

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, September 3, 2014, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilwoman Glenna Petersen, Councilmen Gary Bates, Carl Leatham, and Perry Maughan. 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 August 29, 2014. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present: Jennifer Leishman Jerri Whalen Jay Davis
Kendall Leishman Janie Isaacson Barbara Swanson
David Swanson Jonathan Cook Manda Perkins

Opening Ceremony: Perry Maughan

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

YEA 4 NAY 0
Gary Bates
Carl Leatham
Perry Maughan
Glenna Petersen

The Council reviewed the minutes of the August 20, 2014 regular City Council meeting. Carl Leatham made a motion, seconded by Perry Maughan, to approve the minutes of the August 20, 2014 regular City Council meeting as presented.

YEA 4 NAY 0
Gary Bates
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, Gary Bates made a motion, seconded by Glenna Petersen, to approve the City's bills for payment, represented by check number 17340 through 17375.

YEA 4 NAY 0
Gary Bates
Carl Leatham
Perry Maughan
Glenna Petersen

David Swanson thanked the Mayor and City Council for an outstanding Founder's Day celebration.

Mayor Thomas G. Bailey thanked David and Barbara Swanson, Janie Isaacson, and Kendall Leishman for a wonderful float.

Jerri Whalen met with the City Council for a business license. Ms. Whalen stated that she just moved to Wellsville from Arizona. Ms. Whalen stated that she does reflexology and hypnotherapy. She will see 1 client at a time. There is ample parking at her home. Gary Bates asked if there were any state licensing requirements. Ms. Whalen stated no. Carl Leatham stated that the Planning Commission approved the conditional use permit with no restrictions. After discussion, Carl Leatham made a motion, seconded by Glenna Petersen, to approve the business license for Jerri Whalen at 461 South Center.

YEA 4 NAY 0
Gary Bates

Carl Leatham
Perry Maughan
Glenna Petersen

The City Council discussed approval of write-offs of uncollectible utility accounts. Don Hartle handed out a spreadsheet of 11 residents who have moved out of Wellsville and left owing a balance or have declared bankruptcy. The total amount is \$2,972.06. After discussion, Gary Bates made motion, seconded by Perry Maughan, to approve the write-offs of uncollectible utility accounts of the 11 listed households.

YEA 4

Gary Bates
Carl Leatham
Perry Maughan
Glenna Petersen

NAY 0

Councilwoman Karen Higley arrived at the meeting at 6:18 p.m.

Gary Bates asked that Wellsville City review the code concerning deposits on utilities. Don Hartle stated that Wellsville City doesn't require a deposit on utilities. Mr. Bates stated that it would be a good time to start.

The City Council discussed possible "infant burial" lot in cemetery. Mayor Thomas G. Bailey stated that this has been discussed in previous meetings. Glenna Petersen stated that she believes it is a good idea and it would save the family money. Gary Bates asked if the cost of infant burial was raised. It was raised to \$150. Don Hartle stated that he doesn't understand any parents that lose a child not wanting that child buried next to them. Mr. Hartle stated that he is opposed to an "infant burial" lot because there is no genealogy. Mr. Hartle stated that the computer software that is used for the cemetery is unable to add 2 people to 1 lot. Mr. Bates asked about a hardship case. Mr. Hartle stated that the Mayor has the authority to waive burial fees per the existing code. Mr. Bates stated that he would prefer the ability to waive fees on a case by case basis. Carl Leatham asked if there have been any requests for an "infant burial" lot. Perry Maughan stated no. There have been requests for babies to be buried on top of someone else. Mr. Maughan stated that he is opposed to this because of the depth of the burial. Mr. Maughan doesn't see this issue as a necessity for the city. Karen Higley asked if purchasing a lot for a baby, if the other lots could be used for other babies. Mr. Hartle stated that there is a place in the cemetery that a single lot can be purchased. After discussion, Glenna Petersen made a motion to establish a burial lot in the Wellsville City cemetery. This motion died for a lack of a second. After discussion, Carl Leatham made a motion, seconded by Perry Maughan, to leave the cemetery as is and not create a special location for infant burials.

