

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, January 7, 2015, 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, and Carl Leatham. 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 January 2, 2015. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

<u>Others Present:</u>	Jennifer Leishman	Ed Buist	Jon Hardman
	Kirk Taylor	Zan Murray	Clint Kerr
	Aaron Walker	Art Smith	Jill McArthur
	Kris Line	Garity Line	Braedon Line
	Carol Nyman	Konie Murray	Alicia Jenkins
	John Jenkins	Serra White	Adam Brandt
	Robert Silk	Karrie McClung	Annette Francis
	Monica Thompson	Janie Isaacson	Kendall Leishman
	Barbara Swanson	David Swanson	Brooks Nielsen
	Corey Cozzens	Arlyn Brenchley	Scott Gary
	Jonathan Cook	David Bell	Karma Leatham
	Ruth P. Maughan	Marcene Parker	Kelly Cannon

Opening Ceremony: Carl Leatham

Councilman Perry Maughan was excused from this meeting.

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

<u>YEA 4</u>	<u>NAY 0</u>
Gary Bates	
Karen Higley	
Carl Leatham	
Glenna Petersen	

The Council reviewed the minutes of the December 17, 2014 regular City Council meeting. There were word changes on lines 134, 257, and 269. Gary Bates made a motion, seconded by Carl Leatham, to approve the minutes of the December 17, 2014 regular City Council meeting with the changes.

<u>YEA 4</u>	<u>NAY 0</u>
Gary Bates	
Karen Higley	
Carl Leatham	
Glenna Petersen	

Payroll is approved through the budget, therefore, the checks approved in the City Council minutes aren't in numerical order from City Council meeting to City Council meeting 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 17776 through 17800.

<u>YEA 4</u>	<u>NAY 0</u>
Gary Bates	
Karen Higley	
Carl Leatham	
Glenna Petersen	

There was no one in attendance for citizen input.

Mendon City met with the City Council to discuss water concerns and needs. Representatives from Mendon City include Mayor Ed Buist, Councilman Jon Hardman, and Public Works Kirk Taylor. Mendon City Mayor Ed Buist made the following formal statement:

Mendon City is formally and publicly requesting permission from the Wellsville City Council to discuss, study, and investigate the possibility of purchasing water from Wellsville City. Mendon city has been in water crisis for several years. After working with geologists and engineering firms in the search for water in the immediate area of Mendon City, the possibilities have been sparse. We will continue this search. However, for medium and long term needs, we feel that it would be in our best interest to work with Wellsville City to take care of our water needs that will surely arise in the future. In fact, the growth of Mendon city may depend on securing the use of this resource from Wellsville City.

