

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, February 18, 2015, 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 and City Planner Jay Nielson were 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 February 13, 2015. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

<u>Others Present:</u>	Jennifer Leishman	Jaimilyn Anderton	Chad Jensen
	Matt Bilodeau	Jeff Jackson	Craig Whinder
	Zach Andrus	Megan Andrus	Mike Perkes
	Chris Breinholt	Marcene Parker	Janie Isaacson
	Kendall Leishman	Barbara Swanson	David Swanson
	Scott Gary	Jonathan Cook	Art Smith

Opening Ceremony: Perry Maughan

Councilwoman Karen Higley was excused from this meeting.

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

<u>YEA 4</u>	<u>NAY 0</u>
Gary Bates	
Carl Leatham	
Perry Maughan	
Glenna Petersen	

The City Council reviewed the regular City Council meeting minutes of February 4, 2015. After discussion, Gary Bates made a motion, seconded by Glenna Petersen, to approve the minutes of the February 4, 2015 meeting as presented.

<u>YEA 4</u>	<u>NAY 0</u>
Gary Bates	
Carl Leatham	
Perry Maughan	
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 17902 through 17939.

<u>YEA 4</u>	<u>NAY 0</u>
Gary Bates	
Carl Leatham	
Perry Maughan	
Glenna Petersen	

No one was in attendance for citizen input.

Jaimilyn Anderton met with the City Council for a business license. Ms. Anderton stated that she is a nail technician. Ms. Anderton has a professional license. Ms. Anderton has a salon in her home. She will have 1 client at a time. Glenna Petersen asked where her home is located. Ms. Anderton stated that she lives in the Sterling Ridge Subdivison. 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 Jaimilyn Anderton.

YEA 4

NAY 0

Gary Bates
Carl Leatham
Perry Maughan
Glenna Petersen

Cache County Sheriff Chad Jensen met with the City Council. Sheriff Jensen stated that the purpose of this visit is to introduce himself to the different communities of Cache Valley. Sheriff Jensen has been in office for 6 weeks. Sheriff Jensen stated that they have made changes to the Star Deputy program, as well as changing the patrol schedules from 10-hour shifts to 8-hour shifts. Sheriff Jensen stated that the coverage to Wellsville City is a service that the Cache County Sheriff's Office provides. Sheriff Jensen stated that it is contract time again. The rate for last year was \$53.00 per hour. That rate has come down this year to \$48.54 per hour. Sheriff Jensen stated that Wellsville City is only charged for patrol and what they contracted for. Sheriff Jensen stated that he went back through the historical files and charged for the number of hours that Wellsville City requested. Don Hartle stated that Wellsville City never signed the agreement for 2015. Mr. Hartle stated that Wellsville City's budget year runs from July 1 to June 30. Wellsville City received the contract as they were adopting the budget. The contract stated a \$2 to \$3 per hour increase for the next 5 years. Mr. Hartle recommended to the City Council to not sign the contract. Sheriff Chad Jensen was then elected as the new sheriff, and Wellsville City wanted to discuss the contract with the new sheriff. Mr. Hartle stated that he retrieves the citations weekly, and that there were some weeks that there were no citations written in Wellsville. Mr. Hartle stated that recently, that has improved. Sheriff Jensen stated that he knew the contracts were late, but reassured the City Council that is not how he works. Sheriff Jensen stated that his goal is to have the contracts out by the middle of March. Sheriff Jensen stated that he is comfortable reviewing the contracts every year. Sheriff Jensen stated that the biggest cost for his office is salaries and benefits. Mayor Thomas Bailey stated that the problem with signing the previous contract was the automatic increases. Mayor Bailey would like to be able to discuss the contract every year. Sheriff Jensen stated that his office will grow as the county grows, and that the contract should be discussed every year. Sheriff Jensen stated that it has been a great 6 weeks, and can see the benefits from the changes that have been made. Glenna Petersen asked about the increase. Sheriff Jensen stated that cost started at \$46.00 per hour, was raised to \$53.00 per hour, and will now decrease to \$48.54 per hour. Mr. Hartle stated that the contract will be less next year. Mr. Hartle stated that Wellsville City has no choice but to pay the bill that was sent. Sheriff Jensen suggested paying the amount that Wellsville City budgeted. Gary Bates stated that it sounds fair. Mayor Bailey appreciated Sheriff Jensen and Lt. Bilodeau working with Wellsville City, and stated that morale has improved over the last few months. Mayor Bailey thanked Sheriff Jensen and Lt. Bilodeau for attending this meeting.