YEA 3

Gary Bates
Carl Leatham
Perry Maughan

NAY 1

Glenna Petersen

NO OPINION 1

Karen Higley

At 6:30 p.m., conduct a public hearing to received public input, then consider the recommendation of the Planning Commission, then consider possible action on a request from Jay J Davis, that the Land Use Map and the Zoning Map be amended to allow approximately 1.84 acres on the south side of 400 North from 200 East to approximately 140 East be rezoned from M1, Manufacturing, to R-1-12, Residential. Said property is approximately the north 1/3 of the "old cheese plant" property at 185 East 300 north. Couth Tax I.D. #11-080-0015. Jay Davis stated that he would like to rezone the area north of the creek to residential to sell building lots and make use of the property. Perry Maughan asked about an irrigation pipe. Mr. Davis stated that there is a ditch on the west side. David Swanson stated that there would need to be a lot of fill brought in. Mr. Davis stated that he isn't sure. There is a swale down into the property. Mr. Davis stated that they are considering having the homes have walk-out basements. Karen Higley asked how many residential lots are wanted. Mr. Davis stated that he would like 2 single-family dwellings and 1 multi-family dwelling. Don Hartle stated that it will be discussed as part of the subdivision. Glenna Petersen asked if the property buds up against other property that is zoned R-1-12. Carl Leatham stated that the zone

is R-1-12 in the surrounding area. It doesn't necessarily have to be next to. There is property that is adjacent to this property that is zoned R-1-12. Mr. Leatham stated that the Planning Commission recommended approval. The Planning Commission discussed the property owned by the railroad company and traffic concerns, which are irrelevant to the rezone. Gary Bates stated that Wellsville City owns property to the west, and asked what the long-term plan is for that property. Mr. Hartle stated that there is no plan. Mayor Thomas G. Bailey stated that Wellsville City needs to own a right-of-way to the head gate. Mr. Hartle stated that years ago, City Attorney Bruce Jorgensen stated that if Wellsville City owns property and wants to sell the property, it reverts back to whomever the property came from. Mr. Bates believes that this issue is worth discussing with Mr. Jorgensen. Mayor Bailey stated that because this property is broke off from the manufacturing zone, Wellsville City requests that a survey of this property be completed. Mr. Davis agreed. Mr. Hartle stated that he didn't prepare a code amendment because of the survey. Mr. Davis stated that he used aerial maps and county maps for the legal description and acreage. Mayor Bailey stated that Wellsville City needs to know exactly what property is being rezoned. The legal description will provide that. Mr. Davis stated that he would like to rezone all of the property north of the stream. Mr. Bates asked if it is the center of the stream or the high point of the stream. Mayor Bailey stated that the stream doesn't vary all that much. Mr. Bates would like to discuss this issue with City Attorney Bruce Jorgensen. Mr. Hartle stated that it will be addressed when the subdivision comes in. Mayor Bailey stated that there are regulations concerning a natural stream.

At 6:45 p.m., the public hearing was closed.

Don Hartle stated so that there is no misunderstanding, the rezone can be approved. Once the property is surveyed, Mr. Davis will provide Wellsville City with a legal description and exact acreage. The City Council will adopt the code amendment after Wellsville City receives the information from Mr. Davis. After discussion, Gary Bates made a motion, seconded by Karen Higley, to approve a rezone in principal pending submission of a survey with the lot description and acreage of the property north of the stream.

