

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, April 2, 2014, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilwoman Karen Higley, Councilmen Perry Maughan and Carl Leatham. 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 March 28, 2014. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present: Jennifer Leishman Dave Nielsen Candy Sorensen  
Katie Christensen Janie Isaacson Kendall Leishman  
David Swanson Jonathan Cook Deputy Nielsen

Opening Ceremony: Perry Maughan

Councilwoman Glenna Petersen was excused from this meeting.

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

YEA 3 NAY 0  
Karen Higley  
Carl Leatham  
Perry Maughan

The Council reviewed the minutes of the March 19, 2014 regular City Council meeting. There were word changes on lines 93 and 94. Carl Leatham made a motion, seconded by Perry Maughan, to approve the minutes of the March 19, 2014 regular City Council meeting with the changes.

YEA 3 NAY 0  
Karen Higley  
Carl Leatham  
Perry Maughan

Don Hartle gave the Council a copy of the Warrant Register showing bills submitted to the Council for approval. After review and discussion, Perry Maughan made a motion, seconded by Karen Higley, to approve the City's bills for payment, represented by check number 16798 through 16828.

YEA 3 NAY 0  
Karen Higley  
Carl Leatham  
Perry Maughan

No one was in attendance for citizen input.

The City Council discussed access on Main Street east of Highway 89/91. Don Hartle stated that someone asked that this item be added to the agenda. Carl Leatham stated that it was Gary Bates. Mr. Leatham stated that according to the Road Master Plan, Wellsville City should look at purchasing accesses as they become available. Mayor Thomas G. Bailey asked if Mr. Leatham had a copy of the Road Master Plan available. Mr. Leatham stated that he had 1 copy, but didn't have the overlay as to who owns each parcel of property. The City Council reviewed the map and will consider parcels of property as they become available.

The City Council discussed possible Arbor Day clean-up. Perry Maughan stated that Arbor Day will be held on April 26, 2014 at 9:00 a.m. at the Wellsville City bowery. Light refreshments will be served and Wellsville City will receive the 26-year Tree City USA award. Mr. Maughan stated that after the ceremony, they would like to go down to Wellsville Dam and prune some trees on the south end for a

couple of hours. Mr. Maughan stated that they will also have a small seminar.

Councilman Gary Bates arrived at the meeting at 6:20 p.m.

At 6:30 p.m., conduct the following public hearings in the order below:

First, receive public input, then consider the recommendation of the Planning Commission, then consider for possible approval the proposed "Affordable Housing Plan". Kendall Leishman stated that the building lots should not be made any smaller. Don Hartle suggested that City Planner Jay Nielson give some background information concerning this issue. City Planner Jay Nielson stated that this code meets the requirement of the Affordable Housing Act of the State of Utah. Wellsville City established the last code in 2006. This is an update of that code. Mr. Nielson stated that Mayor Thomas G. Bailey established a committee of 5 persons. Page 22 lists the goals of this code. One goal discusses reducing lot sizes, but the code doesn't recommend doing that at this time. This code was prepared using the state's affordable housing tool and the 2010 Census. The recommendations that are part of the code came from the committee.

At 6:38 p.m., the public hearing was closed.

