

of money to Wellsville City in doing so. Mr. DeCando stated that he asks for no additional space around the tower. Landmark Dividend asks for a specific ground easement instead of a placement easement. Mr. DeCando stated that Wellsville City should not give up any additional space. Wellsville City is entitled to 100% of the revenue. Mr. DeCando stated that in addition to the lump sum, at the time of the expiration of the contract, 50% goes back to Wellsville City moving forward. Mr. DeCando stated that he can provide a site marketing plan. Mr. DeCando stated that Landmark Dividend knows of all the other assets in the area. Mayor Bailey asked that Mr. DeCando work with Don Hartle and be more specific on the amounts of money. Don Hartle asked if Mr. DeCando has a proposal. Mr. DeCando stated yes, but it isn't 100% accurate because he doesn't know the expiration date of the existing lease. Mr. DeCando asked for a 1-week time frame to give the proposal to Mr. Hartle. Mr. Hartle stated that Wellsville City has lived with what is up there for a number of years. There is no fire concerning this issue. Mr. Hartle stated that the current proposal from Unison expires the end of this month. Gary Bates stated that there are 6 or more companies that are in this business. Mr. DeCando stated yes. Mr. DeCando stated that if Wellsville City doesn't use Landmark Dividend for this deal, to read through the contracts of other companies. Mayor Bailey stated that Mr. DeCando can work through Mr. Hartle concerning this issue. Mr. DeCando thanked the City Council for having him.

Don Davis representing Cache County Building Inspection Department presented the annual 2013 building report. Mr. Davis stated that he handles 8 incorporated cities and the unincorporated area of Cache County. Mr. Davis stated that 90% of his work is residential. There were 13 homes built in Wellsville City in 2013. There was 1 commercial building permit, which was the Sherwood Hills remodel. Mr. Davis stated that he appreciates Wellsville City. Mayor Thomas G. Bailey thanked Mr. Davis for his report and for the help he gives to Wellsville City. Mayor Bailey appreciates working with Mr. Davis.

Larry Mortensen met with the City Council to discuss City open space in the Mount Sterling Estates Subdivision. Mr. Mortensen stated that the open space in the Mount Sterling Estates was put up for bid to rent the space from Wellsville. Mr. Mortensen asked that before the bids are opened, that he be allowed to discuss the issue with the City Council. Mr. Mortensen stated that the bid process was flawed. There was no notice given and no parameters for the bid given. Mr. Mortensen asked that the open space code be reviewed. Mr. Mortensen stated that he and other neighbors don't want horses and cows on the open space property. Mr. Mortensen asked who holds the liability on the open space property. Mr. Mortensen stated that the issue is too open, and that it is very unfair competition. Don Hartle stated that for the last several years, an individual in the subdivision has taken care of the open space for free. There have been some residents of the subdivision ask about the open space. They are Bart LaMont, Larry McDougal, and Tony Nielson. They asked that when Wellsville City decides what to do with the open space, to let them know. Mr. Hartle stated that the open space was advertised in the newspaper and a copy was sent to those 3 individuals. Mr. Hartle stated that as far as he is concerned, horses and cows are part of agriculture. The open space property was advertised in the newspaper as agriculture. The open space property is 'as is' property, and was advertised as farmland for a 3-year term. Mr. Mortensen stated that agriculture is not compatible with the subdivision. Mr. Hartle stated that private stables are allowed in open space. Every lot is ½ acre or more in the subdivision. Each resident is allowed 1 horse per ½ acre of property. Karen Higley stated that when they purchased their lot in the subdivision, they were under the impression that the property would remain open space. It is a place for the children of the subdivision to play since there are no playgrounds or parks within walking distance of the subdivision. Wellsville City purchased the property as open space. The bid process states that the property is 'as is'. To allow horses and cows on the property upset some of the residents of the subdivision. Mayor Thomas G. Bailey stated that the property will remain open space. Ms. Higley stated that the property will be fenced if horses and cows are put on the property. Mr. Mortensen stated that if a decision is made tonight, it is unfair because there are no limits or expectations when the property was put out for bid. Mayor Bailey asked if the residents of the subdivision can take the property and maintain it. Mr. Mortensen stated that they already have been by cutting and spraying the weeds. Gary Bates asked if there was an HOA in the subdivision. Mr. Mortensen stated no. Mr. Bates stated that the Red Slide Subdivision starting kicking in more money to Wellsville City for maintenance of a park. It is an option to explore that would involve the homeowners of the subdivision. Mr. Bates stated that Wellsville City is not close-minded about the homeowners owning the property, but there are reasons why Wellsville City owns the open space. Mr. Bates asked what groups could purchase the open space. Mayor Bailey stated that Wellsville City can own the open space, an HOA can own the