Mayor Buist stated that Mendon City has 3 sources of water. They have a spring that produces about 300 gallons per minute. They have a well that they had to shut down in 2009 because of nitrate issues. They have a second well that produces about 125 gallons per minute. Mayor Buist stated that Mendon City is worried about the wells, as well as any type of growth. Mayor Buist stated that Mendon City is asking permission to seek, study, and investigate the possibility of getting water from Wellsville City. Carl Leatham asked what kind of help Mendon City is asking for. Mayor Buist stated that Mendon City is wondering if Wellsville City is interested in selling water, and the cost to do so, or if they could work together to install a water line that connects both cities. Mayor Thomas G. Bailey stated that 2 years ago, this issue was discussed. Mendon City asked for permission to pursue this option. Wellsville City gave Mendon City permission then, but this is a more formal request to see if it is feasible. Mr. Leatham asked if Wellsville City would sell water outright. Mayor Bailey stated that it would be a metered use and Mendon City would pay for it. Glenna Petersen asked about the water line between Wellsville City and Mendon City. Mayor Bailey stated that it would be a closed line and a resident would have to annex into Wellsville City or Mendon City before being allowed to connect to the water line. Karen Higley asked how many residents depend on Mendon City for water. Mayor Buist stated that Mendon City has approximately 420 connections. Mr. Leatham asked if there is grant money available for this project. Mayor Buist stated that would be part of the investigation. Mayor Bailey stated that they don't know how big the water line from Wellsville City to Mendon City would be. They have thought about installing a larger water line from Wellsville City to Maple Rise. Mr. Leatham stated that if Wellsville City has a surplus of water, it is definitely worth looking at. This could also be beneficial to Wellsville City. A new reservoir at the base of the foothills would be worth looking into. Mayor Bailey stated that Mendon City is asked permission to review this issue and move ahead. Gary Bates stated that Wellsville City has a tremendous opportunity for growth. There is currently property for sale. Wellsville City may have a surplus now. There is potential growth in Wellsville City. Mendon City has a lot of room for growth, so Wellsville City needs to think this through very carefully. Mayor Bailey stated that part of the study is to see if it is feasible. Mr. Bates asked at whose expense. Mr. Bates asked if Mendon City has looked for water to the north of them. Mayor Buist stated that north of Mendon City is very ugly. Mr. Bates stated that if Wellsville City sells the water, both cities may be limited on growth. Mayor Buist stated that this issue is not taken lightly. Wellsville City has a precious resource and Mendon city is interested in the resource. Don Hartle stated that Wellsville City still continue to perfect their water. Last fall, the City Council approved a purchase of an additional 33 acre feet of water. Mr. Hartle stated that Wellsville City has 2 wells. One well produces 7,500 gallon per minute, the other well produces 2,500 gallons per minute. In 2014, Wellsville City used 483 million gallons of water. Wellsville City has been aggressive with water, and still has good sources of water. Mr. Hartle stated that in his opinion, Wellsville City is in good shape concerning water. Mr. Bates stated that Wellsville City just bonded for a new reservoir. Mr. Hartle stated that it is a 2 million gallon reservoir and Wellsville City has 3 million gallons in storage. Mr. Bates asked how Wellsville City is supposed to make a decision without numbers or a plan. Mayor Buist stated that Mendon City is asking permission to discuss, study, and investigate the possibility of purchasing water from Wellsville City. Mr. Leatham asked if Mendon City will cover all of the costs. Mayor Buist stated that he doesn't know yet because he doesn't know what the costs will be. Mr. Leatham stated that if Wellsville City can help their neighbors and there is no harm to the city, than they should. Ms. Higley stated that she agrees to grant permission to Mendon City. Ms. Petersen agreed to grant permission to Mendon City. After discussion, Glenna Petersen made a motion, seconded by Carl Leatham, to grant permission to Mendon City to discuss, study, and investigate the possibility of purchasing water from Wellsville City.

