

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, January 15, 2014, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilwomen Karen Higley and Glenna Petersen, Councilmen Gary Bates, Carl Leatham, and Perry Maughan. City Manager/Recorder Don Hartle and City Planner Jay Nielson were 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 10, 2014. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present:

Jennifer Leishman	Jeff Smith	John Spence
Robert Bolton	Don Ewing	Alison Ewing
Steve Kyriopoulos	Candy Sorensen	Russ Piggott
Janie Isaacson	Kendall Leishman	Barbara Swanson
David Swanson	Leesa Cooper	Jonathan Cook
Rachel Fry	Brad Murray	Jason Spahr
Dawson Duncombe	Dax Ware	Dallin Frstrup
Rachel Fry	Jeremy Higley	

Opening Ceremony: Glenna Petersen

The Council reviewed the agenda. Don Hartle added a discussion concerning the sewer discharge permit. Perry Maughan made a motion, seconded by Karen Higley, to approve the agenda with the addition.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Karen Higley	
Carl Leatham	
Perry Maughan	
Glenna Petersen	

The Council reviewed the minutes of the January 2, 2014 regular City Council meeting. Glenna Petersen made a motion, seconded by Karen Higley, to approve the minutes of the January 2, 2014 regular City Council meeting as presented.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Karen Higley	
Carl Leatham	
Perry Maughan	
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, Glenna Petersen made a motion, seconded by Perry Maughan, to approve the City's bills for payment, represented by check number 16557 through 16613.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Karen Higley	
Carl Leatham	
Perry Maughan	
Glenna Petersen	

No one was in attendance for citizen input.

Jeff Smith met with the City Council concerning two business licenses. Mr. Smith stated that he would like to open 2 retail stores at 53 East Main. The first business is a bath and body products business. The items are manufactured in Logan. The business will be located on the main floor. The second business is a toy store. A big part of this business is completed online. This business will be located on the second story

of the building. Carl Leatham stated that the Planning Commission approved the conditional use permit. Parking will be at the back of the building because the entrance will be from the back. After discussion, Carl Leatham made a motion, seconded by Glenna Petersen, to approve the business licenses for Jeff Smith.

YEA 5

NAY 0

Gary Bates  
Karen Higley  
Carl Leatham  
Perry Maughan  
Glenna Petersen

The City Council conducted a workshop on the proposed “Affordable Housing Plan”. City Planner Jay Nielson stated that this plan is required by the State of Utah. Wellsville City submitted a plan in 2006, and it is expected to be updated regularly. The State requires the plan to identify needs in the community. The State does give a model and helps walk an individual through the process of writing the plan. Mr. Nielson stated that he gathered census information from 2010 and real estate information. This plan is to help anyone that has an income of 80% of the mean income. Mr. Nielson stated that Wellsville City shouldn’t compile all of their resources and dump them into affordable housing. This plan is to make Wellsville City aware that there is a need and that Wellsville City is making progress. This plan gives Wellsville City recommendations and suggestions to consider, and over time, some changes may be made. A report is to be submitted to the State every 2 years. Mr. Nielson stated that Mayor Thomas G. Bailey appointed a committee to help with this plan. The committee reviewed a variety of potential scenarios. There is a goals and strategy section. This plan is a significant step forward. The state rates these plans on a scale from 1 to 10, with 10 being the best. The plan submitted in 2006 by Wellsville City rated a 2. This plan should be formally adopted as soon as possible. Perry Maughan asked if Mr. Nielson would review the “Welcome Home to Wellsville” plan on page 23. Mr. Nielson stated that the “Welcome Home to Wellsville” plan helps people with down payments and closing costs on a home. Glenna Petersen asked if the funds are available on existing homes or just new homes. Mr. Nielson stated that it could be used on an existing home. Carl Leatham stated that the Planning Commission approved the plan. Mr. Leatham stated that he has concerns on page 5, the needs of elderly and disabled, page 8, promoting affordable housing, page 12, multi-family housing, page 18, refers to elderly and disabled, and page 13, the age of single family rental homes in Wellsville City. Don Hartle stated that by adopting the plan doesn’t commit Wellsville City to anything. Mr. Leatham asked what the point of the plan is then. Mr. Hartle stated that it is a guideline. Mr. Nielson stated that the plan makes people aware. Mr. Hartle stated that the public hearing for adopting the plan will be scheduled for March 12 for the Planning Commission and March 19 for the City Council. Mayor Bailey stated that an apartment complex is allowed in every block in the R-1-12 zone. A suggestion is to allow an apartment complex in every block in all zones. Perry Maughan stated that the plan also states that the way it is now works well. Gary Bates stated that Wellsville City doesn’t have the infrastructure to support some of the suggestions, such as; there is no bus service to and from Wellsville City. That has an impact on senior housing. Wellsville City may not be very desirable. Mr. Maughan stated that this plan is a great guideline and starting point. Mr. Bates stated that the City Council owes some responsibility to people that already live here. It needs to be balanced out. Glenna Petersen stated that there are 39 vacant homes. Ms. Petersen asked if those homes should be torn down or fixed up. Mr. Nielson stated that there is nothing in the plan that suggests Wellsville City commit major local tax resources to. Wellsville City should be a vehicle to direct people to existing help centers. Mr. Nielson stated that there are 300 to 400 people already living in Wellsville City that are spending 40% plus on housing and utilities. Mayor Bailey thanked City Planner Jay Nielson and the committee for their work on this project.