open space, and a conversation group could own the open space and put it into a conservation easement. Mr. Mortensen stated that he doesn't have a problem with Wellsville City owning the open space, as long as it is left alone. Mayor Bailey stated that the City Council is willing to wait so that the subdivision could come back with a proposal. The subdivision could lease the property from Wellsville City for an undefined amount of time. Mr. Mortensen stated that he would love to lease the property, but has no revenue stream. Perry Maughan stated that Wellsville City shouldn't allow just the subdivision to bid, but open it to all residents to bid. Mr. Mortensen stated that an open discussion should be held as to what can happen in the open space. Mr. Bates stated that long-term leases are a headache. Carl Leatham stated that he doesn't have a problem with long-term use of the open space, as long as it abides by the open space code. Mr. Mortensen stated that the open space was offered as farmland. Mr. Leatham stated that farmland fits in the open space code. Mr. Leatham stated that he has no objection to an HOA pursuing a long-term lease of the open space. Mayor Bailey stated that the City Council instructed Mr. Hartle to find all properties owned by Wellsville City and rent them out. Mr. Maughan asked if this is the only open space up for bid. Mr. Hartle stated yes. It is the front piece of open space in the subdivision. Mr. Bates stated that the homeowners should discuss their options and come back with a proposal that would benefit both parties. Mr. Maughan asked how many bids were submitted. Mr. Hartle stated 1. Mr. Mortensen stated that it would have been nice to have some type of communication before to discuss options. Ms. Higley stated that when residents purchased their lots, they were told that the property would remain open space. There would be trees and walking trails. It doesn't seem fair to the residents to change what they were originally sold on. Ms. Higley asked how Wellsville City would protect those residents. Mr. Hartle stated that the subdivision code was amended and the walking trail was abandoned. Mr. Leatham stated that Wellsville City has been promised many things before. The HOA transfers from the developer to the homeowners, and the developer leaves town with the cash. Ms. Higley suggested leaving the open space as is and letting the residents of the subdivision take care of it. Ms. Higley asked why it was opened up to bids. Mayor Bailey stated that it was a source of revenue for Wellsville City and to keep the open space maintained. Mr. Leatham stated that it is also a fire hazard. After discussion, Perry Maughan made a motion, seconded by Carl Leatham, to allow the homeowners to submit a proposal, as well as allow others to bid on the open space. This is for a 5-year lease and bids are due by May 7, 2014.

YEA 3
Carl Leatham
Perry Maughan
Glenna Petersen

NAY 1
Gary Bates

ABSTAIN 1
Karen Higley

The City Council discussed possible awarding of contract for rental of part of the open space in the Mount Sterling Estates Subdivision. Because of the previous item, the only bid received was returned to Bart LaMont.

Robert Bolton met with the City Council to discuss proposed auto plaza concerns. Mayor Thomas G. Bailey stated that Wellsville City has been advised by their attorney not to comment or ask questions of Mr. Bolton. Mr. Bolton stated that normally, he reads from a prepared statement. Today, he thought he would talk with the City Council from the heart. Mr. Bolton stated that he is a citizen of this community, a neighbor, and depends on the members of the City Council for justice and fairness. The City Council is a hard-working group of people. They have listened to him politely, but he is not sure that he has been heard. Last week's Planning Commission meeting dealt mostly with landscaping issues. The engineer and City Attorney were present, but no questions were asked of them. There are points of this project that haven't been dealt with. Issues have been avoided because they are difficult. His plea is that the City Council will focus on the issues and really address them. Mr. Bolton stated that he is not sure how the review process should be handled. The issues that Mr. Bolton are concerned about are as follows: 1) intersection without a traffic signal, and 2) use of 900 East as an access point into the truck stop. Mr. Bolton stated that code 11-1-3-E states that the city will protect and conserve lands throughout the city and buildings thereon. Mr. Bolton stated that real estate agents have told him that property values will drop 15 to 40%. The truck stop doesn't need 900 East as an access point. Mr. Bolton stated that he spoke with the Mr. John Dorny, the engineer of the project. The intersection will be a level C with a traffic signal, a level F without a traffic signal. Mr. Bolton thanked the City Council for their time.

