

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, November 18, 2009, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Ruth P. Maughan, Councilwoman Marcene Parker, Councilmen Jackie D. Orton, Ron Case, Thomas G. Bailey, and Gary Bates. 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 November 13, 2009. The meeting was called to order at 6:00 p.m. by Mayor Ruth P. Maughan.

Others Present: Jennifer Leishman Norm Johnson
Colin Harrison Leesa Cooper
Arlyn Brenchley John Kerr
Nick Rust Diana Cannell

Opening Ceremony: Colin Harrison

The Council reviewed the agenda. Ron Case made a motion, seconded by Thomas G. Bailey, to approve the agenda as presented.

YEA 5 NAY 0
Thomas G. Bailey
Gary Bates
Ron Case
Jackie D. Orton
Marcene Parker

The Council reviewed the minutes of the October 21, 2009 executive Council meeting. After discussion, Thomas G. Bailey made a motion, seconded by Marcene Parker, to approve the minutes of the October 21, 2009 executive Council meeting as presented.

YEA 5 NAY 0
Thomas G. Bailey
Gary Bates
Ron Case
Jackie D. Orton
Marcene Parker

The Council reviewed the minutes of the November 4, 2009 regular Council meeting. After discussion, Ron Case made a motion, seconded by Marcene Parker, to approve the minutes of the November 4, 2009 regular Council meeting as presented.

YEA 5 NAY 0
Thomas G. Bailey
Gary Bates
Ron Case
Jackie D. Orton
Marcene Parker

Norm Johnson representing Transfleet Services met with the City Council for a business license. Mr. Johnson stated that he provides maintenance on trucks and trailers for Sharp Transportation. Mr. Johnson stated that his company has a contract with Associated Foods to provide maintenance on their trucks and trailers in Ogden, Farr West, and Boise. Mr. Johnson stated that his company will take over the operation of the shop at Sharp Transportation. Marcene Parker stated that the Planning Commission asked several questions. The hours of operation will be Monday to Saturday from 7:00 a.m. to 3:30 p.m. Mr. Johnson and his partner have over 45 years experience. Ms. Parker stated that the Planning Commission approved the Level 1 "Home Occupation" permit. After discussion, Marcene Parker made a motion, seconded by Jackie D. Orton to approve the business license for Norm Johnson representing Transfleet Services.

YEA 5
Thomas G. Bailey
Gary Bates
Ron Case
Jackie D. Orton
Marcene Parker

NAY 0

The City Council opened the bids on the surplus property. They are as follows:

<u>Name</u>	<u>M. F. Tractor</u>	<u>Grasshopper Lawn Mower</u>	<u>1977 Ford Dump Truck</u>	<u>1980 GMC Dump Truck</u>	<u>1989 Chevy Pick-up</u>
Edward Hall	\$3200	\$327			
Paul Clark	\$400	\$250	\$300	\$650	\$100
Vance Broadhead	\$950	\$350	\$1200	\$975	
Mitch Maughan	\$2526.27				\$307.11
Jeff Pierce				\$777	\$337
Doyle Jones	\$1279				
Nolan Maughan		\$111.50			\$250.01
Ara Shatbazean	\$2661.26	\$199.26			
Tony Stauffer		\$688			
Ralph Parker	\$1234	\$250			
Stan Poulsen		\$210.11			
John Kerr	\$621	\$221	\$221	\$221	\$56

After discussion, Thomas G. Bailey made a motion, seconded by Jackie D. Orton, to approve the high bid on each of the surplus items,

Edward Hall	M.F. Tractor	\$3200
Tony Stauffer	Grasshopper Lawn Mower	\$688
Vance Broadhead	1977 Ford Dump Truck	\$1200
Vance Broadhead	1980 GMC Dump Truck	\$975
Jeff Pierce	1989 Chevy Pick-up	\$337

and that the items be paid and removed off City property by 12/3/2009.

YEA 5
Thomas G. Bailey
Gary Bates
Ron Case
Jackie D. Orton
Marcene Parker

NAY 0

Dianna Cannell of Peterson, Allred, & Jackson CPA's presented the 2008/2009 audit report. Ms. Cannell stated that there were no findings from the audit. Ms. Cannell stated that she is very pleased with the audit. Ms. Cannell stated that Wellsville City has faired very well considering the economy. Ms. Cannell stated that Wellsville City didn't exceed their budget. Ms. Cannell stated that Wellsville City has very detailed records and wonderful documentation. After discussion, Gary Bates made a motion, seconded by Ron Case, to accept the 2008/2009 audit report presented by Dianna Cannell of Peterson, Allred, & Jackson CPA's.