Robert Bolton met with the City Council to discuss the proposed “Truck Stop” at the northeast corner of the intersection of Highway 89/91 and 400 North. Mr. Bolton read from a letter that he composed. He contacted an environmental toxicologist from California to offer his opinion concerning the truck stop. There are reports that state diesel exhaust causes cancer in humans. Mr. Bolton stated that he has two concerns: 1) the new intersection at 500 North and Highway 89/91, and 2) the potential risk to residents is real. Mr. Bolton stated that an environmental study was completed by a firm named RMEC that Steve Kyriopoulos hired. The environmental toxicologist reviewed the report and stated that on page 6, the last paragraph is a gross misstatement. There is no opinion on the environmental impacts. There is no site-specific evaluation. The environmental impact study has not been performed. Mr. Bolton believes that a site-specific human health risk assessment should be required. Mr. Bolton is also concerned that the new intersection will not have a tri-traffic light. Mr. Bolton thanked the City Council to allowing him to express his concerns. Mr. Bolton asked if there were any questions. Don Hartle asked if he could get a copy of the letter that Mr. Bolton read. Mr. Bolton stated that he will provide copies for the City Council and Planning Commission. Perry Maughan asked what number of trucks and where the environmental toxicologist received his facts from to base his opinion of the truck stop. Mr. Bolton stated that the environmental toxicologist has 30 years of experience, a project of this nature, the proximity of the truck stop to residents, and the number of citizens. Mr. Bolton stated that Mr. Kyriopoulos bears the burden of proof concerning the truck stop. Mayor Thomas G. Bailey stated that the truck stop is by conditional use permit. The Planning Commission is place conditions on the truck stop. A highway study will have to be completed, and UDOT will have to approve it. Conditions have been placed and studies will have to be completed. Mayor Bailey stated that nothing can happen now until an application for a truck stop is received. Mr. Bolton stated that the air quality issue is very important. Mr. Bolton stated that he feels the studies that have been requested are unreasonable. Mayor Bailey stated that the highway study has to be completed. An environmental study has been discussed. No conditions have been set yet because no application for a truck stop has been received. Mayo Bailey thanked Mr. Bolton for his comments.

The City Council considered for adoption a resolution amending the Employee Handbook and Guideline as it relates to holiday and sick pay. Don Hartle stated that since the wage and benefit study has been completed, there are 2 changes that need to be made to the employee handbook and guideline. The first change is that comparable cities have 1 to 2 more holidays than Wellsville City. The City Council recommended an increase in holidays. Wellsville City will now begin to take Martin Luther King Jr. Day off as a holiday. Mr. Hartle stated that there is very little change in verbiage. Mr. Hartle stated that the second change is concerning sick leave. There are 2 new terms in the employee handbook and guideline. There are now tier 1 and tier 2 employees. A tier 1 employee is an employee that was hired before December 31, 2013. A tier 2 employee is an employee that was hired after December 31, 2013. Tier 1 employees will now have all of their current sick leave put in a bank. They can draw on it or be paid for it when they retire/quit. All employees will accumulate 80 hours of sick leave per year. An employee can accumulate 160 hours of sick leave. After that, any sick leave accumulated will be lost. Gary Bates stated that there is a conflict in 2 paragraphs concerning overtime and vacation. Mr. Hartle made a note of it and will review it. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to adopt **RESOLUTION 2014-01, A RESOLUTION ADOPTING AN AMENDMENT TO THE WELLSVILLE CITY EMPLOYEE HANDBOOK AND GUIDELINE.**

**YEA 4**  
Gary Bates  
Karen Higley  
Carl Leatham  
Glenna Petersen

**NAY 0**

**ABSTAIN 1**  
Perry Maughan

The City Council considered for adoption a resolution establishing council duties and responsibilities, making appointments and making statutory appointments. Don Hartle stated that this was discussed and reviewed at the last City Council meeting. The document shows each City Council member, their duties and responsibilities, and lists 2 assistants. It establishes Don Hartle as the City Manager/City Recorder and Leesa Cooper as the City Treasurer. It also establishes Planning Commission members and Board of Adjustment members. After discussion, Perry Maughan made a motion, seconded by Glenna Peterson, to adopt **RESOLUTION 2014-02, A RESOLUTION TO ESTABLISH THE DUTIES AND RESPONSIBILITIES FOR THE CITY COUNCIL. APPOINT PERSONNEL TO THE STATUTORY OFFICES OF RECORDER, TREASURER, AND CITY MANAGER. ALSO, RENEW APOINTMENTS TO THE PLANNING COMMISSION, BOARD OF ADJUSTEMENTS, AND HISTORICAL COMMISSION.**

