

project. Mayor Thomas G. Bailey asked that Mr. Dawson check with Leesa Cooper before the project is started to verify that the pavilion is not rented out. Carl Leatham suggested keeping the stain off of the concrete. Perry Maughan asked if the project would be completed before Founder's Day because the tables are used at the City Square for Founder's Day. Mr. Dawson stated yes. After discussion, Karen Higley made a motion, seconded by Perry Maughan, to approve the Eagle Scout project for Josh Dawson.

YEA 5

NAY 0

Gary Bates
Karen Higley
Carl Leatham
Perry Maughan
Glenna Petersen

Ken Mathys, representing KT Arms, LLP met with the City Council for a business license. Mr. Mathys would like sell and transfer firearms out of his residence. Mr. Mathys stated that he is federal and state licensed. Mr. Mathys stated that he completes the paperwork for special order and law enforcement. Mr. Mathys is a non-stocking distributor. Mr. Mathys stated that he has conducted this business for the last 4 years out of his home in Providence, but has since moved to Wellsville. Carl Leatham stated that there were 3 individuals that spoke at the Planning Commission meeting concerning the conditional use permit. All expressed concerns about the CC&R's of the subdivision. The CC&R's are not part of the City code, but are part of the HOA. Mr. Leatham stated that the Planning Commission approved the conditional use permit with no restrictions. Perry Maughan asked if Mr. Mathys would be selling firearms and ammunition. Mr. Mathys stated that he sells firearms only. After discussion, Carl Leatham made a motion, seconded by Perry Maughan, to approve the business license for Ken Mathys, representing KT Arms, LLP.

YEA 5

NAY 0

Gary Bates
Karen Higley
Carl Leatham
Perry Maughan
Glenna Petersen

The Cache County School District and Utah Festival Opera Company met with the City Council. Kirk McRae stated that this is the last school year of Wellsville Elementary at the current location. After that, Wellsville Elementary will be vacant. Wellsville City had the opportunity to take over the building and operate it. Wellsville City has no interest in the building. The Utah Festival Opera Company has a desire to use the building to store equipment and construct sets. Mr. McRae stated that the Cache County School District is currently in discussions with the Utah Festival Opera Company, and asked if there were any concerns from Wellsville City. Mayor Thomas G. Bailey asked if the opera company would maintain the building, and keep the grounds up. Mr. McRae stated yes. Mayor Bailey stated that the agreement between Cache County School District and Wellsville City was that if Wellsville City didn't want the building, Cache County School District would demolish the building at their expense. Mc. Rae stated that is true. Mr. McRae stated that the opera company is busting at the seams in their current location. The opera company would lease the old Wellsville Elementary building from Cache County School District. Mayor Bailey asked what kind of recourse Wellsville City would have if the building is not maintained. Mr. McRae stated that he wasn't sure. Mr. McRae stated that there would be a memorandum of understanding between the Cache County School District and the Utah Festival Opera Company. Carl Leatham stated that part of the current bond and money from that bond was to demolish the old Wellsville Elementary building. Mr. Leatham asked if the money isn't available, where would Cache County School District find the money. Mr. McRae stated that he doesn't know. Mr. McRae stated that the Cache County School District thinks that there is some beneficial use of the building, and stands by their promise to demolish the building and reclaim the property. Mr. Leatham asked if Wellsville City would be allowed to use the building if necessary. Gary Griffin, representing the Utah Festival Opera Company, stated yes. Perry Maughan stated that he would like to see the commitment in writing, and believes that this is a win win situation for all parties involved. Mayor Bailey stated that he doesn't see any problems, but has a real concern that the

Building and grounds are maintained. Mr. McRae stated that they are not seeking any action, but would like to bring the situation to the attention of Wellsville City. Mayor Bailey thanked them for their attendance.