YEA 5
Thomas G. Bailey
Gary Bates
Ron Case
Jackie D. Orton
Marcene Parker

NAY 0

Mayor Maughan stated that she appreciates all of the hard work that Don Hartle, Leesa Cooper, and the other employees do to keep track of the City's expenditures.

Arlyn Brenchley representing Wellsville City Irrigation Company met with the City Council to give the quarterly report. Mr. Brenchley stated that they hired Val Kotter to clean out the culverts at 100 East and Main Street and 100 South and 100 East. Mr. Brenchley stated that they are holding a Water User's meeting on December 8, 2009 at 6:30 p.m. in the Wellsville City Offices. Mr. Brenchley asked if they needed to have an audit of their financial reports. Don Hartle stated that he didn't think they needed to have an audit. Mr. Brenchley stated that Brandon Baxter, an attorney, spoke to them about several issues. Mr. Brenchley stated that Wellsville City Irrigation Company does have Articles of Incorporation, but they do not have any by-laws. Mr. Brenchley discussed the outstanding delinquent water bills with the City Council. Mr. Brenchley stated that an individual can be charged interest and fees for advertising the sale of their water shares. According to Mr. Baxter, they can call in all of the existing water certificates and re-issue them. Mr. Brenchley thanked Mayor Ruth P. Maughan and Marcene Parker to their support, and welcomed Mayor-Elect Thomas G. Bailey, Colin Harrison, and Ron Case. Mr. Brenchley asked that a notice about the Water User's meeting on December 8, 2009 at 6:30 p.m. be added to the newsletter in the December water bill.

Department Reports:

Jackie D. Orton – 1) Update on Red Slide subdivision – Don Hartle will discuss in his report.

Ron Case – 1) DWR was at the Wellsville Dam yesterday with planter trucks – assumed they dumped fish into the dam.

Mayor Ruth P. Maughan – 1) Letter from citizen of Wellsville City concerning support of the Hyrum Library – have part of it added to the newsletter in the December water bill.

Thomas G. Bailey – 1) Wellsville City Irrigation Committee met, and an attorney discussed with them charging yearly fees as far back as they have records for.

Marcene Parker – 1) FEMA program is completed – add the resolution to the next City Council agenda to be signed. If there is a disaster, an ordinance has to be in place in order to apply for funding. There is money out there for grants for different projects.

City Manager/Recorders Report:

Don Hartle – 1) Reported on the revenue from July through October

Sales tax is down 16%

Roads is down 18%

Court fines are down 24%

2) Proposal for Red Slide subdivision:

A) All open space will be transferred to Wellsville City

B) All lot owners must participate in this program

C) Storm Water system & Entry pond – create a small berm between 235 South and 285 South

Reduce slope on east side of existing pond and mow – plant Kentucky Blue Grass

D) No playground equipment at this time

E) City owned and will maintain

F) Entry park – enlarge pond to handle excess runoff

G) Sprinkling system

H) All lot owners will have a monthly fee that will be on their Wellsville City utility bill

Amount has not yet been established

Jackie D. Orton asked if Wellsville City will pass the cost onto the lot owners. Don Hartle stated that it will be over a period of time, the lot owners will pay some of it back. Gary Bates stated that Wellsville City would own the west piece of open space. Mr. Hartle stated that Wellsville City will own all of the open space. Ron Case stated that the advantage of owning the big piece of open space is that it stops anyone from doing anything other than open space. Mr. Hartle stated that Wellsville City was responsible to make a recommendation. Mr. Bates stated that Wellsville City can enforce anti-dumping. Mayor Ruth P. Maughan stated that the Red Slide subdivision could put together some fund raisers if they want

playground equipment. Mr. Orton thinks that it is a good proposal. Mayor Maughan thinks that this is a great proposal. Mr. Case thinks that the City is taking a major step above and beyond what is needed or expected. Mr. Hartle stated that if something isn't done, someone will file a lawsuit against the City. Mr. Orton asked about the monthly fee. Thomas G. Bailey stated that he likes the proposal. Mr. Case asked what would happen if all lot owners didn't participate. Marcene Parker thinks that this is a good proposal, but is annoyed with it because of John Panos. Mr. Hartle stated that he will do some work on the fee so that it is a flat fee and not adjusting the fee every year. Mr. Hartle stated that he will invite the Red Slide subdivision committee into the next City Council meeting.

At 7:13 p.m., Ron Case made a motion, seconded by Gary Bates, to adjourn the meeting.

YEA 5

Thomas G. Bailey
Gary Bates
Ron Case
Jackie D. Orton
Marcene Parker

NAY 0

Ruth P. Maughan
Mayor

Don Hartle
City Manager/Recorder