YEA 4

NAY 0

Gary Bates  
Karen Higley  
Carl Leatham  
Glenna Petersen

The fire department met with the City Council. Clint Kerr stated that he has put his heart and soul into the fire department for the past 25 years, and he doesn't know his future as the Chief. There are some things that the fire department and Wellsville City need to work through. There is cost and time for the classes that the firemen attend. More individuals need to join the fire department to keep up with the growth. The firemen respond to about 100 calls per year. They are paid a little bit. As the Chief, his paycheck last year was \$260 for the year. His mentality is that he is here to help. He doesn't care about the money, but he is worried about the future. Mr. Kerr stated that half of the firemen do not have any uniforms. Mr. Kerr stated that the fire department has spent 2 to 3 days putting in for a grant for turnouts and SCBA's. If Wellsville City isn't awarded the grant, those items will be non-compliant with 1 year. Mr. Kerr asked if the firemen could get help on the city bill because they leave their wives and children. Mr. Kerr asked about fire alarms being a nuisance at Sherwood Hills. The more people they have at Sherwood Hill, the more frequent the false alarms are. Don Hartle stated that when the conditional use permit was approved, Sherwood Hills could have up to 97 people. The County Fire Marshall approved them for 65 people. Sherwood Hills has submitted an application for 97 people and they are on the agenda for next Wednesday night with the Planning Commission. Mr. Hartle stated that he discussed the issue with City Attorney Bruce Jorgensen, and Mr. Jorgensen is going to research the issue. Mr. Hartle stated that with the number of responses in 2013 and 2014, he asked if there is a way to assess Sherwood Hills based on the number of calls and distance. Mr. Kerr stated that Wellsville City should have an ordinance in order to collect funds. Mr. Hartle stated that Wellsville City doesn't have that type of ordinance, but if there is a city that has one, to get a copy of it and he will review it. Mr. Kerr stated that he believes Logan City has that type of ordinance. Mr. Hartle asked that Mr. Jorgensen have the information about the number of calls in 2013 and 2014 to him by next Wednesday night. Mr. Kerr stated that there needs to be some type of compensation for the Chief and the Assistants. It is almost a full-time job. Mayor Thomas G. Bailey asked what Mr. Kerr's recommendation is. Mr. Kerr stated that he doesn't want it for himself, but for those that come after him. Mr. Kerr stated that he doesn't want to see the voluntary fire department go south. Glenna Petersen asked if the EMS department is run the same as the fire department. Mr. Kerr stated yes. Mayor Bailey thanked Clint Kerr and Aaron Walker for attending the meeting.

At 7:00 p.m., conduct a public hearing to receive public input concerning the recommendation from Utah Department of Transportation that the speed limits on Highway 101 (Main Street) and Highway 23 (Center Street) be increased by 5 miles per hour. Mayor Thomas G. Bailey stated that this issue was discussed at the previous City Council meeting and the City Council felt that a public hearing should be held concerning this issue to receive citizen input. Mayor Bailey reviewed the rules of a public hearing. Kris Line stated that his concern with raising the speed limit is the safety of children that attend school. Mr. Line asked that the motivation was behind raising the speed limit. Mr. Line stated that raising the speed limit for the 1 ½ mile section saves approximately 30 seconds off of a commute. It also increases reaction time. The UDOT code allows UDOT to change the speed. There are 5 factors to raising the speed limit. Mr. Line reviewed the code. There are discretionary measures in the code also. Mr. Line asked who requested the speed limit to be changed and why. Don Hartle stated that UDOT routinely does speed studies. Mr. Line stated that there is an appeals process for changing the speed limit. Carl Leatham stated that UDOT completed speed studies on both Center Street and Main Street. When UDOT presented their findings, in the 30 MPH zone, the average speed is 38 MPH. The request is to raise the speed to 35 MPH. Mr. Leatham stated that UDOT showed that the accident rate is not there to support the 30 MPH zone. With the findings that were presented by UDOT and the criteria, it is hard to argue against raising the speed limit. Gary Bates stated that Wellsville City had the option to postpone raising the speed limit for 9 months and that another speed study would be completed. UDOT will work with Wellsville City, educate the citizens, and work with law enforcement to control the speed limit. If the speed drops to 35 or less, the speed limit will remain the same. If the speed stays at 38, UDOT will present the same plan. Wellsville City can contest it then. Mr. Bates suggested backing out of the earlier agreement and providing more education and more law enforcement. Carol Nyman stated that she has lived on Center Street her whole life. The speed limit has

always been 40, down to 35, down to 30 when heading north. Ms. Nyman asked if the speed limit change only pertained to the 30 MPH zone, or to each zone. Ms. Nyman asked at what speeds are tickets being written. Karen Higley stated that each speed zone would be raised by 5 MPH. Garity Line stated that she lives on south Center Street. She loves the culture of Wellsville and loves driving at 30 MPH. The extra 30 seconds that raising the speed limit would cut off of a commute is not worth it. Monica Thompson stated that she read the article in the newspaper. She spoke with her father and brother, who are both Utah Highway Patrolmen. Raising the speed limit is not safe. It is a busy road. There needs to be a law enforcement presence. Mayor Bailey stated that Wellsville City contracts with Cache County Sheriff's Department for so many hours per year. The cost of the contract is \$55,000 plus liquor funds, which is about \$4,500 per year. Annette Francis stated that she has 7 children and lives in the 30 MPH zone. She is concerned about the lack of varying speeds that tickets are being written for. Ms. Francis stated that she has no opinion concerning raising the speed limit. Valerie Plowman stated that her concern is for the safety of the children. She would like to see the study be completed again and residents drive the speed limit so it doesn't raise the current speed limit. Robert Silk stated that the existing speed limit needs to be enforced. If residents knew that the speed limit is being enforced, they will drive the speed limit. Mr. Silk stated that it may be time for some residents to pay the penalty. Konie Murray stated that her children are not allowed to ride their bikes to her parents' home. Ms. Murray asked if there was a plan to help the area of 400 South. There are no crosswalks or stripes. Glenna Petersen stated that the sidewalk committee proposed a stop sign at 500 North and UDOT said no. The sidewalk committee also proposed a crosswalk, which UDOT also said no. Alicia Jenkins stated that she has 5 children and is against raising the speed limit. Ms. Jenkins encouraged residents to drive the current speed limit so that it is not raised. Adam Brandt stated that he currently lives on Main Street. Mr. Brandt believes a crosswalk would be helpful, as well as more speed limit signs. Art Smith stated that residents should be educated. The speed limit should be left as it is and strictly enforced. Mr. Bates stated that UDOT gave Wellsville City a grant to construct a bike/walking path at 400 South.

At 7:43 p.m., the public hearing was closed.

After discussion, Gary Bates made a motion, seconded by Glenna Petersen to request a 9-month delay in raising the speed limit and that another speed study conducted. Wellsville City should meet with Cache County Sheriff's Office and contact Lt. Lee Perry of the Utah Highway Patrol to encourage enforcement of the current speed limits. Wellsville City should encourage patrol of 5 MPH within the speed limit. An article for the Wellsville City newsletter will be written and published.

**YEA 4**

Gary Bates

Karen Higley

Carl Leatham

Glenna Petersen

**NAY 0**

The sidewalk committee met with the City Council to discuss different options for 200 West. They also discussed each intersection along 200 West from 400 North to Main Street. The sidewalk committee will continue to work on 200 West.

The City Council discussed the commitment made by Cache County School District concerning tearing down the existing elementary school once it is moved to the current location of Willow Valley. Gary Bates stated that if Wellsville City is firm in not wanting the school, they need to hold Cache County School District's feet to the fire. Mr. Bates reviewed the minutes of September 4, 2013 when Dr. Steve Norton attended the Wellsville City Council meeting. Mr. Bates stated that Wellsville City needs to remind the Cache County School District of their commitment with a certified letter and a copy of the minutes from September 4, 2013. Mayor Thomas G. Bailey stated that the City Council has toured the existing elementary school and asked what their feelings were. Carl Leatham stated that he is very torn. Mr. Leatham stated that even if the building is free, he doesn't think Wellsville City can afford it. Mr. Bates stated that the building will not be free. Mr. Leatham stated that to insure the building, it is seismically unsound and is concerned about opening a liability. Mayor Bailey stated that if the building changes ownership, it will have to brought up to code. Mr. Bates stated that even tearing down part of the building;

the construction work will fall under the current code. Glenna Petersen stated that Wellsville City already has one building that they are trying to refurbish. Ms. Petersen stated that she doesn't want the existing elementary school building. Mr. Leatham stated that he wonders if Wellsville City is trying to save the wrong building. Mayor Bailey stated that he doesn't know if anyone can compare a building to the tabernacle because the tabernacle is on the historical site list. Mr. Bates stated that the school could be used for a public works building, an office building, or a recreation center. Mayor Bailey stated that the power bill for the current Wellsville Elementary school is about \$2,200 a month. Karen Higley stated that she is torn because she agrees with all of the comments that have been made. She hates to give up the property, but is concerned about bringing the building up to code after Wellsville City takes ownership. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to notify Cache County School District, Dr. Norton, and the school board that per the comments made at the Wellsville City Council meeting held on September 4, 2013, the existing Wellsville Elementary will be removed to dirt should Wellsville City not want the building.