The City Council discussed the concerns of the Concept Plan for the Cooper Ridge Subdivision on the west side of Center Street from approximately 1335 South to 1419 South. Jeff Jackson stated that he represented Dale and Linda Cooper on this project. Mr. Jackson stated that he presented the Concept Plan to the Planning Commission last week. They had a good discussion. Mr. Jackson stated that they came up with some options and conclusions. There are a lot of issues with the current plan. Mr. Jackson stated that he misused the bonus density. The new plan will have between 8 and 9 lots. Mr. Jackson stated that there was some discussion concerning the canal. There was concerns expressed from the public and City Engineer Chris Breinholt. Mr. Jackson stated that he used to code to establish the Concept Plan. Mr. Jackson stated that if he was allowed more narrow roads or cul-de-sacs, they would be able to stay away from the canal area. Mr. Jackson showed a rough drawing of a Concept Plan with a cul-de-sac. The code was discussed and the variances that the code affords. Mr. Jackson stated that they would use the sensitive areas as the open space requirement. Carl Leatham stated that the Planning Commission reviewed the code. The code states that the road right-of-ways shall be 99 feet. Mr. Leatham stated that Wellsville City has experimented with 66-foot right-of-ways in other subdivisions and they seem to be problematic. Don Hartle stated that with 66-foot right-of-ways, the utilities are in the asphalt. Perry Maughan stated that there are 66-foot right-of-ways in the Red Slide Subdivision. All of the utilities are under the asphalt. The Red Slide Subdivision also has cul-de-sacs. Cul-de-sacs are not conducive with snow removal. Mr. Maughan stated that Wellsville City has tried the 66-foot right-of-ways and they don't work. Mr. Maughan stated

that 90% of the right-of-ways in Wellsville City are 99 feet. Mr. Maughan stated that another concern is storm water. Storm water has become very expensive for cities. Mr. Jackson stated that the Concept Plan presented to the Planning Commission had 99-foot right-of-ways. Mr. Jackson stated that City Engineer Chris Breinholt expressed the same concerns. Mr. Jackson stated that 66-foot right-of-ways and cul-de-sacs can be done and done well. Mr. Maughan stated that after the subdivision is complete, the developer is gone and leaves the city and residents to deal with the problems. Gary Bates stated that it sets precedence. Mr. Leatham stated that garbage cans and snow removal on the 66-foot right-of-way on the same day doesn't work. Mr. Leatham stated that the roads in the Red Slide Subdivision are not cul-de-sacs. They are stubbed roads until the neighboring property is developed. Mr. Jackson asked what struggles Wellsville City has with cul-de-sacs. Mr. Leatham stated that a snow removal truck can't turn around in a cul-de-sac. It pushes snow into people's yards and driveway. Mr. Jackson stated that there would be no homes on the back of the cul-de-sac and that the snow could be pushed straight off as an option. Mr. Maughan stated that cul-de-sacs have a dead end water line. Residents complain about the odor and stale water. Mr. Jackson asked if the design that the City Council has in front of them is something they could work with. Mr. Leatham stated that the subdivision should stay away from the canal. Mr. Leatham suggested using the original plan and making the road more of a 90-degree angle. Mr. Leatham stated that one of the main concerns is flooding in the area. Mr. Leatham stated that he would like to see a horseshoe-shaped subdivision and not a cul-de-sac. Mr. Leatham suggested that the code be followed and not deviated away from. City Planner Jay Nielson stated that the canal is not a canal, but a natural drainage for flood waters. It is a major issue. It requires natural features. Mr. Nielson stated that the natural drainage area should be set aside as open space and not developed. Mr. Leatham asked if Mr. Nielson could develop the property with the current road plan and make it work. Mr. Nielson stated short of sitting down and developing it himself, he doesn't know. Mr. Leatham stated bridging the canal may be the only way to alleviate the issue. Mr. Nielson stated that piping the natural drainage is restricting the flood waters. Mr. Nielson stated that it would have to be a huge pipe and a huge cost. Mr. Maughan asked if the water doesn't fit in the pipe, where would it go. Mr. Jackson stated that he has no attachment to the property other than to help Dale and Linda Cooper. Mr. Jackson stated that they are looking for alternatives, avoid the drainage area, and help with the property. Mr. Bates stated that the primary issues are the right-of-way width and the drainage. Mr. Bates stated that Mr. Jackson is asking for some relief on these issues, and they are non-negotiable. Mr. Jackson asked that if they stay with the 99-foot right-of-way, could they loop the water line and put it in the same trench. Mr. Maughan stated no because Wellsville City doesn't put 2 lines in the same trench. Mr. Nielson suggested looping the water line through the open space. Mr. Jackson asked about tying into the water line in the Sterling Ridge Subdivision. Mr. Maughan stated that Wellsville City doesn't want the liability. Mr. Leatham stated that he is torn on the issue because a property owner should be allowed to develop his property. The city should help the property owner find a way to develop the property, but it has to stay within the code. Mr. Leatham took exception to the claim that the City was at fault for not following their own code, calling for roads to be stubbed to adjacent properties. It was the property owner who convinced the City the road would not be needed, because of topography. Mr. Bates stated that Mr. Jackson is here to see if the City Council will allow variances. Mr. Bates stated that the City Council is not that board. Mr. Bates stated that he is not sure why Mr. Jackson is here. Mr. Nielson stated that cul-de-sacs are optional, and that the City Council make the decision concerning cul-de-sacs. Mr. Bates stated that he would like to see a design before anything is approved. Mr. Jackson stated that if he puts more engineering time into the project, he doesn't want to see it shut down. Mr. Bates stated that the City Council could entertain the idea of a cul-de-sac. The neighbors of the subdivision, Planning Commission, and City Council all do not like the design of the subdivision. Mr. Bates stated that he doesn't want to give the wrong impression that by throwing more money at the project will get it approved. Mr. Leatham stated that he agrees with Mr. Bates. Mr. Jackson stated that there would be no house at the back of the cul-de-sac because Dale Cooper's home is across the canal. Mr. Leatham stated that the property is big enough that there are other alternatives. Mr. Bates stated bridging the canal would include engineering costs and have the same concerns as piping the canal. Mayor Thomas G. Bailey stated that it sounds like the 99-foot right-of-way is a must, there will be sidewalks in the subdivision, there will be no cul-de-sac, and no piping the canal. Mr. Jackson asked if the subdivision could cross the canal. Mayor Bailey stated yes, but all engineers involved have to agree.

