

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, May 19, 2010, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilmen Gary Bates, 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, posted, and emailed and faxed to the Herald Journal on May 14, 2010. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present:

Jennifer Leishman	Mark Edminster
Clarke P. Maughan	Laurel S. Maughan
Kaylene Ames	John M. Anderson
Don Summit	Wilma Hall
Dale Anderson	Jan Anderson
Tim Anderson	Brenda Lusk
Delene Bailey	Monica Thompson
Cody Dobson	Kaden Clark

Opening Ceremony: Mayor Thomas G. Bailey

The Council reviewed the agenda. Don Hartle added an Eagle Scout project approval. Colin Harrison made a motion, seconded by Carl Leatham, to approve the agenda with the addition.

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

At 6:00 p.m., Ron Case made a motion, seconded by Colin Harrison, to go into a public hearing.

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

Mayor Thomas G. Bailey conducted the following public hearing:

Receive public input from the public with respect to (a) the issuance of the Series 2010 Bonds and (b) any potential economic impact the improvements financed with the proceeds to the Series 2010 Bonds may have on the private sector. The purpose of the Bonds are financing the construction of improvements to the culinary water system, not to exceed \$1,000,000.00, not to exceed 6% interest, and not to mature in over 20 years. Don Hartle stated that Mark Edminster with Lewis, Young, Robertson, & Burningham will be the financial consultant for the public funds. Mark Edminster stated that it is required by Utah State law that on all kinds of bonds, a public hearing has to be held. This is in order to start the legal process. Mr. Edminster stated that the current plan is to submit an application to finance this project, and that Utah State money is the cheapest money. Colin Harrison asked if it is his job to find Wellsville City the very best deal. Mr. Edminster stated yes. Jackie D. Orton asked when the bonds come into play if they are needed. Mr. Edminster stated that when the project is put out to bid. Mr. Edminster asked when Wellsville City intends to start construction. Mr. Hartle stated that the plans are at the State Water Board, and he will check with them around June 10, 2010 if he has not heard from them. Mr. Hartle stated that he plans to award the contract on July 6, 2010 at City Council meeting. Mr. Edminster stated that Wellsville City has been pre-qualified for the Utah State money. Mr. Hartle stated that this project is to stabilize and move water from one location to another. Mr. Hartle stated that if the State of Utah requires a code amendment that residents are unable to water outside from 10:00 a.m. to 6:00 p.m., Mr. Hartle stated that he is opposed to that.

Mr. Orton asked who purchases these bonds. Mr. Edminster stated a usually a bank will. Gary Bates stated that the 6% interest is about 1% higher than what was anticipated. Mr. Hartle stated yes. Mr. Bates stated that they do not mature in 20 years. Mr. Hartle stated that he anticipate 15 years. Mr. Edminster stated that these are the maximum requirements. Laurel Maughan asked about the bonding process, and if it is basically a secured loan. Mr. Edminster stated yes. John Anderson asked if there will be an increase in the water bill. Mayor Thomas G. Bailey stated that Wellsville City doesn't anticipate increasing the water bill. Mr. Edminster stated that these bonds will be secured by utility revenue, and that for every \$1.00 in bond debt, Wellsville City will have to prove that they have \$1.25 of net system revenues. Ms. Maughan asked if further updates will be posted on the website. Ron Case stated that he will post the information when it is given to him.

At 6:20 p.m., Ron Case made a motion, seconded by Gary Bates, to leave public hearings.

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

After discussion, Jackie D. Orton made a motion, seconded by Colin Harrison, to approve (a) the issuance of the Series 2010 Bonds and (b) any potential economic impact the improvements financed with the proceeds to the Series 2010 Bonds may have on the private sector. The purpose of the Bonds are financing the construction of improvements to the culinary water system, not to exceed \$1,000,000.00, not to exceed 6% interest, and not to mature in over 20 years.

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

The Council reviewed the minutes of the April 7, 2010 meeting. There were word changes on lines 52 and 298. Gary Bates made a motion, seconded by Carl Leatham, to approve the minutes of the April 7, 2010 meeting with the changes.

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

The Council reviewed the minutes of the April 21, 2010 meeting. There were word changes on line 344. Jackie D. Orton made a motion, seconded by Ron Case, to approve the minutes of the April 21, 2010 meeting with the change.

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

The Council reviewed the minutes of the May 5, 2010 meeting. There were word changes on lines 45, 89, 90, 192, 193, 196, 236 and 237. Ron Case made a motion, seconded by Gary Bates, to approve the minutes of the May 5, 2010 meeting with the changes.

YEA 5

NAY 0

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

Don Hartle gave the Council a copy of the Warrant Register showing bills submitted to the Council for approval. After review and discussion, Gary Bates made a motion, seconded by Carl Leatham, to approve the City's bills for payment, represented by check number 11605 through 11736.

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.

Laurel Maughan asked about the status of the sewer lagoons. Don Hartle stated that there are 35 poo-gloos that are in working condition in the sewer lagoons, and they have been working for quite some time. The poo-gloos need warm weather in order to activate. Dr. Kraig Johnson is up from Salt Lake City every other week testing. Wellsville City was the first city in the State of Utah to be regulated on phosphorus. From June through September, Wellsville City can dump 159 pounds of phosphorus in the Little Bear River. From October through May, Wellsville City can dump 794 pounds of phosphorus in the Little Bear River. Wellsville City has never had any problems with BOD or TSS. Last year, phosphorus measured at 1.52, and this year it is measuring at 1.13.

The Wellsville Foundation met with the City Council to discuss the structural evaluation of the Wellsville Tabernacle. Kaylene Ames handed out a price estimate sheet containing the different projects that needed to be completed in order for the tabernacle to be declared safe. The first 3 projects must be completed before the tabernacle can be occupied. The total of the first 3 projects is \$130,500.00. Gary Bates asked if the pricing came from Cartwright Engineers. Ms. Ames stated yes, but it is just an estimate. Ms. Ames stated that the Wellsville Foundation needs \$15,000 for the structural design plan. They have \$7,600 from the 2008 RAPZ tax that was originally for the heating/cooling system. They have \$12,000 from 2009 RAPZ tax, but they don't have \$15,000. Mr. Bates asked if it is the design work for items 1 through 3. Ms. Ames stated that it is the same. Mayor Thomas G. Bailey asked if straightening the beam will not affect the roof. Ms. Ames stated that is correct. Mr. Bates suggested detailing out items 1 through 3, and then going out to bid. Don Summit stated that the items are broken into phases. Colin Harrison asked about grants and raising money. Ms. Ames stated that the Wellsville Foundation is working towards obtaining different grants and raising money. Laurel Maughan asked if Wellsville City could afford to help the Wellsville Foundation with the structural design plan. Ms. Maughan stated that the Wellsville Foundation is looking into a capitol construction grant, and to see if there is any more active commitment from the residents of Wellsville City. Ms. Maughan stated that if Wellsville City is not willing to help the Wellsville Foundation, then her opinion is to tear down the building and haul it away. Ms. Maughan believes that the Wellsville Tabernacle is the most exciting civic center in Cache Valley, and the most historic. Mayor Bailey stated that Wellsville City can't give Wellsville Foundation an open-ended account. Mayor Bailey asked how much the Wellsville Foundation would like to see Wellsville City commit to. Mr. Summit stated that if the Wellsville Tabernacle is completely restored, it is still an old building that is sitting on a foundation that is 100 years old, or more. Ms. Maughan stated that the design specifications for the heating/cooling system have been completed. Wellsville City doesn't have a civic center, and has nothing that serves as a civic

center for the residents of Wellsville City. Ron Case asked if there was community support for all of these changes. Ms. Maughan stated that if the residents of Wellsville City were polled, it would probably be even. Ms. Maughan stated that she thinks it is foolish to let the tabernacle building go. Mr. Case stated that the Wellsville Tabernacle has always been an icon for Wellsville City, and it does have historical significance. Mr. Case read from the minutes of the City Council meeting dated April 21, 2010. In that meeting, Don Hartle gave a State of the City address. Wellsville City has always operated on a very thin budget. Mr. Case agrees with Mayor Bailey in the fact that Wellsville City can't give the Wellsville Foundation an open-ended account. Mr. Case asked what type of revenue does the Wellsville Foundation bring in. Ms. Ames stated that the 2009 year was the busiest year ever. There were 59 family gathering held at \$50 each. There were 23 public meetings held at no charge. There were 11 weddings held at \$100 each. There were 140 education classes held, and 5,330 volunteer hours. There were 21 special events held, 1 being Founder's Day. There were 5 Eagle Scout projects completed at the tabernacle, for a total of \$350 paid to do the Eagle Scout projects. There were 65 community functions held at no charge. Ms. Ames stated that the Wellsville Foundation is in no position to charge for the building because of the way that it looks. The Board Members of the Wellsville Foundation are willing to go out and find funding. Ms. Ames asked if Wellsville City supports saving the building and supports finding funding. Mr. Harrison stated that the questions are can the building be saved, and how much will it cost to be saved. Mayor Bailey stated that it would be cheaper to maintain the building that is already there, than to tear down the tabernacle and build another civic center. Mr. Summit stated that the Wellsville Foundation could come up with a scope of what they want the building to do, and then work with Cartwright Engineers to have the plans be in steps and phases with estimates. Ms. Maughan stated that Wellsville City still owns the building, so Wellsville City should decide what they want to do with the building. John Anderson stated that people use the tabernacle, and there is a benefit to having the tabernacle. Mr. Bates suggested coming up with a plan, putting it on a ballot to see if the residents of Wellsville City will support it, and then both Wellsville City and the Wellsville Foundation will have to accept the results. Mayor Bailey stated that he appreciated the work that the Wellsville Foundation does. Mayor Bailey asked where should this issue go from here. Ms. Ames stated that the Wellsville Foundation needs to find funding, such as grants for energy for replacing windows, and such. Mr. Bates stated that would be a piece-mill approach. Mayor Bailey stated that the Wellsville Foundation needs to be careful of asking citizens their opinion. A meeting and some education needs to take place in order for this issue to have a chance. Ms. Maughan asked if Wellsville City could supplement the \$12,000 they have now, and support the Wellsville Foundation with up to \$3,000 to finish the structural design plans. Don Hartle asked that this be completed before May 31, 2010, so that it can be included in the 2009/2010 budget. After discussion, Ron Case made a motion, seconded by Colin Harrison, that Wellsville City make a donation of \$3,000 to the Wellsville Foundation to pay for the completion of the structural design plans.

YEA 5

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

NAY 0

Brenda Lusk met with the City Council to discuss traffic signs. Ms. Lusk stated that the intersection of 100 South and 100 East has many children crossing to come to and go home from elementary school. The cars at this intersection are not stopping. There are yield signs on the east and west sides of this intersection, but there are no traffic signs on the north and south sides of this intersection. Ms. Lusk asked that this intersection be a 4-way stop intersection. Jackie D. Orton asked if the intersection should be a 4-way stop just during the school year. Ms. Lusk stated that the intersection should be a 4-way stop year around. Cody Dobson, the principal at Wellsville Elementary, drew a map of the intersection. Mr. Dobson stated that the crosswalks need to be high-visibility crosswalks with the large rectangles painted on the road. Don Hartle stated that Wellsville City has never painted crosswalks before. Mr. Orton asked why there are no crossing guards at this intersection. Mr. Dobson stated that it is not a state road. Kaylene Ames stated that cars do not stop for children, parents, or teachers. Laurel Maughan suggested that a stop sign be installed coming out of the tabernacle parking lot. Mr. Hartle stated that traffic signs are meant to move traffic, not control traffic. Ms. Maughan stated that she thinks that a 4-way stop at the intersection of 100 South and 100 East

is a legitimate concern. After discussion, Colin Harrison made a motion, seconded by Gary Bates, to approve a 4-way stop at the intersection of 100 South and 100 East.

YEA 5

NAY 0

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

The City Council considered for approval the final plat for the Dale Anderson subdivision containing a total of 2 lots (1 additional building lot) on property at 332 North 200 East. Don Hartle stated that the City Engineer has signed off on the final plat, and that the Planning Commission had no concerns. After discussion, Gary Bates made a motion, seconded by Jackie D. Orton, to approve the final plat for the Dale Anderson subdivision containing a total of 2 lots (1 additional building lot) on property at 332 North 200 East.

YEA 5

NAY 0

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

The City Council discussed possibly awarding a contract on bids received for sidewalk improvements. Mayor Thomas G. Bailey stated that Don Hartle and Councilman Jackie D. Orton had a pre-bid meeting concerning the sidewalk around the City Square. Steve Kerr and Brad Murray attended the pre-bid meeting. Steve Kerr was the only contractor that submitted a bid. Jackie D. Orton stated that there will be protection around the sidewalk so that residents will not use the sidewalk while it is being worked on. Mr. Orton stated that as a gift to Wellsville City, Mr. Kerr will add fiber mesh to the cement. Mr. Orton stated that Steve Kerr is the one contractor that he has worked closely with and has given ideas and suggestions for this project. After discussion, Jackie D. Orton made a motion, seconded by Carl Leatham, to accept the bid from Steve Kerr for sidewalk improvements. Wellsville City will pay \$10,000 from the 2009/2010 budget, and will pay \$7,000 from the 2010/2011 budget. Mr. Kerr will be responsible for any sprinkler repairs that need to be done.

YEA 5

NAY 0

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

The City Council discussed approving an authorization for City Manager/Recorder to sign various applications and documents associated with the culinary water improvement project. Don Hartle stated this is part of the process for the new 1-million-gallon reservoir. After discussion, