

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

Others Present: Jennifer Leishman Tom Bunn Chris Breinholt
Ryan Piggott Casey Jorgensen Art Smith
Kendall Leishman Janie Isaacson Jonathan Cook
Steve Kyriopoulos

Opening Ceremony: Gary Bates

The Council reviewed the agenda. Gary Bates added further discussion on the speed limit increase. Karen Higley made a motion, seconded by Glenna Petersen, to approve the agenda with the addition.

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

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

YEA 4 NAY 0 ABSTAIN 1
Karen Higley Gary Bates
Carl Leatham
Perry Maughan
Glenna Petersen

Payroll is approved through the budget, therefore, the checks aren't in numerical order as the City uses the same checking account for payroll and accounts payable. After review and discussion, Carl Leatham made a motion, seconded by Glenna Petersen, to approve the City's account payables bills for payment, represented by check number 17721 through 17770. Check 17675 through check 17720 was payroll.

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

There was no one in attendance for citizen input.

The City Council considered for approval the Final Plat for the Murray Creek Subdivision consisting of a total of 2 lots on property at 88 West 500 South. Mayor Thomas G. Bailey asked if there were any questions. Karen Higley asked if this approval was just for the subdivision, and not the dwelling. Mayor Bailey stated correct. After discussion, Carl Leatham made a motion, seconded by Glenna Petersen, to approve the Final Plat for the Murray Creek Subdivision consisting of a total of 2 lots on property at 88 West 500 South.

YEA 5

NAY 0

Gary Bates
Karen Higley
Carl Leatham
Perry Maughan
Glenna Petersen

The City Council continued review and discussion with the City Engineer on requirements/studies that may be needed to build a public works facility in the City gravel pit. There may be possible action/decision. Don Hartle stated that after the last City Council meeting, he was given the task to find the Source Protection Code. It is in ordinance form and was adopted in 2000. Mr. Hartle handed out copied of the code, as well as maps. Chris Breinholt stated that after reviewing the Source Protection Code and maps, the protection zones, and the areas of wells 1 and 3, the plan shows that the gravel pit is not in the zones. Mr. Breinholt stated that he called a hydrologist. The hydrologist has seen this type of delineation. The hydrologist suggested spending the money to evaluate the site and the potential effect a public works building in the gravel pit would have on the wells. Mayor Thomas G. Bailey asked the cost of the study. Mr. Breinholt stated that the cost would be between \$3,000 and \$4,000. Perry Maughan stated that Mr. Breinholt's first comment was that there was no effect on wells 1 or 3. Mr. Breinholt stated that the recharge area doesn't extend into the gravel pit. Mr. Breinholt stated that the City Council should take into consideration the bench area and that water may be coming from farther up the mountain. Carl Leatham asked if this study would be required regardless of the location. Mr. Breinholt stated that the study doesn't have to be completed at all. Mr. Breinholt stated that this decision is being left up to the judgment of the City Council. Mr. Breinholt stated that for money, he would like to see the study completed. Karen Higley stated that she agrees with Mr. Breinholt. Mr. Breinholt stated that he would also like to see a long-term plan for the site. He suggested a layout of the buildings that the City Council expects to see at the site. After discussion, Perry Maughan made a motion, seconded by Karen Higley, to approve spending the money for a study to be completed evaluating the site and the potential effect a public works building in the gravel put would have on the wells.

YEA 5

NAY 0

Gary Bates
Karen Higley
Carl Leatham
Perry Maughan
Glenna Petersen

The City Council continued the review and discussion for possible approval of the proposed "Cooperative Agreement" with UDOT for shoulder work on Highway 23 (Center Street) at approximately 450 South. Chris Breinholt stated that the estimate that he submitted to UDOT was for City street specifications, not UDOT specifications. Mr. Breinholt stated that he updated the estimate. The estimate was approximately \$27,000 with the City street specifications. The estimate for UDOT specifications was approximately \$38,000. Gary Bates asked where the payback of the impact fees stands. Don Hartle stated that \$60,761.33 was borrowed from impact fees. So far, \$16,254.00 has been repaid. The remaining balance is \$44,507.33. Mayor Thomas G. Bailey asked if the new estimate was resubmitted, would UDOT consider approving more money. Mr. Breinholt stated that UDOT typically funds half of a project. Mayor Bailey stated that the project has to be completed. Perry Maughan stated that SOS Staffing hires flaggers for \$15 per hour, and pays them \$10 per hour. Mr. Bates suggested tacking the remaining difference onto the loan from the impact fees and extend the loan out. Mayor Bailey asked what the plan for sidewalks is. Glenna Petersen stated that they would like to use the money for new sidewalk by the new elementary school. Mr. Hartle stated that in all of his experience, he has never seen UDOT fund this large of a percentage on a project. Mr. Hartle suggested taking the offer before it is withdrawn. Mr. Bates asked what the options are to fund this project. Mr. Hartle stated that it could be tacked onto the loan from the impact fees, sidewalk fund, or road fund. Mayor Bailey suggested approving the agreement and look at the options to pay for it as it gets closer to the end of the fiscal year. Mr. Bates asked when the best time to bid this project it. Mr. Breinholt stated right after the first of the year. After discussion, Gary Bates made a motion, seconded by Glenna Petersen, to approve the proposed "Cooperative Agreement" with UDOT for shoulder work on Highway 23

(Center Street) at approximately 450 South, that Mr. Hartle advertises for bids for the construction, the bids will not exceed \$38,000, the project will proceed, and the City Council will determine at a later date the source of funding.

YEA 5

Gary Bates
Karen Higley
Carl Leatham
Perry Maughan
Glenna Petersen

NAY 0

At 7:00 p.m., the City Council conducted a public hearing to receive public input concerning the possibility of eliminating the annual City rabies clinic. Mayor Thomas G. Bailey stated that Wellsville City is 1 of 3 cities that still have a rabies clinic. Wellsville City loses money each year at this clinic. The advantage is that Wellsville City sells a lot of dog licenses that day. The cost of a rabies shot is \$15, which is the same amount at the Humane Society and at Blacksmith Fork Veterinary in Hyrum. Mayor Bailey asked if there was any public input. There was no public input.

At 7:02 p.m., the public hearing was closed.

Perry Maughan stated that the rabies clinic should be done away with because there is not a good return on what is put into it. Carl Leatham stated that the veterinarian is leery to attend rabies clinics because of the liability. After discussion, Perry Maughan made a motion, seconded by Karen Higley, to do away with the rabies clinic. A notice will be added to the newsletter and posted around Wellsville City.

YEA 4

Gary Bates
Karen Higley
Carl Leatham
Perry Maughan

NAY 1

Glenna Petersen

Ryan Piggott met with the City Council to discuss duathlon. Mr. Piggott stated that he conducted a duathlon last year, and is seeking approval for a duathlon again next year. The date they would like to hold the duathlon is May 23, 2015. Mr. Piggott stated that they had a really good turnout, and it went smoothly. Don Hartle stated that Mr. Piggott will need to be here on January 2, 2015 at 9:00 a.m. to reserve the pavilion. Reservations of the pavilion are first come, first serve. Gary Bates asked about the county permitting process. Mr. Piggott stated that they didn't need a county permit because they cut the county section out of the race. Mr. Hartle stated that when a race starts in the county and come through Wellsville City, the county sends a copy of the permit. After discussion, Karen Higley made a motion, seconded by Perry Maughan, to approve the request by Ryan Piggott of the duathlon on May 23, 2015 if the date is available.

YEA 5

Gary Bates
Karen Higley
Carl Leatham
Perry Maughan
Glenna Petersen

NAY 0

The City Council made the final decision on entrances into open spaces in the Mt. Sterling Estates Subdivision. Gary Bates handed out the following information concerning the entrances to the open spaces in the Mt. Sterling Estates Subdivision:

South Open Space
Wellsville City

Install sign noting "Community Open Space Entrance – Please Respect Private Property"

North Open Space
Wellsville City

- Install sign noting “Community Open Space Entrance – Please Respect Private Property”
- Assist south homeowner with partially filling in large dip at playground slide area
- Create flat, walking path along north edge of large dip at playground area
- Arrange for Eagle projects and other service projects to create safe access to open space from sidewalk – avoiding existing stairway,
- Trim remaining trees and shrubs along walking path
- Arrange for Eagle projects and other service projects to replant natural vegetation in open space
- Make property line markers permanent

South homeowner – Remove the following from Wellsville City Property by July 1, 2015

- Concrete curbing/edging
- Playground slide
- Sprinkler box and sprinkler lines**
- Trees and shrubs that interfere with walking path
- Stairway adjacent to south property line*

*Wellsville City may grant up to an additional year to remove stairs at the south homeowners’ request.

**Removal of sprinkler box and sprinkler lines postponed at future City Council discretion.

After discussion, Gary Bates made a motion, seconded by Carl Leatham, to adopt the final decision on entrances into open spaces in the Mt. Sterling Estates Subdivision as outlined in the document provided.

YEA 4

Gary Bates
Carl Leatham
Perry Maughan
Glenna Petersen

NAY 0

ABSTAIN 1

Karen Higley

The City Council continued the discussion of new City Office building. Don Hartle stated that he and the girls in the front office have been working on a floor plan. They haven’t had a lot of time to work on it. They will try to get something together by the next City Council meeting. Gary Bates suggested keeping the cinderblock building and construct the new City Office building in an “L” shape. Mr. Hartle stated that a decision concerning the cinderblock building needs to be made before they begin work on a floor plan. Carl Leatham stated that an “L” shaped building is more expensive to construct. Perry Maughan stated that the problem with the cinderblock building is that there is no insulation. Mr. Maughan doesn’t see how keeping the cinderblock building, tying it into the new City Office building, and make it look nice. This issue will be continued at a future City Council meeting.

The City Council continued the discussion of the City investment policy. Mayor Thomas G. Bailey stated that he called the mayor of Nibley to discuss the new City building that they built. They invested some money in a CD at a bank, but cautioned to be very careful. Mayor Bailey stated that Nibley has most of their money in the PTIF fund, which is with the State. Mayor Bailey stated that he called Mendon and they have 100% of their money in the PTIF fund. Mayor Bailey stated that he called Richmond. They have some money invested at Cache Valley Bank, but the PTIF fund is paying better interest than any CD. Don Hartle stated that Lewiston State Bank has nothing available for 30 days, 90 days is .05%, 180 days is .25%, and 1 year is .40%. The rates at Cache Valley Bank are 30, 90 and 180 days is .15% and 1 year is .30%. The rates at Bank of Utah are 30 and 90 days is .10%, 120 days is .15%, and 1 year is .25%. The PTIF fund pays a different amount every month. For the month of November, the rate was .5071%. Mayor Bailey stated that he talked to Hyrum and they have 100% of their money in the PTIF fund. Mr. Hartle stated that it is the job of the City Treasurer to take care of investing. When Mr. Hartle came on board, he took care of the investing. When Leesa Cooper was hired, she asked that Mr. Hartle remain in charge of investing. Mr. Hartle stated that every spring at the City Treasurer’s conference, they discuss investing. Mr. Hartle stated that he and Ms. Cooper discuss investing also. Perry Maughan asked where else Wellsville City could invest their money and receive more interest. Mr. Hartle stated that he is here to do what is decided by the City Council. Mr. Maughan stated that he is sure there is somewhere to invest money to earn more interest. Mr. Maughan asked about a professional financial planner. Gary Bates stated that there are independent

professionals that would love to help invest money. Mr. Bates stated that it is risk versus gain. Mr. Hartle stated that Wellsville City could hire a financial advisor. Mayor Bailey stated that his concern is to protect the money of the taxpayers. Mayor Bailey stated that he hasn't talked to a city that would go beyond a CD. Mayor Bailey stated that you need at least 5 years to invest in the stock market, and Wellsville City doesn't have the money to let it sit in the stock market for 5 years. Mr. Bates stated that Wellsville City could invest in bonds. Mayor Bailey stated that bonds tie up the money. Karen Higley asked if the money at the State is in a savings account. Mr. Hartle stated yes. Mayor Bailey stated that Wellsville City needs to be able to pull on the money to pay bills. Ms. Higley asked about money market accounts. Carl Leatham stated that Wellsville City needs to be able to access the money at any time when they need to. Mr. Hartle explained that Wellsville City has 3 different accounts with the State. Mr. Hartle stated that Wellsville City's checking account is at Bank of Utah, which pays interest on it. Glenna Petersen suggested taking it upon each of the City Council members to talk to people about this issue. Mr. Leatham suggested leaving the money where it is. Mr. Hartle suggested contacting Mark Edminster and having him attend a City Council meeting to get his input. Steve Kyriopoulos suggested using a credit card that pays you back. Mr. Hartle asked how many people have access to the credit card. Mr. Kyriopoulos stated less than 6. Mr. Hartle stated that his problem is getting invoices turned in. Mr. Kyriopoulos stated that he doesn't know how to solve that problem. Mr. Kyriopoulos stated that he will have the representative from the credit card company contact Mr. Hartle. Mr. Hartle stated that he will contact Mark Edminster about attend a future City Council meeting.