Katie Christensen met with the City Council to discuss safety concerns of the proposed auto plaza. Mayor Thomas G. Bailey stated that Wellsville City has been advised by their attorney not to comment or ask questions of Ms. Christensen. Ms. Christensen stated that she would like to speak as a mother and express her concerns. Ms. Christensen stated that she found the engineering study very interesting. There are also issues that are deeply concerning to her. There is only 1 way in and out of the Southwest Heritage Estates Subdivision. That is a serious issue that needs to be looked at. There will be serious ramifications. There was an accident at the intersection in 2008. Traffic will increase at the intersection. School buses come in and out 8 times a day. There is a pre-school and a licensed babysitter in the subdivision. Ms. Christensen stated that her husband goes to work every day. Ms. Christensen asked that the City Council review the access point. Ms. Christensen stated that she knows the property across from her subdivision is zoned highway commercial. Ms. Christensen asked that the City Council review another access into the highway commercial area. The property does deserve to be developed, but done in the right way. Ms. Christensen thanked the City Council for their time.

Rustin Walker met with the City Council to discuss safety concerns of the proposed auto plaza. Mayor Thomas G. Bailey stated that Wellsville City has been advised by their attorney not to comment or ask questions of Mr. Walker. Mr. Walker reviewed a drawing with the City Council. Mr. Walker has been in the trucking industry for 10 years. Truckers are going to navigate the safest and easiest way possible. Mr. Walker drew a diagram of a possible scenario that could happen at the proposed 500 North intersection. Mr. Walker read a quote from the traffic study. Mr. Walker stated that 900 East can't accommodate 2 semi-trucks abreast. Mr. Walker stated that visuals make more sense. He wanted to make his concerns known to the City Council. Mr. Walker stated that homes along 900 East do not want any more traffic on that road. Mr. Walker stated that it is next to impossible to deemphasize 400 North and 900 East. Mr. Walker thanked the City Council for their time.

Mayor Thomas G. Bailey stated that the City is not 100% sure of where this proposal is going. The issue will be back on the agenda of the Planning Commission one week from tonight. Don Hartle stated that City Attorney Bruce Jorgensen stated that the Planning Commission will discuss and qualify the motion made and the action taken of the decision. Mayor Bailey stated that the new time period for appeals will begin then. An individual can appeal the decision the Planning Commission made to the City Council. IF there is an appeal, there will be ample time to discuss concerns then. Gary Bates asked if multiple people can make appeals. Mr. Hartle stated that several people have stated that they are going to appeal the decision, but the only appeal that has been received is from Robert Bolton.

The City Council discussed and possibly approved the proposed contract on cell phone towers on city property. Don Hartle suggested that because there is another player, this discussion be continued. Mr. Hartle suggested giving each party until the end of June to submit their proposal. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to continue this discussion at a future City Council meeting.

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

NAY 0

The City Council discussed possible request to sell water outside city limits. Mayor Thomas G. Bailey stated that Mendon City approached Wellsville City about purchasing culinary water because they were having problems. Mendon City is wondering if Wellsville City is interested in selling culinary water. Mendon City will run a line from Mendon to wherever Wellsville City chooses. Mayor Bailey asked if Wellsville City was still interested in talking with Mendon City about selling culinary water. Perry Maughan stated that he has no problem selling culinary water to Mendon City. Mr. Maughan believes it is a win win situation for all involved. Mr. Maughan stated that Wellsville City is in good shape with water. Gary Bates asked if Mendon City has a water reservoir. Mr. Maughan stated that they have a couple of them. Don Hartle stated that Wellsville City has a lot of surplus water. Mr. Hartle stated that reservoirs are not for storage of water, they give the city the ability to move the water. Mr. Bates stated that he could agree to selling Mendon City a certain amount of water. Mayor Bailey stated that the contract will be drawn up and Wellsville City will review it. Mendon City will run the line, but no one living along the Mendon road will be allowed to connect to the water line. Mr. Maughan stated that many years ago, Wellsville City would sell the surplus water to Sherwood Hills. When there was no more surplus water, the line was capped. Carl Leatham asked if the water or water shares would be sold. Mayor Bailey stated that Wellsville City will never sell water rights. Mayor Bailey stated that the ordinance still says that Wellsville City is not allowed to sell water. Mr. Hartle stated that the code will have to be modified. Mr. Bates asked what other options Mendon City has. Mayor Bailey stated that they are looking at all of their options. They can drill another well and discuss the issue with the irrigation company because the irrigation company owns most of the spring. After discussion, Perry Maughan made a motion, seconded by Glenna Petersen, to approve Mayor Thomas G. Bailey and Don Hartle to review selling culinary water to Mendon City.