YEA 5

Gary Bates

Karen Higley

Carl Leatham

Perry Maughan

Glenna Petersen

NAY 0

The City Council discussed the condition and safety of the City Office. Don Hartle stated that he has more concerns with the City Office. There are more cracks in the building and the slopes of the building are getting steeper. Mr. Hartle suggested hiring someone to evaluate the building. The City Council toured the outside of the City Office building. Mayor Thomas G. Bailey stated that this issue has been discussed numerous times in the last couple of months. There are 3 options: 1) hire someone to evaluate the building, 2) deal with the school board and move the City Office to the existing Elementary School, which will not be available for approximately 2 years, and 3) build a new City Office building. Karen Higley stated that it would be a good idea to have the building evaluated to see if it can be saved. It could then be sold after the City Office is moved elsewhere. Mayor Bailey stated that he doesn't know if Wellsville City would sell the building with the fire department next to it. It would be a good option if the fire department would like to expand. Gary Bates listed 4 or 5 names of contractors. Mr. Bates agrees that it would be a good idea to have an assessment of the City Office building completed. Mr. Bates asked if Wellsville City would hire an engineer or a contractor. Mayor Bailey stated that if an engineer evaluated the building, he would condemn it and then asked what Wellsville City would do if that happens. Ms. Higley stated that she would call a friend and ask him to give an opinion as a courtesy visit. Ms. Higley stated that she will have him contract Mr. Hartle. Mr. Hartle stated that he would add this issue to the next agenda.

Department Reports:

Mayor Thomas G. Bailey – 1) Thanked Karen Higley for all of her work on Founder's Day.

2) Told Gary Bates that the gates at the entrance of the trail on 400 South look good.

3) Mountain Man – quite a guy. Asked if the City Council still felt good about putting him at the west entry park. Will add this issue to the next agenda.

Carl Leatham – 1) Received a call from Mr. Lund at Willow Valley Middle School concerning crosswalks and sidewalks. Referred him to Glenna Petersen.

2) Suggestions for Founder's Day: 1) loved color guard of Veteran's – list which branch and years served,

2) Oldest Citizen – list age, 3) Sweetheart Couple – list how many years they have been married, 4) Add a promotional person to put of posters with a list of events with the place and time, 5) Bathroom on the square – runs out of toilet paper, 6) Drinking fountain on the square turned on – broken – cost about \$500 to fix.

Gary Bates – 1) Troy Hawker's son, about 14, would like to do an Eagle Scout project to light the flag at the west entry park. Install a solar panel and use solar lights. Lighting will cut down on vandalism. Asked if there was a power source at the west entry park – no, would have to bore under the road. Will be in to discuss this project with the City Council. Asked that the City Council give this some thought.

2) Founder's Day – no complaints – thanked Karen Higley for all of her work.

Glenna Petersen – 1) Asked for a list of people that won difference contests at Founder's Day. Karen Higley will compile the list and add it to the next newsletter.

2) Thanked the Wellsville City Youth Council for their participation in Founder's Day.

3) Asked who made the posters for the parade – Becky Bates – did an excellent job.

4) Fireman's Breakfast – asked if another entity would like to take this over – will discuss this in January/February.

Karen Higley – 1) Thanked Aaron & Carrie Salvage for their help with Founder's Day.

2) Thanked Don Hartle for all of his help with Founder's Day.

3) Thanked Wellsville City for all of their help with Founder's Day.

4) Asked if there were any comments about Founder's Day – got all of them.

City Managers/Recorder's Report:

Don Hartle – 1) Cleaning out the cinderblock – found an old book – will give it to Wilma Hall. Kendall Leishman suggested copying it and selling it to the citizens.

2) Appreciation Dinner – October 9, 2014 at Bridgerland

3) By law, required to give a quarterly financial report – overall, in good shape.

4) Nancy Shill – son lived in Wellsville and purchased 3 full burial lots (24 single). Asked for a cement pad for a bench and to plant a tree. Told her that he would discuss this with the City Council. Wellsville City doesn't allow the planting of a tree unless it lines up with the other trees in the cemetery. Asked how big the bench will be – doesn't know. Discussed having bench as the headstone – doesn't want that. Will tell Mrs. Shill that it was discussed and a bench is not allowed. The planting of a tree can be discussed with Perry Maughan and the Shade Tree & Beautification Committee.

5) Affordable Housing Plan – revised – is on the agenda for the Planning Commission September 10, 2014 and the City Council November 5, 2014.

At 8:04 p.m., Carl Leatham made a motion, seconded by Glenna Petersen, to adjourn the meeting.

YEA 5

Gary Bates
Karen Higley
Carl Leatham
Perry Maughan
Glenna Petersen

NAY 0

Thomas G. Bailey
Mayor

Don Hartle
City Manager/Recorder