

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, September 17, 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 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 September 12, 2014. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present: Jennifer Leishman Kevin Tingey Jackie Orton  
Jeremy Higley Brian Smith Tori Smith  
Cara Mortensen Dana Rigby Spencer Rigby  
Kendall Leishman Janie Isaacson David Swanson  
Barbara Swanson Jonathan Cook

Opening Ceremony: Mayor Thomas G. Bailey

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

YEA 5 NAY 0  
Gary Bates  
Karen Higley  
Carl Leatham  
Perry Maughan  
Glenna Petersen

The Council reviewed the minutes of the September 3, 2014 regular City Council meeting. Karen Higley made a motion, seconded by Carl Leatham, to approve the minutes of the September 3, 2014 regular City Council meeting as presented.

YEA 5 NAY 0  
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, Gary Bates made a motion, seconded by Glenna Petersen, to approve the City's bills for payment, represented by check number 17376 through 17460.

YEA 5 NAY 0  
Gary Bates  
Karen Higley  
Carl Leatham  
Perry Maughan  
Glenna Petersen

The City Council met with Kevin Tingey to discuss mosquito abatement. Mr. Tingey stated that he represents Wellsville City on the mosquito abatement board. Mr. Tingey handed out a report. Mr. Tingey stated that the graph has the most-telling information. Mr. Tingey asked if there were any questions. Mayor Thomas G. Bailey asked what nights Wellsville City is sprayed. Mr. Tingey stated that northern Wellsville City is sprayed on Thursday and southern Wellsville City is sprayed on Wednesday. Carl Leatham asked if there are places in Wellsville City that have requested not to be sprayed. Mr. Tingey stated yes. The places are listed on the website. Mr. Leatham asked how big of an area is not sprayed when requested. Mr. Tingey stated that the street is not sprayed. Mayor Bailey thanked Mr. Tingey for his service.

The City Council discussed the location for the placement of the “Mountainman”. Mayor Thomas G. Bailey stated that this issue has been discussed in previous meetings. The mountainman stood on the square for Founder’s Day. Mayor Bailey stated that feelings may have changed. Jackie Orton thanked the Mayor and City Council for a job well done. Mr. Orton stated that he has contribute a good amount of money to the mountainman project. It is a very nice statue. Mr. Orton stated that Cache Valley was named after the mountainman. Mr. Orton stated that he proposes that the mountainman stand on the square. Mr. Orton would like to see a pioneer-type fence built around the statue, as well as a short history on a plaque. Mr. Orton stated that he would be willing to pay the bill for this. Karen Higley stated that she likes the idea of putting the mountainman on the square. Mayor Thomas G. Bailey stated that he and Perry Maughan talked with Leesa Cooper about the placement of the mountainman. Ms. Cooper feels good about either place. Glenna Petersen asked about the water and electrical on the square. Perry Maughan stated that the electrical company has marked the lines. The sprinkler lines are all on the outside. Mr. Maughan stated that he spoke with Shawn Cudney about the mountainman. He plans to dig a circular hole to set it down in and then pour cement around it. Mr. Maughan stated that Mr. Cudney doesn’t have a problem moving the mountainman back to the square. Mr. Orton asked about the plaque with a history on it. Mr. Maughan stated that he thought it was a good idea, but asked that it be kept simple with not a lot of maintenance. After discussion, Glenna Petersen made a motion, seconded by Perry Maughan, to move the mountainman back to the City Square.

YEA 5

NAY 0

Gary Bates  
Karen Higley  
Carl Leatham  
Perry Maughan  
Glenna Petersen

The City Council discussed the landscaping done on the entrance to the city open space at the end of the cul-de-sac on Pinecrest Circle. Karen Higley asked to recuse herself from this discussion. Jeremy Higley stated that he appreciates the City Council letting him speak. Mr. Higley thanked the Mayor and City Council for all that they do. Mr. Higley stated that he sees first-hand all of the work that they do. Mr. Higley stated that the City Council has heard from the other side. Mr. Higley stated that he did nothing wrong when he landscaped his property. Mr. Higley stated that the landscaping was an agreement between him and Sherwin Seamons. Mr. Higley asked that the City Council meet with him and the neighborhood to discuss the issues. Mr. Higley asked that the City Council do a walk-through of the area with him. Gary Bates stated that the City Council had a discussion concerning the open space about 4 weeks ago. This project was given to the Parks & Recreation Committee to give their input and ideas. Mr. Bates reviewed the document with Mr. Higley and the City Council that was presented 4 weeks by Mr. Bates from the Parks & Recreation Committee. Mr. Bates stated that the decision was unanimous to request that the Higley’s return the area to the state it was in prior to landscaping. The access to the open space should be opened to everyone. Mr. Bates stated that it should be public record that a time frame has been established for reclaiming control of the property. Glenna Petersen asked if the property has been surveyed. Mr. Bates stated that is the next step. The lines of the trail need to be laid out. The ‘no trespass’ signs need to come down. A civil engineer should review the area. Ms. Petersen stated that it was suggested that the stairs be covered because of the retaining wall. Carl Leatham stated that coving the stairs with dirt and gravel was discussed. Mr. Bates stated that in his opinion, the retaining wall will come down because it is leaning. It is not a matter of if, but when. Mr. Leatham stated that the City doesn’t want to cause undue hardship on the Higley’s. Mr. Bates stated that it should be on record that it is obvious that it is a city-owned trail. Perry Maughan suggested that the City Council meet at the property to discuss the issues. Mr. Bates stated that the City Council should meet there after the property has been surveyed. Mr. Maughan stated that the City Council, as well as the neighbors, should meet at the property. After discussion, Gary Bates made a motion, seconded by Perry Maughan, to accept the document presented by the Parks & Recreation Committee and recommend that the City open space at the end of the cul-de-sac on Pinecrest Circle be returned to City control, that a survey will be completed of the property, that the specifics will be determined after meeting at the property, and removal of the improvements as deemed appropriate by June 30, 2015.

