mayor Bailey read each of the 7 items listed on the memorandum. Mr. Parkinson stated that the sidewalk ends and he doesn't know where they would put a sidewalk. There is an irrigation culvert and ditch. Mr. Parkinson asked that the sidewalk requirement be waived. Mayor Bailey stated that #2 states that the property is not in Wellsville City limits. Don Hartle stated that the annexation was filed today at about 10:30 a.m. Mayor Bailey stated that #3 is concerning the width of the road. Colin Harrison asked how closed to Millicent Parkinson's home would the road be. Mr. Parkinson stated that it is very tight, and would prefer a 66-foot right-of-way to the 99-foot right-of-way. Gary Bates stated that he is concerned with a 66-foot right-of-way because there is so much ground out there that can be developed. Mr. Harrison stated he is not sure if the right-of-way can be 66 feet. Carl Leatham stated that the code states that the right-of-way is 99 feet and the standard is 99 feet. Mayor Bailey stated that #4 is concerning the road belonging to Wellsville City instead of Cache County. Mr. Hartle stated that when working on the annexation, a condition of the annexation was that Wellsville City would acquire the road. Mr. Hartle stated that Jeff Hansen with JSH Surveying is working on a street dedication plat that will go from 150 East to the north side of lot #1. Mayor Bailey stated that #5 is concerning the width of the asphalt on the road. Mr. Leatham stated that he believes there is about 18 feet of asphalt. Mr. Parkinson stated he thinks there is about 20 feet of asphalt. Kevin Maughan stated that he measured it and there is 19 feet of asphalt. Mr. Leatham stated that the code requires 22 feet of asphalt. Mr. Hartle stated that when the road is

reconstructed, Wellsville City will lay 22 feet of asphalt. Mayor Bailey stated that #6 is concerning the sewer and providing an easement through the property for the sewer line. Mr. Parkinson stated that he owns all of the property, so he doesn't know if he has to grant an easement for anything. Mayor Bailey asked if Millicent Parkinson was connected to the sewer. Mr. Parkinson stated no. Mr. Parkinson stated that his plan was to connect Millicent Parkinson at the same time when the new home is connected. Mayor Bailey asked about connecting to the sewer in front of the homes instead of the back. Mr. Parkinson stated that his concern is that Millicent Parkinson would have to install a pump in order to connect to the sewer. Mayor Bailey asked what the distance is to the main trunk line. Mr. Parkinson stated that he didn't know, maybe 300 feet. Mayor Bailey asked about tapping into the main trunk line. Mr. Hartle stated that no one is touching the main trunk line. Mr. Hartle stated that the sewer line is south of Shawn Hall's home and then runs east into the pasture. Mayor Bailey asked who is responsible for the line that connects to the City's mainline. Mr. Hartle stated that the pipe for the home to the City mainline is the home owner's responsibility. Mr. Harrison stated that the property behind the 2 lots is in the county. Mr. Hartle stated that the trunk line is all in the county. Mr. Bates asked if the sewer will be required for the full length of the subdivision. Mr. Bates stated that it is not very smart to do because there is nothing above. Mr. Bates stated that the sewer lines would come out separately from each home to the City mainline. Mr. Hartle stated that he doesn't have any problem with the sewer lines coming out the back of the homes, but they aren't connecting into the main trunk line. Mr. Hartle stated that if there will be 2 service lines, a 4-inch would be sufficient. If there is only 1 service line, a 6-inch pipe may be needed. Kevin Maughan stated that with a 4-inch pipe, a clean-out is needed every 50 feet, a 6-inch pipe, a clean-out is needed every 75 feet, and an 8-inch pipe, a clean-out is needed every 100 feet. Mr. Maughan asked if a manhole would be required at the main line. Mr. Hartle doesn't think a manhole would be required. A manhole may be needed at the 6-inch line. Mr. Maughan stated that if there is no manhole, there will not be the ability to clean the line. Mayor Bailey stated that Wellsville City would need an easement for the sewer line that runs east through the property. Mr. Parkinson stated that he would give the easement if Wellsville City would be responsible for the sewer line. Mr. Hartle stated that Wellsville City would be responsible for a 6-inch or 8-inch mainline, but not a service line. Mr. Hartle stated that if the sewer line becomes property of Wellsville City, Wellsville City would need an easement. Mayor Bailey stated that #7 is concerning the water line being extended. Mr. Parkinson stated that the water line has already been installed. It runs across the property. Mayor Bailey stated that an easement for the water line will be needed so that nothing is built over the water line.