Zach Andrus met with the City Council to discuss sewer line extension on 600 South. Mr. Andrus stated that they are in the beginning stages of building a home at approximately 185 West 600 South. Mr. Andrus proposed not running the sewer line the length of his property, but running 160 feet of sewer line and putting a manhole on the east side of his property. Perry Maughan stated that the sewer line would be in the middle of his property. His driveway would be paved, and then the person up the road would need to run the sewer line and his driveway would have to be dug up. That is an extra cost to the city and the residents. The code states that the sewer line will be ran to the farthest end of the property. Mr. Maughan stated that he understands Mr. Andrus' position, but that is the code. Mr. Andrus stated that with the impact fees and running the sewer line, it is becoming quite expensive. Mr. Andrus asked if Wellsville City would be willing to run the sewer line. Mr. Maughan stated that the city is not in the sewer business. Gary Bates stated that other developments didn't begin because of the infrastructure. Carl Leatham stated that the code states that the resident is responsible to run the sewer line the width of the lot. Mr. Andrus asked if the sewer line shouldn't already be there. Mr. Maughan stated no because the owner of the home brought the sewer line out the back of his home as a cleanout line. Mr. Maughan stated that the city is only concerned about the main line. Mr. Bates stated that it is the goal of the city to have the entire sewer tied together. Mr. Andrus thanked the City Council for their time.

City Engineer Chris Breinholt met with the City Council to discuss the aquifer study for wells #1 and #3. Chris Breinholt asked if the City Council had reviewed the study. Mayor Thomas G. Bailey stated yes. Mr. Breinholt stated that this study shows the recharge area and that it extends into the gravel pit. However, the gravel pit is not in protection zone 2. It is in protection zone 3. There is a confining clay layer approximately 30 to 35 feet deep that extends to protect the water beneath from the influences above. The salt and sand will still have to be covered and contained. This study shows that the public works facility can be built in the gravel pit. Perry Maughan stated that he is more concerned about contaminate from the canal to the wells. Mr. Breinholt stated that he is concerned with contaminate from the canal and the public works facility. Carl Leatham stated that Kerr's dairy has been established for many years and only 300 feet away from the gravel pit. Gary Bates stated that there is no decent water between this well and anywhere else. Mr. Bates stated that Wellsville City will have to go a long way to replace the water. Mr. Leatham stated that the current public works facility is closer to the well than the gravel pit. Mayor Bailey asked the City Council where they would like to build a public works facility. Mr. Bates stated that he would feel more comfortable with a full quorum. Mr. Maughan stated that he would like to build the public works facility in the gravel pit. Mr. Breinholt stated that the wells are very unique and the company that he works for doesn't have a client with anything that matches it. Mr. Breinholt also stated that based on the study and redundant, required safety measures, he would recommend approval. Mr. Bates stated that this is a unique situation. Water is not replaceable. There are things that occur that can't be predicted. The City Council needs to go into this adventure with their eyes wide open. Mr. Maughan stated that no one wants to ruin the wells, but there is no guarantee. After discussion, Glenna Petersen made a motion, seconded by Perry Maughan, to build a public works facility in the gravel pit.