Kay Ballif, owner of Sherwood Hills Golf Course, met with the City Council. Mike Nichols, son-in-law of Kay Ballif, represented Ms. Ballif. Mr. Nichols asked if the City Council had reviewed the letter concerning water and water rates. Mayor Thomas G. Bailey stated that they had, and no action was taken. Mr. Nichols stated that since the original agreement between Wellsville City and Sherwood Hills Golf Course, the land was gifted to Wellsville City where the spring resides, and an additional \$22,000. Wellsville City was to improve the spring, to allow Sherwood Hills Golf Course to tie into the culinary water system, and provide water to Sherwood Hills Golf Course. The resort is no longer functioning. Mr. Nichols stated that Sherwood Hills Golf Course had had a reduction in revenues, and is looking to reduce costs. Mr. Nichols stated that water is the second leading cost for Sherwood Hills Golf Course. Mr. Nichols stated that they are here to express their concerns and ask several questions. Mr. Nichols asked if there were anyone else in Wellsville City that is in the situation that Sherwood Hills Golf Course is in. Don Hartle stated that about 60% of homeowners use culinary water to water their lawns. Mr. Hartle stated that all of the churches in Wellsville City use culinary water. Mr. Nichols asked if there is any business given difference pricing. Mr. Nichols stated that the water bill for Sherwood Hills Golf Course is about \$25,000 per year, and lately, it has been higher than that. Mr. Nichols stated that he called 5 other golf courses, and the highest payment for water is about \$7,000 per year. Mr. Nichols asked if there are any rate discounts for high volume. Mr. Hartle stated that the state discourages water rate discounts on high volume because the higher the discount, the more water is used. Mr. Nichols asked if the water could be metered for green space usage and changed to a secondary water rate. Perry Maughan stated that all water is chlorinated. Mr. Hartle stated that Wellsville City doesn't sell untreated water. The system treats all water. Mr. Maughan stated that his personal opinion would be to update the meters. Mr. Nichols stated that he didn't think a water agreement existed, but received a copy of it from Mr. Hartle, along with a copy of the Wellsville City code. Mr. Nichols asked if Sherwood Hills Golf Course obtains water rights, could they use the water off of the connection for the rights. Mr. Hartle stated no. Mr. Hartle stated that in 1988, a judge ruled that Wellsville City owns all of the water rights in Wellsville Canyon, but 4.2%, which is owned by the Lindley family. Mr. Hartle stated that Mr. Ballif was told that if he drilled a well and hit water, Wellsville City owns the water. Mr. Nichols stated that 2 permits were issued to drill wells. Mr. Nichols asked if Sherwood Hills Golf Course leased the rights to the 4.2% of water in Wellsville Canyon, could they use that water. Mr. Hartle stated that he couldn't answer that question. Mr. Nichols asked where the water is release. Mr. Hartle stated on the right hand side of the highway by the rock slide. Mr. Nichols asked about the Brigham Spring source. Mr. Hartle stated that it is all the same source. Mr. Nichols asked about selling water. Mr. Hartle stated that once water is obtained, it can't be sold. It is against the law. Mr. Nichols asked about leasing large sums of water. Mr. Hartle stated that Wellsville City has to prove up on water rights. Mr. Hartle stated that Wellsville City has signed an agreement with Wellsville Irrigation Company that any water that comes out of Wellsville Canyon and Wellsville City doesn't use; Wellsville Irrigation Company can use it. Mr. Hartle stated that there is no water that comes out of Wellsville Canyon that Wellsville City doesn't use. Mr. Hartle stated that there have been 20 million gallons come out of Wellsville Canyon, and Wellsville City has pumped 39 million gallons from the wells. Mr. Nichols stated that he is pleading with the City Council to help Sherwood Hills Golf Course any way they can. Mayor Bailey stated that Mr. Nichols could talk with Mark Thompson who owns the 4.2% of water in Wellsville Canyon, but that is the only water up there that is available. Mr. Nichols asked about changing the water rates for those who use a large quantity. Carl Leatham stated that if Wellsville City cuts Sherwood Hills Golf Course a break, Wellsville City would have to pump more water, which the citizens of Wellsville City would have to pay more for their water. Mr. Maughan discussed reclaiming used water from businesses above. It is called "gray water". It would be an investment for all involved. Mayor Bailey thanked Ms. Ballif and Mr. Nichols for attending this meeting.

Don Summit, owner of the Snow Barn, met with the City Council. Don Summit stated that the Snow Barn sits on city property, and that the City Council has allowed him to do so. Mr. Summit stated that with the building of the new City Office, he is wondering if the City Council would like the Snow Barn to continue, or go away. Mayor Thomas G. Bailey stated that the City would love Mr. Summit to continue the Snow Barn. Mr. Summit stated that he would love to continue, and will work with the City through Don Hartle.

Gary Bated stated that while the new City Office is being built, Wellsville City will find the Snow Barn an alternate spot. Mr. Summit thanked the City Council for their time.