At 8:18 p.m., the public hearing was closed.

After discussion, Colin Harrison made a motion, seconded by Gary Bates, to approve the Concept Plan for the Millicent Parkinson Subdivision, consisting of a total of 2 lots (1 additional building lot) on property at 620 North 200 East with the following conditions: 1) sidewalk requirement is waived, 2) annexation is completed, 3) a 99-foot right-of-way is required, 4) Wellsville City will own the road from the railroad tracks to the end of lot 1, 5) a sewer system is designed and City Engineer Chris Breinholt signs off on it, 6) a 15-foot easement is required for the existing water line, 7) agrees to install a fire hydrant.

**YEA 4**

Gary Bates  
Ron Case  
Colin Harrison  
Carl Leatham

**NAY 0**

The City Council continued consideration for potential road signs at the intersection of 300 South and 100 East. Mayor Thomas G. Bailey stated that Brandon Jackson and Keith Hyer attended the last City Council meeting to express their concerns about this intersection. Don Hartle suggested that a traffic sign be installed on 300 South because of the slope of 100 East. Mr. Hartle stated that if a snow plow has to stop on the hill of 100 East, it won't be able to make it up. Ron Case stated that he suggests a yield sign on 100 East and some speed limit signs. Mr. Hartle stated that it will be the same problem if the snow plow has to stop. Gary Bates suggested trying a stop sign on 100 East, and if problems arise, the City Council will reevaluate. Mr. Hartle stated that traffic signs are meant to move traffic, not control it. The signs need to move traffic along 100 East, not 300 South. Mr. Hartle asked if traffic will be stopped going north and

south. Mr. Case stated no, just on the south sign for those traveling from the south to the north. Mr. Case stated that a lower speed limit sign needs to be installed also. After discussion, Ron Case made a motion, seconded by Colin Harrison, to install stop sign at 300 South and 100 East and speed limit signs along 100 East establishing the speed limit at 20 MPH on each end of 100 East from 300 South to 500 South.

**YEA 4**

**NAY 0**

Gary Bates  
Ron Case  
Colin Harrison  
Carl Leatham

The City Council discussed the walk through of the Wellsville Elementary school. Mayor Thomas G. Bailey stated that the ideas are that 1) make a motion now, or 2) wait to see if the bonds pass before making a decision. If the bonds do pass, hold 2 to 3 public meetings asking if residents are willing to pay more money to take over the building. Ron Case stated that Wellsville City can't afford this building. If Wellsville City doesn't take the building, Cache County School District can sell it or give it to someone else. Mr. Case stated that in 2 to 5 years, Wellsville City will have another abandoned building. Mr. Case stated that Wellsville City should try to make some kind of demand that the school district take care of the building. Mr. Case stated that he doesn't know if Wellsville City can do that. Mayor Bailey asked if the City Council wanted to wait to see if the bonds pass. All agreed. After discussion, Ron Case made a motion, seconded by Colin Harrison, to continue this discussion when they see fit.

