

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, March 17, 2010, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilmen Ron Case, Colin Harrison, Carl Leatham, and Jackie D. Orton. 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 March 12, 2010. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present: Jennifer Leishman Glen Murdock
Brian Gardner Cindy Gardner
Hans Belka Braxton Maughan
Keone Tupuola Kent Jones
Chris Breinholt Perry Maughan
Gary Hendry Deanne Hendry
Don Davis

Opening Ceremony: Carl Leatham

The Council reviewed the agenda. Don Hartle added an executive session. Ron Case made a motion, seconded by Colin Harrison, to approve the agenda with the addition.

YEA 4 NAY 0
Ron Case
Colin Harrison
Carl Leatham
Jackie D. Orton

The Council reviewed the minutes of the March 3, 2010 meeting. Colin Harrison made a motion, seconded by Jackie D. Orton, to approve the minutes of the March 3, 2010 meeting as presented.

YEA 4 NAY 0
Ron Case
Colin Harrison
Carl Leatham
Jackie D. Orton

At 6:04 p.m., Councilman Gary Bates arrived at the meeting.

Don Hartle gave the Council a copy of the Warrant Register showing bills submitted to the Council for approval. After review and discussion, Jackie D. Orton made a motion, seconded by Colin Harrison, to approve the City's bills for payment, represented by check number 11460 through 11520.

YEA 5 NAY 0
Gary Bates
Ron Case
Colin Harrison
Carl Leatham
Jackie D. Orton

Mayor Thomas G. Bailey opened the meeting for public input.

A Scout asked who owned the creek at Center Street and 400 North. The irrigation company owns the creek, but John Kerr owns the property that it runs through. It was asked why the Scout wanted to know. He was asking about fishing on the creek. Mayor Thomas G. Bailey stated that he would need to get permission from John Kerr to go onto his property.

Brian Gardner stated that a couple of years ago, he heard that Wellsville City would not begin their meetings with prayer. He stated that he sees that the meetings are still opened with prayer. Ron Case stated that the City Council did take some heat concerning this issue, but felt that it is Wellsville's city meeting, and they could begin however they chose to do so. Mr. Case stated that it is opened to the audience to participate if they choose to do so. Don Hartle stated that the agenda was changed from opening prayer to opening ceremony.

The Child and Family Support Center met with the City Council to adopt a proclamation declaring April as Child Abuse Prevention month. Glen Murdock, representing the Child and Family Support Center, thanked Mayor Bailey and the City Council for their support and to let them know about this resource that we have in the community. The Child and Family Support Center is a non-profit organization, and was founded in 1982. Mr. Murdock listed all of the services that the Child and Family Support Center offers. Mr. Murdock read the Child Abuse Prevention Month Proclamation. Mr. Murdock stated that May 1, 2010, they will hold their annual 10k/5k race, which is based out of Wellsville City. Mr. Murdock stated that they are holding their annual benefit dinner and auction on April 16, 2010 at the Coppermill in Logan. Mr. Murdock gave some of the statistics of the Child and Family Support Center from 2009. In 2009, the Child and Family Support Center had 3,125 visits to the 24-hour crisis nursery, 3,682 calls to the 24-hour crisis hotline, 3,679 parents and children attended child abuse prevention classes, 216 parents attended child abuse classes, 237 founded cases of child abuse, and 681 reported cases of child abuse. Mr. Murdock left a packet of information for Wellsville City to distribute to its citizens. Mr. Murdock issued a challenge to the Mayor and City Council. They are holding a ribbon-cutting ceremony at 12:00 p.m. on April 1, 2010 on the steps of the County Courthouse, and would like a representative from Wellsville City to attend that event. Mayor Thomas G. Bailey thanked Mr. Murdock for attending this City Council meeting.