At 7:00 p.m., conduct the following public hearing:

First, receive public input, then consider the recommendation of the Planning Commission that the land use map, the code, and the zoning map be amended to rezone additional property that is currently being used (within the fenced area) by South Valley R.V. Repair from RA-1 to CH, Highway Commercial. Said property is at 252 East 760 South. David Kurek stated that he is the owner of South Valley R.V. Repair. The property that is being rezoned is within the fenced area. Gary Bates asked if the property is all under one tax identification number. Mr. Kurek stated yes. Robyn Bankhead stated that she doesn't want to see the commercial zone become any bigger in this area. Ms. Bankhead read from the General Plan, as well as from the Land Use Code. Ms. Bankhead asked that the City Council consider what happens with the property in the future.

At 7:08 p.m., the public hearing was closed.

Carl Leatham stated that there was a lot of debate during the Planning Commission meeting. Mr. Kurek has been working with City Planner Jay Nielson on this project. There are landscape requirements, and Mr. Leatham suggested that something be done about the lighting of the property. Mr. Leatham stated that the Planning Commission recommended approval. Gary Bates asked if the suggestions are binding. Mr. Leatham stated that the landscape requirement is binding, but the lighting is suggested. The lighting could be binding if it was part of the motion. Mayor Thomas G. Bailey stated that down the road, if the building is vacated, the new tenant would have to come in for a business license and meet the code. Mr. Leatham stated that it would be the case if there is a change in the building, but he doesn't know if that is the case for a change in use. Mr. Bates stated that he thought it would be required to fully meet the commercial landscape code. Mr. Leatham stated that this business is sort of grandfathered in, but there has to be some landscaping because it is increased by more than 10%. Mr. Leatham stated that the property is very close to the City's right-of-way, and that the building is practically on the edge of the City's right-of-way. Don Hartle stated that the Planning Commission approved the landscape code. Perry Maughan asked if there is an increase in the parking lot. Mr. Leatham stated no. There will be some type of barricade between the parking lot and the street. It was suggested using whiskey barrels as planter boxes. After discussion, Perry Maughan made a motion, seconded by Carl Leatham, to **ADOPT CODE AMENDMENT 2015-07** adopting **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 RA-1, RESIDENTIAL AGRICULTURE TO CH, HIGHWAY COMMERCIAL.** The conditions are landscape requirements and lighting requirements. Mr. Kurek will return to City Council meeting in 3 months to report. Mr. Kurek is the acting agent for Lance Gunnell, owner of the property.

YEA 5

NAY 0

Gary Bates
Karen Higley
Carl Leatham
Perry Maughan
Glenna Petersen

At 7:23 p.m., conduct the following public hearing:

Second, receive public input, then consider for approval the Concept Plan for the Cooper Ridge Subdivision, consisting of a total of 9 lots on property on the west side of Center Street from approximately 1335 South to 1419 South. Craig Winder stated that he has submitted a Concept Plan that includes more than what is required and is seeking approval of the Concept Plan. Karen Higley asked about flood elevation. Mr. Winder stated that the detention ponds have been a challenge. Perry Maughan stated that his concern is that there are 2 ponds within so many feet of each other, and another pond on the south side. Mr. Winder stated that the Concept Plan could go back to the engineers to improve. Mr. Maughan asked if the

road is 99 feet. Mr. Winder stated yes. Ms. Higley stated that City Engineer Chris Breinholt's comment refer to lot 13. Don Hartle stated that Mr. Breinholt's comments are from the original concept plan. Mr. Maughan asked if Mr. Breinholt had reviewed the new Concept Plan. Mr. Hartle stated that he thought so. Ms. Higley asked about the sewer for lots 6 and 7. Mr. Hartle stated that the Concept Plan for this subdivision was approved by the Planning Commission on June 10, 2015. Ms. Higley asked if the detention ponds are sufficient for the runoff. Mr. Winder stated that he isn't an engineer, and that the Concept Plan was prepared by an engineer. Aaron Walker stated that he is concerned about storm water. Mr. Walker stated that he is also concerned about the elevation and placement of the detention ponds.

At 7:38 p.m., the public hearing was closed.

Glenna Petersen asked what would be recommended for the elevation of the detention ponds. Aaron Walker stated that he understands that detention ponds will overflow and leak, but he doesn't want them to fail all at once by bursting a bank. Perry Maughan stated that there was talk of piping Hawbush Creek. The pipes won't handle all of the water that comes down it. Mr. Maughan believes that more work needs to be done on the detention ponds. Mayor Thomas G. Bailey stated that most of the time, there is no water in the Hawbush Creek. All of the runoff from Wellsville Canyon comes down Hawbush Creek. Carl Leatham stated that the Planning Commission asked what the small sliver of property is on the north edge of the subdivision. Craig Winder stated that he didn't know. Karen Higley asked if there would be an HOA for this subdivision. Mr. Winder stated that he didn't know. After discussion, Carl Leatham made a motion, seconded by Glenna Petersen, to approve the Concept Plan for the Cooper Ridge Subdivision, consisting of a total of 9 lots on property on the west side of Center Street from approximately 1335 South to 1419 South.