YEA 4

NAY 0

Gary Bates  
Karen Higley  
Carl Leatham  
Glenna Petersen

The City Council discussed and possibly made a decision on the interest Wellsville City has in the existing elementary school. This agenda item was discussed and voted on in the previous agenda item.

The City Council adopted code amendment 2015-01 approving to amend the Land Use Map and the Zoning Map to rezone 1.43 acres on the south side of 400 North at approximately 160 East from M1, Manufacturing, to R-1-12, Residential (north portion of the old cheese plant property). Don Hartle stated that some time ago, this rezone was approved subject to the legal description. The legal description is attached. This is just a legality. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to approve **CODE AMENDMENT 2015-01 AN AMENDMENT AMENDING THE WELLSVILLE CITY CODE, TITLE 10, LAND USE REGULATIONS, WHICH INCLUDES AMENDING THE LAND USE MAP AND THE ZONING MAP TO REZONE CERTAIN PROPERTY FROM M-1 MANUFACTURING TO R-1-12 SINGLE FAMILY RESIDENTIAL.**

YEA 4

NAY 0

Gary Bates  
Karen Higley  
Carl Leatham  
Glenna Petersen

The City Council continued their discussion of the new office building. Don Hartle stated that he has been working with the ladies in the front office and hope to have a plan to present by the next City Council meeting. Mr. Hartle stated that the gentleman that works on the computer for Wellsville City heard that Wellsville City is looking to build a new office building. He stated that he could give the plan to some architects at campus planning to give their input and recommend an architect. The City Council decided to continue this discussion until the next City Council meeting.

The City Council was to hear an update on the City Investment policy. After discussion, Gary Bates made a motion, seconded by Karen Higley, to table this discussion until the next City Council meeting.

YEA 4

NAY 0

Gary Bates  
Karen Higley  
Carl Leatham  
Glenna Petersen

Department Reports:

Carl Leatham – 1) Needs a float driver.

Mayor Thomas G. Bailey – 1) Glenda Tripp and Mark Stevens are hosting a Radon Workshop on January 14, 2015 at 7:00 p.m. at Willow Valley Middle School. They have asked that the Mayor or a member of the City council call the meeting to order and give a brief welcome. Karen Higley will attend.

Karen Higley – 1) Thanked Carol Nyman for her help with the City princesses. Arianne Spar will help with the City princesses this year. They will hold a pageant sometime in March. They will also try to get scholarship money for the pageant.

City Manager/Recorder Report:

Don Hartle – 1) He and Mayor Thomas G. Bailey called the bonding company and do not invest money for cities.

2) Budget worksheets will be handed out at the next City Council meeting. They will be due the first City Council meeting of March.

3) Received a call and met with a gentleman from Rocky Mountain Power. Wellsville City received a proposed franchise agreement in order to install the power lines in the City road right-of-way. Mr. Hartle gave a copy of the proposed agreement to City Attorney Bruce Jorgensen. The last time this type of agreement was signed was in 1965. Mr. Hartle handed out copies of the proposed agreement and asked that if there are any concerns, to contact him and he will pass them on to Mr. Jorgensen.

4) Last City Council meeting, Karen Higley gave him a copy of Millville City's license renewal form. Mr. Hartle handed out copies of what Wellsville City uses. He stated to let him know if there are any changes that need to be made.

5) Quarterly financial report – reviewed with the City Council.

At 9:01 p.m., Glenna Petersen made a motion, seconded by Karen Higley, to adjourn the meeting.

**YEA 4**

Gary Bates  
Karen Higley  
Carl Leatham  
Glenna Petersen

**NAY 0**

---

Thomas G. Bailey  
Mayor

---

Don Hartle  
City Manager/Recorder