Jones & Associates met with the City Council to discuss services provided to Wellsville City. Kent Jones, owner of Jones & Associates stated that he appreciates the opportunity they have to serve Wellsville City. Mr. Jones stated that he enjoys working with Don Hartle. Mr. Jones stated that Mr. Hartle is a great leader and very organized. Mr. Jones stated that he opened Jones & Associates in 1984, and all they do is municipal engineering. They currently serve 13 communities. Mr. Jones stated that they have little overhead, which makes their rates reasonable and lower than most of the competitors. Because of specializing in municipal engineering, their marketing efforts are limited, which doesn't factor into their overhead and they can pass the savings down to the community. Mr. Jones believes that they have a great, competent staff. Mr. Jones stated that they have been the City Engineer for Brigham City, North Ogden, and Harrisville since opening their doors in 1984. Mr. Jones stated that if there is extra work to be done on a project that Jones & Associates do not have the expertise in, they will contract with a specialist in that field to work on the project with them. Mr. Jones stated that all of the engineers receive continuous training. Chris Breinholt with Jones & Associates stated that in March 2005, he began working with Wellsville City. Mr. Breinholt stated that the employees of Wellsville City knows the strengths of each engineering firm, and asked that the City County take into consideration the opinions of the staff of Wellsville City. Mr. Breinholt stated that he is currently working the new 1-million-gallon reservoir project, as well as the new bridge and trail around Wellsville Dam. Mr. Breinholt stated that he has worked on the 100 East road project, and has the culinary water module up and running. Mr. Breinholt stated that Jones & Associates have created several maps for Wellsville City, including the zoning, base, and utility maps. Mayor Thomas G. Bailey asked if Mr. Breinholt was called by Wellsville City for a quick answer, and the phone call may take 10 minutes, would Wellsville City receive a bill. Mr. Breinholt stated that most of the time no, but if he has 10 10-minute phone calls during the day, he has to charge that time to some project. Mr. Breinholt stated that he tries to be fair. Jackie D. Orton stated that the City Council wants to protect Wellsville City and its finances, but how does the City Council know they are getting a good price on a project. Mr. Jones stated that there is an element of trust. Mr. Jones stated that it is not cost effective to go out for proposal on every project. Mr. Breinholt stated that the City Engineer should function like a member of the City's staff. There is a level of trust built with the history of projects that the City Engineer works on and completes. Mr. Hartle stated that it is difficult to work with 2 different engineering firms. Mr. Hartle stated that he has no concern about being gouged by Jones & Associates, and feels that the City Engineer should very much be a part of the staff. Mr. Jones stated that there is a level of trust with the long-term clients that Jones & Associates represent. Their clients are happy with the services that Jones & Associates supplies them with, as well as the fees that they are charged. Ron Case stated

that Wellsville City does have an advantage, and that is that Mr. Breinholt lives in the community. Mr. Jones stated that it is hard for a city to operate with 2 engineering firms, and that it is good for the city and the city will receive a better service if they work with 1 engineering firm. Mr. Orton asked if there is a review period before the contract is renewed. Mr. Jones stated yes, there could be an automatic review period, and the contracts can be between 3 and 5 years. Perry Maughan stated that he appreciates the work that Mr. Breinholt does for Wellsville City, and is very impressed. Mr. Jones appreciated Mr. Maughan's comment, and stated that they try to be team players without an ego getting in the way. Mr. Hartle stated that he is not in favor of a review, as it takes years for the engineering firm to become familiar with the City. Mayor Bailey thanked Mr. Jones and Mr. Breinholt for attending this City Council meeting.

At 6:50 p.m., Ron Case made a motion, seconded by Carl Leatham, to go into public hearings:

YEA 5

Gary Bates
Ron Case
Colin Harrison
Carl Leatham
Jackie D. Orton

NAY 0

First, receive public input and consider for approval the preliminary plat for the Hendry subdivision at 40 North 100 West (1 additional building lot). Don Hartle stated that he received the new mylar yesterday with the corrections. Carl Leatham stated that there is a sewer line in front of the home and a sewer line running in the middle of the property. Mr. Leatham asked which sewer line they would connect to. Mr. Hartle stated that they would connect to the sewer line that runs in front of the property, and if they have a basement, they will have to have a sewer pump. Mayor Thomas G. Bailey asked if Mr. Hendry resolved his concern with the fire hydrant. Mr. Hendry stated that he hadn't resolved the concern yet. Mr. Hendry stated that the City Engineer would like him to install a fire hydrant in the middle of the block, when there is a fire hydrant on each corner of the new home. Mr. Hendry stated that there is not another block in Wellsville City that has a fire hydrant in the middle of the block. Chris Breinholt stated that the current state code says that the average distance from a fire hydrant should be 500 feet. Mr. Breinholt stated that has new development happens, Wellsville City needs to conform to state law. After discussion, Carl Leatham made a motion, seconded by Ron Case, to approve the preliminary plat for the Hendry subdivision at 40 North 100 West (1 additional building lot).