YEA 5

NAY 0

Gary Bates
Karen Higley
Carl Leatham
Perry Maughan
Glenna Petersen

The City Council reviewed for approval the Final Plat for the Wellsville Landing Subdivision consisting of a total of 10 lots on property on the north side of 300 South from 200 East to 300 East. Mayor Thomas G. Bailey stated that this issue was discussed at the previous City Council meeting. The item was not part of the agenda, so the issue was added to this agenda to be approved. Perry Maughan stated that the City Council should require 200 East be pot-holed in 3 different areas. After discussion, Perry Maughan made a motion, seconded by Carl Leatham, to approve the Final Plat for the Wellsville Landing Subdivision consisting of a total of 10 lots on property on the north side of 300 South from 200 East to 300 East.

YEA 4

NAY 0

ABSTAIN 1

Karen Higley
Carl Leatham
Perry Maughan
Glenna Petersen

Gary Bates

The City Council continued the discussion on the need for participation in the County Zoning Office Assessment. Glenna Petersen stated that she was able to contact someone at the county zoning office to explain the assessment. Ms. Petersen stated that as they talked, she thought to herself that what is offered is what City Planner Jay Nielson does for Wellsville City. Ms. Petersen stated that she asked if Wellsville City doesn't pay, will they still get help from the County Zoning Office. Ms. Petersen stated that the answer was no. Don Hartle stated that he discussed this issue with City Planner Jay Nielson and asked Mr. Nielson if he uses the County Zoning Office. Mr. Nielson stated no. Carl Leatham asked how much longer Wellsville City will have Mr. Nielson's services. Mr. Hartle stated that there is no end to Mr. Nielson's contract. Mr. Leatham stated that he recommends that Wellsville City opt out of the assessment. Gary Bates stated that Wellsville City can always opt in at a later date. After discussion, Carl Leatham made a motion, seconded by Karen Higley, to opt out of participating in the County Zoning Office Assessment.

YEA 4
Gary Bates
Karen Higley
Carl Leatham
Glenna Petersen

NAY 0
Perry Maughan

The City Council discussed and possible approval of the company selected for the design build of a new City Office. Mayor Thomas G. Bailey stated that there were 7 original contractors. The building committee met and narrowed those 7 down to 3 finalists. The building committee interviewed the 3 final contractors. The building committee has recommended Raymond Construction Company. Mayor Bailey stated that he envisions Don Hartle, Karen Higley, Leesa Cooper, and the front office staff to sit down with the architect to design the interior of the building. Mayor Bailey stated that he would like the City Council involved in choosing the exterior of the building. Perry Maughan thanked the building committee for all of their hard work. Mayor Bailey thanked Karma Leatham for her input and helpfulness. Gary Bates asked who writes the contract. Don Hartle stated that the company that is selected writes the contract and City Attorney Bruce Jorgensen will review it. Mr. Maughan asked what the time schedule is. Mayor Bailey stated as soon as possible. Mr. Bates stated that the primary reason for selecting Raymond Construction Company was the size of the building for the same amount of money. Karen Higley thanked all of the construction companies for submitting bids. After discussion, Glenna Petersen made a motion, seconded by Carl Leatham, to approve Raymond Construction Company for the design build of the new City Office.

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

NAY 0

The City Council discussed with possible action on the issuance of a Request for Proposal (RFP) on a public works building and related facilities. Don Hartle stated that he hasn't heard anything from City Engineer Chris Breinholt. Perry Maughan asked if all of the City Council members had a chance to review the building in Riverside. All stated yes. Mr. Maughan stated that he will contact City Engineer Chris Breinholt to proceed. Karen Higley asked about an IFB, Invitation for Bid, which she pulled off of the state website. Mr. Hartle stated that an IFB has to be awarded to the lowest bid. Mr. Hartle stated that City Engineer Chris Breinholt will be in the office in the morning and they will talk to him then. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to continue the discussion with possible action on the issuance of a Request for Proposal (RFP) on a public works building and related facilities.

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

NAY 0

The City Council discussed with possible action on proceeding for the construction of a public works building and related facilities. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to continue the discussion with possible action on proceeding for the construction of a public works building and related facilities.