YEA 4

NAY 0

Gary Bates
Carl Leatham
Perry Maughan
Glenna Petersen

The City Council continued work and discussion of a new city office building. Jonathan Cook handed out copies of a plan for the new city office. Carl Leatham asked if there was enough property to build the new city office building. Mr. Cook stated yes. Perry Maughan asked what the square footage of the building is. Mr. Cook stated that it is 3,972 square feet. Gary Bates stated that the budget is \$500,000 to demolish 2 buildings, infrastructure, and construction of a new building. Mr. Bates stated that he thinks the construction needs to be simpler. Mr. Maughan asked about a stick building versus a steel building. Mayor Thomas G. Bailey stated that the steel building company stated that if they have the plans, they can design a steel building. Mr. Maughan stated that the cost for a steel building is roughly \$44 per foot, which is double or more if the building is framed. Mayor Bailey stated that Northstar is interested in bidding the building. Mr. Leatham stated that Wellsville City should ask Hyrum and Nibley for a copy of their bidding procedures. Mr. Bates stated that if 4/5 of the budget is used to build the new office, there will not be much

left over. Mr. Leatham stated that because Wellsville City is spending so much money, a letter from the Mayor and City Council to the residents explaining the elementary school, tabernacle, and condition of the current city office building would be nice. The letter would be a way of letting the citizens know the goings on of the city. Mr. Maughan agrees, but Wellsville City should have their ducks in a row before a letter is sent. Mr. Bates suggested hearing input from the front office employee concerning the plan. Mr. Maughan stated that he will set up a meeting with the building committee, and asked that they add this issue to the March 18, 2015 City Council agenda.

The City Council discussed a possible trail maintenance grant. Gary Bates stated that the trail around Wellsville Dam is showing some wear and tear. Mr. Bates stated that he spoke with the state trails people. They are willing to entertain a grant request for maintenance. There will be a 50/50 offset. Mr. Bates stated that there are many options for the matching portion from the city. Mr. Bates discussed asphalt, as well as emulsion. Mr. Bates stated that he will need to turn in the grant request by May 1, 2015. Mr. Bates asked that the asphalt business be invited to the City Council meeting on March 18, 2015.

Department Reports:

Glenna Petersen – 1) Asked Don if the sidewalk could be staked at 100 West. Mr. Hartle added it to his list.

Perry Maughan – 1) Roads – asked that a letter be written concerning a 2-foot gravel edge along the road so that water doesn't sit on the roads.

Gary Bates – 1) Asked that the bid package for the road width be added to the March 4, 2015 agenda.
2) Reviewed summer activities – received a grant of \$800 for the fishing derby, 2 movies, music on the square, and the bike night.
3) Sports Specialists are as follows: Wendy Egbert – soccer, Carrie Salvage – softball, Danny Ericson – baseball, and Rex Bailey – rodeo.
4) Asked if an executive session was required to discuss raises – No.
5) Discussion concerning pay increases. Don Hartle will call the State of Utah concerning inflation rate.

Carl Leatham – 1) Asked if the variance board had made a decision concerning Tom Bunn. Don Hartle stated that it was denied.

2) Last week, Karen Higley held a training meeting for the city pageant contestants. There was a good turnout. It went very well and a lot of life skills were being taught.

City Manager/City Recorder's Report:

Don Hartle – 1) Steve Kyriopoulos purchased property across the street from Wellcome Mart. The property is in the Highway Commercial zone and the RA-1 zone, with a portion of the property in the county. They are in the process of annexing the property into Wellsville City. They are wondering if the City wants to annex what they have purchased from Tom Maughan and Clarke Maughan. If they do, it will force Clint Baugh to annex his property. Carl Leatham asked if the property that Wellsville City owns is all under 1 tax identification number. Don Hartle stated no. If Wellsville City owns property, it should be in Wellsville City. Glenna Petersen will discuss this issue with Clint Baugh. This issue will be added to the next agenda.

2) Handed out new regulations regarding sewer. Asked that the City Council review them.

3) At the last City Council meeting, Don Hartle was asked if bring in the data from the Fire Department. Mr. Hartle handed out copies of the Fire Department's 10-year plan.

4) On December 13, 2014, there was an accident located north of Wellsville City. The accident was caused by water on the road. Wellsville City is listed in the lawsuit along with 7 other entities. Mr. Hartle received a certified letter from an attorney. Mr. Hartle notified the insurance company and is working with them.

At 8:36 p.m., Glenna Petersen made a motion, seconded by Carl Leatham, to adjourn the meeting.

YEA 4

Gary Bates
Carl Leatham
Perry Maughan
Glenna Petersen

NAY 0

Thomas G. Bailey
Mayor

Don Hartle
City Manager/Recorder