YEA 5

NAY 0

Gary Bates
Karen Higley
Carl Leatham
Perry Maughan
Glenna Petersen

Don Hartle presented to the City Council the 2014/2015 tentative budget. Mr. Hartle stated that in his opinion, Wellsville City is in good financial shape. Mr. Hartle stated that a lot of money has been spent in capital. Mr. Hartle handed out copies to the City Council of the tentative budget. By state law, the general fund has to balance. A balanced budget is revenues equal expenses. Mr. Hartle stated that the City Council can make any changes, but when it is returned to him, it has to be balanced. Mr. Hartle stated that in 2 to 3 years, there will be more major capital expenses. Mr. Hartle stated that Wellsville City will purchase land to apply effluent water from the sewer lagoons, more poo gloos will be purchased, reviewing an alternate source to provide water to residents of Mount Sterling, public works facility, and city office. Mr. Hartle stated that he thought about raising water and sewer rates, but held off for various reasons. There are no raises in rates this year. This budget is very similar to last year's budget. There is very limited capital. Mr. Hartle reviewed the General Fund, Water Fund, Sewer Fund, Capital, and Storm Water Fund. Mr. Hartle stated that the biggest change was pumping costs on the well. Wellsville City has never pumped water all winter long before. Mr. Hartle stated that the proposed budget is \$1,377,498 and the current budget is \$1,411,585. There is a decrease of 2.14%. Mr. Hartle stated that he would answer any questions. The final budget will look very similar to the tentative budget. Mr. Hartle stated that the tentative budget will need to be approved at some point. After discussion, Gary Bates made a motion, seconded by Karen Higley to continue this discussion at a future City Council meeting.

YEA 5

NAY 0

Gary Bates
Karen Higley
Carl Leatham
Perry Maughan
Glenna Petersen

Department Reports:

Mayor Thomas G. Bailey – 1) Thanked Glenna Petersen for setting up the meeting with the contractor concerning the new sidewalk on Center Street. It solved a lot of concerns and should be completed in the next couple of weeks.

Carl Leatham – 1) Asked if Wellsville City missed the fire rotation though the county for a fire vehicle. No, Wellsville received a new water tender truck.

2) Access points along Highway 101 for highway commercial area. There are 2 lots for sale, but they are existing building lots. Discuss future access at a future date.

3) Float driver – Russell Glenn

4) Acquired project for council chambers – Jonathan Cook can install it for \$80. Carl Leatham made a motion, seconded by Gary Bates, to allow Jonathan Cook to install the projector in council chambers and spend up to \$80 in supplies.

YEA 5

NAY 0

Gary Bates

Karen Higley

Carl Leatham

Perry Maughan

Glenna Petersen

Gary Bates – 1) Summer dates – June 7, Fishing Derby, will use the \$1,000 grant, June 20 and August 15, Movies in the Park – tabernacle can use these as a fundraiser, July 13, 20, or 27, Music in the Park, September 8, Family Bike Hike.

2) Memorial Day – Paul Bailey will do flags.

3) Someone approached him about the camping area by dam – cleaning it up and collecting fees – City Council suggested coming to City Council meeting and giving a proposal.

Perry Maughan – 1) Arbor Day/Clean-up Day – April 26, 2014 – 9:00 a.m.

Glenna Petersen – 1) Jeff Andrew has agreed to construct the Cache County booth for Wellsville City this year.

2) Wellsville City Youth Council – attended USU and competed against other youth councils – took 8th place.

3) Land apply use – what is put on the ground – effluent.

4) Thanked Don Hartle for tour of Wellsville City.

Karen Higley – 1) Wellsville City has 5 princesses – picked dresses out.

2) Thanked Don Hartle for tour of Wellsville City.

City Managers/Recorder's Report:

Don Hartle – 1) End of quarter – handed out end of quarter financial reports.

At 8:10 p.m., Glenna Petersen made a motion, seconded by Karen Higley, to adjourn the meeting.

YEA 5

NAY 0

Gary Bates

Karen Higley

Carl Leatham

Perry Maughan

Glenna Petersen

Thomas G. Bailey
Mayor

Don Hartle
City Manager/Recorder