YEA 5

Gary Bates
Ron Case
Colin Harrison
Carl Leatham
Jackie D. Orton

NAY 0

At 7:00 p.m., Colin Harrison made a motion, seconded by Jackie D. Orton, to leave public hearings.

YEA 5

Gary Bates
Ron Case
Colin Harrison
Carl Leatham
Jackie D. Orton

NAY 0

Don Davis, representing the Cache County Building Inspectors Office, presented the annual building inspection report to the City Council. Don Davis stated that he hopes the building report will improve as the economy improves. There were a total of 32 different structures built in Wellsville during 2009. In 2008, there were 44 different structures built, and in 2007, there were a total of 85 different structures built. There were 10 single-family dwellings built in 2009. Single-family dwellings in other communities are as follows: Trenton – 2, River Heights – 3, Richmond – 7, Paradise – 4, Hyrum – 22, Millville – 12, and

Unincorporated – 21. Mr. Davis stated that the numbers on the year-end building report are down all over. Mr. Davis stated that his office doesn't inspect Logan, Nibley, Hyde Park, Smithfield, or Mendon. Mr. Davis stated that Wellsville is the most organized community that he works with. Don Hartle stated that he appreciates the work that Don Davis and his office does for Wellsville City. Mr. Hartle stated that he has heard that in the next 5 years, single-family dwellings are to have fire suppression systems in the home, and it will be forced through building permits. Mr. Davis stated that he can't give an exact answer, but it does seem that there is a push for it in that direction. Mayor Thomas G. Bailey thanked Mr. Davis for attending this City Council meeting, and appreciates working with Mr. Davis.

Gary Saxton was to meet with the City Council to discuss underground power versus overhead power. Gary Saxton did not attend the meeting. Don Hartle stated that Wellsville City requires underground power. Mr. Hartle stated that along 300 East, from 200 South to 300 South, all of the homes receive their power from a power pole. Mr. Saxton called Rocky Mountain Power, and they came out and installed a power pole. Mr. Hartle stated that Mr. Saxton doesn't want to pay for underground power, because he will basically be paying twice for power. Mr. Hartle stated that because power is required underground, the City Council needs to approve the power coming from a power pole. After discussion, Gary Bates made a motion, seconded by Jackie D. Orton, to accept the request from Gary Saxton to have above ground power to comply with the current structure of the neighborhood.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Ron Case	
Colin Harrison	
Carl Leatham	
Jackie D. Orton	

The City Council reviewed for approval the uncollectable utility accounts. Don Hartle stated that the uncollectable utility accounts are as follows:

<u>Name</u>	<u>Original Amount</u>
Farris Jay Hubbard	\$ 712.39
Farris Jay Hubbard	\$ 442.80
Robin Morris	\$ 154.18
Paul Flinn	\$ 206.96
Don Jenks	\$ 147.07
Ben Maughan	\$ 175.37
H & A Wiser Inc.	\$ 476.21
Dixie King	\$ 178.28
Patrick McClarney	\$ 458.88
Patrick McClarney	\$ 316.30
Alaina Carrera	<u>\$ 555.00</u>
TOTAL	\$3,823.44

Don Hartle stated that per the bad debt procedure, he asked that the City Council approve writing off \$3,823.44, but will actually write off \$3,768.44 leaving a \$5.00 balance on each account so that if they ever move back into Wellsville City, they can collect the entire amount. After discussion, Ron Case made a motion, seconded by Carl Leatham, to write off what Don Hartle has recommended and to keep the account active to collect the monies owed if possible.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Ron Case	
Colin Harrison	
Carl Leatham	
Jackie D. Orton	

Department Reports:

Jackie D. Orton – 1) Begin the sidewalk project – recommend beginning with the City Square. Good cement, just uneven. Find a contractor that specializes in cement and sidewalks. City will remove old sidewalk and furnish gravel. Contractor will qualify with lowest bid and be responsible for any sprinkler repairs. Ron Case – funding. Will see what bids are submitted. Don Hartle – doesn't think there will be a lot of cement to remove. Perry Maughan – suggested removing trees because they will grow back, personal opinion.