The City Council held further discussion concerning the speed limit increase. Gary Bates stated that residents are not pleased with the increase in the speed limit. Mr. Bates stated that he has talked to Darin Frstrup, Mayor Thomas G. Bailey, and Don Hartle about the issue. Mr. Bates is concerned with the following issues: 1) raising the speed limit to 35 MPH will raise the average speed 1 to 2 MPH, 2) the gravel pit has been approved, so there will be an increase of truck traffic, and 3) already have an issue with cattle trucks coming through Wellsville City. Mr. Bates stated that he drove in the residential areas at 39 and 40 MPH, and he thinks it is too fast. Based on the amount of discussion concerning the school and traffic, his recommendation would be to reconsider raising the speed limit. Mr. Bates thinks that there should be some education and try to work with law enforcement to get people to slow down. Mr. Bates recommends that the study be redone. Perry Maughan stated that the speed limit on residential roads is 25 MPH. Center and Main Streets are state roads. Mr. Maughan stated that if people are going to go fast, they should stay on the state roads. Carl Leatham stated that there are safety concerns, but people are already driving 38 MPH. It is hard to argue against raising the speed limit. Karen Higley stated that people drive according to what is safe. Ms. Higley suggested inviting Mr. Frstrup back to discuss the crosswalk for the new elementary school, and then determine the speed limit. Mr. Maughan stated that a state road speed limit should be 35 or 40 MPH than having that speed on the side street. Mr. Leatham stated that when law enforcement enforces the speed limit, citizen are going to be mad because now they are getting tickets. Mr. Bates stated that the City Council needs to put their foot down. There are 2 state highways that go through Wellsville City, and Wellsville City expects UHP and Cache County Sheriff's Office to patrol those roads. Mr. Maughan stated that people will still drive the speed they deem safe. Mr. Bates stated that the City Council should listen to the citizen input. This issue was never advertised as a decision would be made, but rather a discussion concerning the issue. Mr. Bates stated that his point is to listen to the people who elected the City Council, and add this issue on a future City Council meeting agenda. Mr. Leatham stated that this issue warrants further discussion. Glenna Petersen suggested inviting UDOT back. Mr. Leatham stated that this issue should be discussed in a public hearing and amongst the City Council members. Mr. Maughan asked why the City Council should get beat up when they have already made a decision. After discussion, it was decided that this issue would be added to the January 7, 2015 as a public hearing.

Department Reports:

- Carl Leatham – 1) Speed limit signs on highway 101 going towards Hyrum, they are there.
- 2) South Valley RV attended the Planning Commission meeting – will be applying for a new conditional use permit.
- 3) Trail at 100 East – needs signage on trail and street – order 2 pedestrian signs.

Gary Bates – 1) Propose that the City Council make a decision on the current Wellsville Elementary School, document the decision, have City Attorney Bruce Jorgensen send a letter to the Cache County School District holding them responsible for the school. Added to a future agenda.

2) Letter concerning theft at cemetery – doesn't know how to handle it. Asked if there is an ordinance as to how much can be put on a grave. People steal.

Karen Higley – 1) Sales tax form to send out with business renewal notices.

2) Complimented the City on the Christmas light display.

City Manager/Recorder Report:

Don Hartle – 1) The City Council expressed their appreciation for the Christmas Dinner. Mr. Hartle stated that he may not have Laurie Christensen and her daughter perform again. He was upset with the lack of respect from the crowd. He feels that it was very disrespectful.

At 8:15 p.m., Perry Maughan 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