**YEA 4**

**NAY 0**

Gary Bates  
Ron Case  
Colin Harrison  
Carl Leatham

The City Council discussed the open space in the Mt. Sterling Estates Subdivision. Don Hartle stated that he thought the property was in Wellsville City's name until this afternoon. There are 3 options; 1) Wellsville City, 2) Homeowner's Association, or 3) conservation group. Mr. Hartle stated that the last 2 to 3 years, Bart LaMont has swathed the area to control the weeds. Mr. Hartle asked if the City Council would allow Mr. LaMont to swath the area again this year. Mr. Hartle stated that 2 or 3 open space pieces are mountainside. The City Council needs to think about this issue and plan what to do with the open space. There are 35 acres of open space. Mayor Thomas G. Bailey asked if the open space is in Wellsville City's name or not. Mr. Hartle stated that the owner of the open space says that it is. Ron Case asked who brought this to Mr. Hartle's attention. Mr. Hartle stated that someone is trying to purchase some property to build a home. Larry Mortensen stated that an HOA is not at the top of the neighbor's list, nor do they want it in a conservation easement. Mr. Mortensen stated that his opinion is to keep it in Wellsville City's name. It is the easiest and simplest. Jeremy Higley asked if the open space is considered 1 piece. Mr. Hartle stated yes. There is no reason for 1 option to not work for all 3 pieces of open space. Karen Higley asked if they could purchase some of the open space in order to put up a fence. Ms. Higley stated that they have had hunters in their backyard and people dragging deer across their property. The answer is no. Mayor Bailey stated that Wellsville City could help them with signage. Mr. Hartle asked that the City Council give this issue some thought and he will keep working on it.

**YEA 4**

**NAY 0**

Gary Bates  
Ron Case  
Colin Harrison  
Carl Leatham

Department Reports:

Colin Harrison – 1) 3 years ago, Bob Rowley replaced a tree along Center Street that wasn't doing well. Mr. Rowley has not been paid \$100 for doing this. Asked that Mr. Rowley call Don and give him the information.

2) Aaron & Carrie Salvage – new Chairpersons for Founder's Day.

3) Flag Ceremony – Eagle Scouts, Founder's Day Breakfast – Fire Department

Ron Case – 1) Measure distance of the trail around Wellsville Dam – Gary Bates gave him the information.

2) Found software to do searches in the minutes - \$45 per year – can set reminders – would like to demonstrate it at the next City Council meeting.

3) Maughan property – still working on it.

Gary Bates – 1) 400 South trail going well – 1<sup>st</sup> Eagle Scout project completed cleaning out trees and brush.

2) Wellsville City was denied the grant request for the additional \$13,000 for the trail.

3) Asked if Mayor Bailey could meet with the intern tomorrow at 5:00 p.m. – yes.

4) Movie night went well – need to get movie signs down.

5) Purchased new speakers to go with the new amplifier.

6) July 14, 2013 – Music on the Square – Sunday evening – family friendly.

7) July 19, 2013 – Music on the Square – Youth Council Jam Night – ages 14 to 18.

8) 6 trees were replaced at Wellsville Dam – looks good, but very dry – Asked if Scott Wells' kids would be willing to water them for compensation.

9) List of rental properties that are owned by Wellsville City – has a map – still working on it.

10) City Attorney – recourse for abandoned buildings – haven't talked to Mr. Jorgensen about it yet.

11) Good Fishing Derby – applied for a grant to be reimbursed for expenses.

Carl Leatham – 1) Mowed grass around the trail at Wellsville Dam – opened gates, took locks and retaining pins – Don Hartle will check on it.

2) Red Slide Subdivision – Planning Commission approved a lot line adjustment last week – Mark Benson extended his lot. The PUE goes through the lot. The PUE didn't go with the property. Asked if this needs to be addressed. Don Hartle says that it would require that the subdivision be reengineered and the subdivision plat would have to be amended. Mr. Hartle stated that it is not the City's responsibility to do a title search when purchasing property. Something to think about.

At 9:22 p.m., Colin Harrison made a motion, seconded by Gary Bates, to adjourn the meeting.

**YEA 4**

Gary Bates

Ron Case

Colin Harrison

Carl Leatham

**NAY 0**

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Mayor Thomas G. Bailey

Mayor

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Don Hartle

City Manager/Recorder