**YEA 4**

Gary Bates  
Carl Leatham  
Perry Maughan  
Glenna Petersen

**NAY 0**

The City Council discussed the need of City capital facilities. Don Hartle stated that at the last City Council meeting, the City Offices were discussed. Mr. Hartle stated that Wellsville City is also in need of the Public Works building with a sand and salt shed. Gary Bates stated that he asked that Mr. Hartle author a list of improvements that are prioritized in order of importance. Mr. Hartle stated that there are several things that he is concerned about, but with no priority. Wellsville City needs to obtain land for land application from the sewer lagoons, a public works building, and a sand and salt shed. Mr. Hartle stated that is the last 2 years, Wellsville City has had to pump more water than what they are getting from the springs. Mr. Hartle stated that Wellsville City doesn't have a way to provide water other than the springs in the Mt. Sterling area. Mr. Hartle suggested a line from the Lindley Reservoir to the Gravel Pit Reservoir. Mr. Hartle stated that he has discussed this issue with City Engineer Chris Breinholt and he is working on it. Mr. Bates asked if Mr. Hartle has reviewed the office building in Fielding. Perry Maughan stated that he has reviewed the office building in Fielding and he has some safety concerns with it. There are trucks going in and out of the parking lot, and there are small children and people coming in and out of the office building. Mr. Maughan stated that a new public works building has been discussed for the past 34 years. The public works department will get by will what they have. Mr. Maughan stated that his priority is the city office building followed by the water line. Mr. Bates stated that he walked through the Wellsville Elementary school. Mr. Hartle suggested bonding for the land, city office, and water line, and get it done all at the same time. Mr. Hartle stated that Wellsville City will not get through any 1 project before they will have to start on the next project. Mr. Hartle gave a rough estimate of \$5 million for all projects. Mr. Bates stated that he would like to see more concrete number and statistics. There is a lot of preliminary work to do. Mr. Hartle stated that water and sewer rates will have to be raised. Mr. Hartle gave the example of Richmond City. Richmond City's water and sewer rates were \$54.00 per month. After they built their mechanical plant, the water and sewer rates were \$107 per month. Mr. Hartle stated that the poo-gloos have helped the sewer lagoons considerably. Wellsville City discharged for 17 days in August, and hadn't discharged since November 2013. Wellsville City owns 16 acres that they will start land-applying on October 1, 2014. After a lengthy discussion, Gary Bates will contact Fielding about the cost of the city office building, Mayor Thomas G. Bailey will contact Ellis Equipment, and Perry Maughan will contact Reeder-Murray. This discussion will be added to the next agenda.

The City Council continued their discussion for a possible decision on proposed contract with Landmark Dividend regarding cell tower leases. Don Hartle stated he met with City Attorney Bruce Jorgensen concerning this issue. Mr. Hartle stated that hoped to have the information in time for this meeting to make a decision, but he hasn't received the information yet. A survey of the property shows that half of it belongs to Wellsville City, and the other half belongs to Sherwood Hills. Mr. Hartle stated that he will discuss this issue further with City Attorney Bruce Jorgensen. After discussion, Gary Bates made a motion, seconded by Perry Maughan, 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 reviewed a lease agreement for possible leasing of space on City-owned property for the placement of wireless internet facilities with Bear River Communications, LLC d/b/a Blue Spring Broadband. Don Hartle stated that there is a small cell phone tower next to the gravel pit. It was owned by Bruce Hall, and he sold it to Blue Spring Broadband. Mr. Hartle stated that he is waiting for City Attorney Bruce Jorgensen concerning this issue. After discussion, Carl Leatham 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:

Carl Leatham – 1) Planning Commission reviewed the Affordable Housing Plan. It will be presented to the City Council in November.

2) Planning Commission reviewed the Land Use code. Discussed adopting the code in sections or wait until the final draft is completed. Suggested waiting until the final draft is completed to adopt it. Recommended that all City Council members attend the workshops that are held with the Planning Commission.

Gary Bates – 1) Asked if Marshall Lindsay had moved his mailbox – yes.

Perry Maughan – 1) Building new roads – new product out that cost about \$2,200 per block. Hyrum City used it and it helps the roads to last. Asked that the City Council think about it.

2) Felt that the League of Cities and Towns was very information.

Glenna Petersen – 1) Meeting with Mr. Lund from Willow Valley Middle School tomorrow – safe way for students to walk to school.

2) Still looking for sidewalk bids.

Karen Higley – 1) Ron Christensen scheduled to evaluate City Office building – will wait on Zan Murray.

City Managers/Recorder's Report:

Don Hartle – 1) Met with Juanita Malm and the Rodeo Club – still working on the issues concerning Founder's Day.

2) Discussed contractors or people building new homes stealing water from Wellsville City. Discussed developing a policy concerning this issue. Discussed installing yoke and locking it. Unlock to install water meter and bill a flat \$1.00 per 1,000 gallons. Decided to put it on paper and add it to the next agenda.

3) Last meeting discussed write-offs for utility accounts. Discussed this issue with City Attorney Bruce Jorgensen. Wellsville City is doing everything they can to collect on the accounts. Wellsville City can't make someone else pay the past due bill at the same residence.

4) Richard Maughan took the John Deere tractor to Bridgerland Applied College and are working on it.

5) Has some surplus equipment – will hold off putting a list together. Will review the list in a couple of meetings.

At 8:18 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

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Thomas G. Bailey  
Mayor

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Don Hartle  
City Manager/Recorder