Colin Harrison – 1) Shade Tree & Beautification Committee – received some tree trimming training. Will hold a meeting next week. Budget – 30 days to submit any receipts.

Ron Case – 1) In the last 3 weeks, there have been a lot of people fishing along Wellsville Dam. Carl Leatham suggested opening on 100 East a 99-foot right-of-way between the Higbee and Benson homes going north from 700 South for parking. As the trail opens, there will be more traffic, and Wellsville will need more parking.

2) Add to the newsletter the 7th annual organ donation race – no – would like to see the policy in writing.

3) Horse Parade – July 17, 2010 – Cowboy Day – Craig Maughan

4) Arbor Day – Colin will plan at the Beautification Committee meeting.

5) Auditors comments concerning credit card for fire department – nothing against the law.

Gary Bates – 1) Handed out the park rules for the Wellsville Dam Recreation Area, Wellsville Square Park, and Black Willow Park. This is what is recommended that the signs say. Please review and give any feedback.

2) Grass Carp in the Wellsville Dam – mention it to Arlyn Brenchley – keep it low key.

3) Discussed cement that was dumped on the shore of the Wellsville Dam – it is there to keep from washing more of the shore away – ask Arlyn Brenchley.

Carl Leatham – 1) Planning Commission revising the General Plan and ready to implement - now revising in order to comply with Envision Cache Valley.

2) Discussed parking at the end of 600 South – in front of his home.

Mayor Thomas G. Bailey – 1) Received 2 applications for Planning Commission member, M. Kent Larsen and Paul Egbert. Both candidates were interviewed by Loyal Green, Carl Leatham, and himself, and they would like to have M. Kent Larsen fill the vacant Planning Commission seat. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to approve M. Kent Larsen to fill the vacant Planning Commission seat.

YEA 5

NAY 0

Gary Bates

Ron Case

Colin Harrison

Carl Leatham

Jackie D. Orton

Perry Maughan – 1) Mayor Thomas G. Bailey asked for Mr. Maughan's opinion on engineering firms. Mr. Maughan stated that he is not impressed with JUB Engineering. There are several projects that JUB Engineering has done that are not working correctly, and he is concerned with the quality of engineering at JUB Engineering. The Sterling Ridge subdivision has some issues with the water line, and JUB Engineering will not back their work. If there is a problem, JUB Engineering is always looking for someone to blame. JUB Engineering is very expensive. Mr. Maughan stated that if he had a vote, he would vote for Jones & Associates. He is impressed that they deal with communities only. Mr. Maughan stated that if Tom Maughan were in attendance to this meeting, he would agree with him also.

City Manager/Recorder Report:

Don Hartle – 1) As a member of the City Council, the City has to have a bond on each member. Handed out the application for each City Council member to fill out.

2) New Reservoir – drawings submitted to the State within 3 to 4 weeks, closed deal with Marlowe Archibald on property purchase. Working on estimate and obtaining financing.

3) Water line along 200 West – not much room on either side of the road. Supposed to start work on 200 West this summer – proposed starting at Highway 89/91 and working north. After discussion, Council agreed.

4) Received information concerning the credit card for the fire department from Mayor Bailey – will review and discuss at a later date.

5) Red Slide – talked with Randy Wall – more people would like to pay a lump sum, and if paying monthly, would like to have an end date. Will work on a proposal and discuss at a later date.

At 8:20 p.m., Gary Bates made a motion, seconded by Jackie D. Orton, to go into an executive session.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Ron Case	
Colin Harrison	
Carl Leatham	
Jackie D. Orton	

At 9:30 p.m., Jackie D. Orton made a motion, seconded by Gary Bates, to leave executive session and return to regular council meeting.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Ron Case	
Colin Harrison	
Carl Leatham	
Jackie D. Orton	

Gary Bates made a motion, seconded by Jackie D. Orton, to approve the salary adjustments Don Hartle submitted and recommended in executive session rather than no salary adjustments previously approved by the City Council. This also includes adjustment for Don Hartle.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Ron Case	
Colin Harrison	
Carl Leatham	
Jackie D. Orton	

At 9:40 p.m., Jackie D. Orton made a motion, seconded by Colin Harrison, to adjourn the meeting.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Ron Case	
Colin Harrison	
Carl Leatham	
Jackie D. Orton	

Thomas G. Bailey
Mayor

Don Hartle
City Manager/Recorder