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

NAY 0

The City Council discussed with possible action on the issuance of a Request for Proposal (RFP) for a sand and salt building and other material containment facilities. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to continue the discussion with possible action on the issuance of a Request for Proposal (RFP) for a sand and salt building and other material containment facilities.

YEA 5

NAY 0

Gary Bates
Karen Higley
Carl Leatham
Perry Maughan
Glenna Petersen

Department Reports:

Karen Higley – 1) Founder’s Day – looking at the costs of vendors and reviewing insurance.
2) Complaints about water pressure in the Mt. Sterling area – if there are concerns, call the office.

Glenna Petersen – 1) Bottling water – income to the City.
2) Michelle Andrews – will oversee city booth at the Cache County Fair
3) Break-ins of homes and cars – add to the website and newsletter.
4) BATC – Richard Maughan retired – thanked Mayor Bailey for attending the ceremony.
5) Grant for Fire Department – hasn’t heard yet.

Mayor Thomas G. Bailey – 1) Appreciates the work that the done on the sidewalk at 100 West 400 North.

Perry Maughan – 1) 900 South – start pipe tomorrow, next week ready for crushed gravel, ready for asphalt by July 24.
2) Bids for crack sealing of roads – 300 East from Main Street to 200 South, 300 West from 300 South to 800 South. Will also ask for bids to seal cracks on the trails.
3) Trees – people complaining that they are hitting vehicles – working on it.
4) Believes green waste is working great. All agreed.

Gary Bates – 1) Preliminary bids for splash pad – plenty of money in the grant – send to 4 contractors – suggested getting the City Council involved in the location.
2) Don Hartle was to check the minutes concerning the sidewalk at 400 South Main and why it is missing. Mr. Hartle stated that he has reviewed one set of minutes, but hasn’t reviewed the other set yet.
3) Grant request for coating the trails – will hear back by September.
4) Weeds sprayed at 400 South and around the dam area.
5) Music on the Square – July 25, 2015
6) Eagle Projects – in the last 8 years, have had between 45 and 50 projects. Suggested sending a thank you letter and having it read in the different wards.

Carl Leatham – 1) City Council/Planning Commission minutes – asked that they are updated.
2) Asked if the City Council received the email from Zan Murray – on the agenda for the next City Council meeting.
3) Firework restrictions – asked if they will be instituted and how to notify the residents.
4) Heard from a citizen whose daughter was on a 4-wheeler and pulled over by a motorcycle cop. Discussed a resolution for allowing 4-wheelers with the conditions of helmet, speed, age, and City streets only.
5) Ron Case – the City Council disregarded his letter concerning the City-owned property next to his home. Mr. Case asked that the issues be revisited. Mr. Case would like a fence installed around the property. There is no public works building being built on the property, so there is no obligation by the City to install a fence.
6) Don Hartle and he attended an exciting meeting with UDOT concerning a street light on the corner of 200 West and Highway 89/91.

City Manager/Recorder's Report:

Don Hartle – 1) Tim Parkinson – would like to lease the water from Preston Brenchley's property this year. A discussion was held. Mayor Thomas G. Bailey suggested having something in writing for Mr. Parkinson to sign. Mr. Hartle stated that it would be a 1-year lease. After discussion, Perry Maughan made a motion, seconded by Carl Leatham, to allow Tim Parkinson to lease the water from Preston Brenchley's property for the 2015 water year.

YEA 5

NAY 0

Gary Bates
Karen Higley
Carl Leatham
Perry Maughan
Glenna Petersen

2) Bart LaMont – stack hay in open space – No.

3) Christmas Dinner – Saturday, December 12, 2015, 7:00 p.m., Maddox

4) Someone from the City Council talked with Utah League of Cities and Towns Attorney Dave Church last year or the year before about city employees running for City Council. Tom Maughan has signed up to run for City Council this year. City Attorney Bruce Jorgensen is doing some work on this issue and will be in attendance to the July 15, 2015 City Council meeting to address the issue. Perry Maughan will not be in attendance to the July 15, 2015 meeting, so the City Council asked that Mr. Jorgensen be moved to the agenda of the first meeting in August.

At 9:05 p.m., Karen Higley made a motion, seconded by Carl Leatham, to adjourn the meeting.

YEA 5

NAY 0

Gary Bates
Karen Higley
Carl Leatham
Perry Maughan
Glenna Petersen

Thomas G. Bailey
Mayor

Don Hartle
City Manager/Recorder