YEA 5

NAY 0

Gary Bates  
Karen Higley  
Carl Leatham  
Perry Maughan  
Glenna Petersen

The City Council discussed the handout for the previous council meeting on the Certified Tax Rate. Mayor Thomas G. Bailey stated that this issue has been discussed for year. Wellsville City hasn't raised taxes in 28 years. The utility charges, sewer, water, and garbage, have all been raised. There is a process to go through if the City Council chooses to raise property taxes. Don Hartle stated that the handout explains the certified tax rate. Mayor Bailey stated that raising taxes is a tough issue. Gary Bates stated that the issue is always discussed at budget time, but believes it needs to be discussed earlier. Mr. Hartle stated that if there is a tax increase, the budget is not adopted in June; rather it is adopted in August. Mr. Bates asked if it is possible to get the certified tax rates from other comparable cities. Mr. Hartle stated that he doesn't get involved in other cities' certified tax rates. Mr. Hartle stated that Wellsville City's certified tax rate is quite low. Mr. Bates stated that every year the City Council hears that the City will be okay this year; that the City will get by. Mr. Hartle stated that there are some major things happening that will affect Wellsville City in the near future. Mr. Hartle stated that he always constructs the budget very conservatively. He believes in living within your means. The earliest data shows that there were 660 units of water in 1990. At the end of December 2013, there are currently 1461 water units. In 1990, there were 2 full-time Public Works employees. There are still 2 full-time Public Works employees. Mr. Hartle stated that he hires 3 individuals to build roads during the summer months. The same number of people that mowed lawns in 1990 is the same number of people mowing lawns in 2013. The office staff was increased by 1 employee working 28 hours per week. Wellsville City needs a new Public Works facility. At some point, Wellsville City will need to acquire more property for sewer effluent application. These are major expenses. Mr. Hartle stated that his objective is to be conservative, but always have an ace in the back pocket. Mr. Hartle hopes to hire another Public Works employee in the next year or 2. Mr. Hartle stated that every employee is doing a good job. He believes that they all have a full work load. At some point, there will have to be some expansion. Mr. Hartle stated that unless Wellsville City needs it; keep the ace in the back pocket. Mr. Bates stated that Wellsville City keeps pushing raising taxes ahead, and it may have a significant impact on some residents when taxes are raised. Wellsville City should raise taxes in small chunks. Mr. Hartle stated that Wellsville City has to be careful when raising taxes because if a city has too much money in savings, there is big trouble. Mr. Bates suggested adding this issue to the agenda in a month to discuss the issue again. Mr. Bates stated that Wellsville City has done an excellent job with what it has.

The City Council discussed the sewer discharge permit. Don Hartle stated that a copy of the sewer discharge permit was included in the packet. Wellsville City has until January 31, 2014 to make any comment concerning the permit. Mr. Hartle stated that the Public Works department will review the permit next week. Mr. Hartle stated that if there is anything that the City Council would like to address, please call Mr. Hartle by Wednesday of next week.

Department Reports:

Carl Leatham – 1) Asked for a name for a new float construction person – Tawni Spence is moving.

Gary Bates – 1) Diane Roundy will not be in charge of girls softball – suggested Carrie Salvage.  
2) Utah National Guard Band – Wellsville City for a Sunday night performance, need to look for a Saturday night performance.

Perry Maughan – 1) Spoke with Colin Harrison – would like to be the chairman of the Shade Tree & Beautification Committee. Arbor Day – Colin will send in the paperwork.

Glenna Petersen – 1) Wellsville City Youth Council would like to have a member on each of the committees in Wellsville City  
5) Spoke with a citizen concerning the sidewalk along Center Street. The cement has been poured, but it hasn't been backfilled yet.

Karen Higley – 1) Received a telephone call from a citizen about people feeding the wild turkeys – asked if there was an ordinance concerning this issue. Mendon put an ordinance in place this year concerning this issue. Suggested contacting DWR about this issue.

Mayor Thomas G. Bailey – 1) Water at the Cheese Plant – it is only flow through water. It comes from the pond. The Cheese Plant has the right to use it, but has to give it back.

City Manager/Recorder Report:

Don Hartle – 1) Utah League of Cities & Towns – September 10, 11, and 12, 2014.  
2) Wellsville City purchased property from Edward Higbee. There is a total of 12 acre feet of water that comes with the property.  
3) City Attorney Bruce Jorgensen will be in attendance to the Planning Commission meeting on January 22, 2014 to discuss South Valley RV.  
4) Handed out budget worksheets – due back March 5, 2014. A decision will need to be made concerning wages by this date.

At 8:07 p.m., Glenna Petersen made a motion, seconded by Karen Higley, to adjourn the meeting.

**YEA 5**  
Gary Bates  
Karen Higley  
Carl Leatham  
Perry Maughan  
Glenna Petersen

**NAY 0**

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Thomas G. Bailey  
Mayor

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Don Hartle  
City Manager/Recorder