Karen Higley asked if the recommendations are optional. City Planner Jay Nielson stated that Wellsville City is not obligated to complete any of the recommendations given as part of this code. Mayor Thomas G. Bailey stated that his concern is smaller lots, and dividing one lot in a subdivision into 2 and building 2 homes on 1 lot. Mr. Nielson stated that it is an option only. It may not be possible in an established subdivision, but may be possible in a new subdivision. Perry Maughan stated that his concern is that property values will drop. Ms. Higley stated that each subdivision has CC&R's. Ms. Higley also expressed her concern about property values dropping. Mayor Bailey expressed his concern about the effect this would have on children. Mr. Nielson stated that the recommendations are only suggestions. Wellsville City has to be honest with the State of Utah. Gary Bates asked if state law mandates Wellsville City providing this code. Mr. Nielson stated yes. It has been in existence approximately 15 years. Mr. Bates asked the consequences if Wellsville City doesn't comply. Mr. Nielson stated that Wellsville City is obligated to submit a plan to the State of Utah. Mr. Bates asked if every city in the state has a plan. Mr. Nielson stated yes. Mayor Bailey asked about a sentence on page 7 in the bottom paragraph that refers to no new rentals being built in Wellsville City in the past 17 years. Mayor Bailey stated that isn't Wellsville City's fault. Mr. Nielson stated that the following sentence states that developers have chosen not to develop rental units. Carl Leatham stated that the next sentence puts it right back on Wellsville City. Mr. Nielson stated that the paragraph exactly what the committee said. Mr. Leatham stated that the sentences discussed scare him. Wellsville City needs to be careful how this code is worded because of the undesirable situation that could arise. Mr. Nielson stated that people need to be very careful how the word undesirable is used in a public setting. Mr. Maughan asked if this code is an update to a plan that Wellsville City already has. Mr. Nielson stated that it is an update to the 2006 plan. Mr. Maughan asked if the state approved of the current plan. Mr. Nielson stated that Wellsville City is required to submit a report bi-annually in December. Mr. Nielson contacted the state to let them know that the plan was being updated. The State allowed Wellsville City to not submit the report, and is waiting for the plan to be adopted. Mr. Maughan asked if Wellsville City could submit the same plan from 2006. Mr. Nielson stated that it is 8 years old and needs to be updated. Mayor Bailey stated that Wellsville City already has multi-family housing and rentals. Don Hartle stated that multi-family housing is wanted in all zones, not just the R-1-12 zone. Mayor Bailey stated that the sentence regarding no new rentals in the past 17 years needs to be removed. Mr. Bates stated that statement belongs in a report, not the code. Ms. Higley asked about appendix #9. Mr. Nielson stated that it helps buyers to go to the banks, who set aside funds for first-time home buyers. Mr. Nielson stated that there are some things that are no brainers that can be reported to the State. Mayor Bailey stated that plan mentions 30 vacant homes in Wellsville City. Wellsville City does encourage people to winterize their homes, but it is hard to tell home owners what to do with their home. Ms. Higley asked about #5 on page 26 concerning non-profit housing. Mr. Nielson stated that this program works very well in many communities. Mr. Bates asked if the header could be changed for the summary of suggestions from the committee. Mr. Nielson stated that all of the information has been translated into goals. Ms. Higley stated that strategy #5 and #7 concern her. Mr. Bates stated that he has read Smithfield's

Affordable Housing plan. It is very brief. Mr. Bates asked what the State requires. Mr. Nielson stated that the code says committee, so Wellsville City needs to show some type of committee involvement. Mr. Maughan stated that strategy #2, #3, #5, and #7 bother him. Ms. Higley stated that #3 suggests expanding the multi-family housing to all zones. Ms. Higley asked if that is something that needs to happen now, or in the future. Mr. Nielson stated that the City Council decides when it happens. Mayor Bailey stated that multi-family housing is only allowed in the R-1-12 zone. Mr. Hartle stated that is correct, but there are some people that wonder why it isn't allowed in the RA-1 zone. Mr. Leatham asked that the other sentence on page 7 in the bottom paragraph that puts building rentals back on Wellsville City to be removed. Mr. Bates stated that one issued that isn't addressed in this code is that Wellsville City is still to most expensive community to build in because of the cost of land and impact fees. After discussion, Carl Leatham made a motion, seconded by Karen Higley, to approve the proposed "Affordable Housing Plan" with the revisions recommended this evening, and that the City Council will review the revisions at a future meeting before it is adopted.

**YEA 4**

**NAY 0**

Gary Bates  
Karen Higley  
Carl Leatham  
Perry Maughan

At 7:21 p.m., the public hearing was opened.

Second, receive public input, then consider the recommendation of the Planning Commission, then consider for possible approval the proposed "Landscape Code". City Planner Jay Nielson stated that he is pleased to have this code in front of the City Council. It is the first of this type of code that Wellsville City has ever had. It is very important with the projects that are facing Wellsville City. This code lists the standards and expectations in terms of a completed project. This code is part of Title 10 that will be seen by the City Council in about 60 days. Title 10 was established in 1972. It has limped along and changes have been made, but this new code is a complete overhaul. The new code is about 250 pages. This is a good code that covers all legal bases. Mr. Nielson stated that this code helps with projects that area adjacent to Highway 89/91. Larger setbacks are required. All new projects require landscaping. All existing projects, if added to, will require landscaping. Mr. Nielson stated that page 3 deals with existing projects. It is a reasonable way to deal with existing projects. This code contains a lot of information on projects that are abutting the highway. The setback is 150 feet. The setback on the 3 subdivisions that are along Highway 89/91 is an average of 373 feet. Mr. Nielson stated that 150 feet as a setback is a real compromise. There are some properties that are very small in the commercial area. Wellsville City can't take away the use of someone's property. Don Hartle stated that the majority of this code deals with commercial and industrial. Mayor Thomas G. Bailey stated that his concern is enforcement of this code. Wellsville City doesn't have a lot of manpower to enforce this code. Mr. Nielson stated that further along in this code, the requirement is there and gives Wellsville City the ability to enforce this code. Katie Christensen stated that berms are a great idea if they are done correctly. Ms. Christensen stated that she feels the setback along the highway is very fair. Dave Nielsen stated that he does some consulting for property owners. Mr. Nielsen asked if there is a general statement to approve codes. The City Council needs to live up to this code, and at no time, give away their authority. Mr. Nielson asked if a certain amount of property will be set aside for open space. Mr. Nielson asked if there would be a higher density if there is open space around the project.

At 7:45 p.m., the public hearing was closed.

City Planner Jay Nielson stated that the Planning Commission held approximately 3 workshops on this code. The items underlined are changes suggested and made by the Planning Commission. Karen Higley asked if this code applies to single-lot residential. Mr. Nielson stated no. Perry Maughan stated that page 7 requires 20 trees per acre of land. Mr. Nielson stated that it is bases on net landscaped area. Mr. Maughan stated that this code is not landscaping, but more architectural. Mr. Nielson stated that this code give the ability to used water-wise landscapes. It doesn't require it, but just allows it. Mayor Thomas G. Bailey asked if this code affects the open space requirement. Mr. Nielson stated no. Carl Leatham stated that City Planner Jay Nielson has done a great job on this code. The Planning Commission has done an excellent job

during the workshops. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to approve the proposed "Landscape Code" as presented.

YEA 4

NAY 0

Gary Bates  
Karen Higley  
Carl Leatham  
Perry Maughan

#### Department Reports:

Carl Leatham – 1) Introduced the new float committee – Kendall Leishman, Janie Isaacson, David Swanson, and Barbara Swanson. Asked the date of the first parade – doesn't know. The parade season usually begins with Smithfield Health Days. Asked about a driver – none yet. The City Council may have to take turns. Suggestions – Scott Gary, Bill Everitt, and Gary Cooper. The job does pay \$500 at the end of the season.

Perry Maughan – 1) Asked about status of sidewalk along Center Street. Mayor Bailey stated that this discussed this issue this morning. Joel Jensen has a military commitment. As soon as it is completed, he will get on the sidewalk. Mr. Maughan stated that he is going to give out Councilwoman Glenna Petersen's phone number. If the sidewalk isn't completed soon, Wellsville City will take the \$3,000 that is in escrow and hire someone else to complete the project.

2) Roads to be rebuilt in 2014 – proposed that instead of rebuilding Main Street from 200 West to Center Street, rebuild 200 North from 100 West to 200 West and 300 North from Main Street to 100 West. Asked that this be added to the agenda for the next City Council meeting.

Karen Higley – 1) City Princesses is in progress.

2) Beginning on Founder's Day – looking for more things to bring to Wellsville City.

Gary Bates – 1) Received \$1,000 grant for the fishing derby.

2) Posts for gates – took to Eagle Scout's home.

Mayor Thomas G. Bailey – 1) Pheasant project – it is an Eagle Scout project – received letter that all of the neighbors signed. Eagle Scout is James Mathews – handed out copies of the information. Added stipulation that the area be cleaned up after the project is completed. Asked that the Eagle Scout attend a City Council meeting even if it is after the fact.

#### City Manager/Recorder's Report:

Don Hartle – 1) Called Mayor of Nibley 4 times concerning the sewer study – never returned a call. Wellsville City is not part of the sewer study.

2) Motorcycle charity ride – May 3 – along Highway 89/91 – UDOT requires that every city be notified.

3) Fundraiser – May 8 – 5k run through Wellsville City – asked contact to provide certificate of insurance and fee is \$1.00 per person. Asked why the fundraiser run in September doesn't have to provide certificate of insurance and the fee. City Council decided that if the contact can show that it is a worthwhile cause and local, the fee will be waived.

4) Have had major problems with the green dumpster. When it is full, people dump along the side of it. Will be adding a notice in the newsletter that if it continues, Wellsville City will not have a green dumpster. Gary Bates believes that the residents expect this service and because of a few people, everyone will be punished.

At 8:13 p.m., Karen Higley made a motion, seconded by Carl Leatham, to adjourn the meeting.

**YEA 4**

Gary Bates  
Karen Higley  
Carl Leatham  
Perry Maughan

**NAY 0**

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Thomas G. Bailey  
Mayor

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Don Hartle  
City Manager/Recorder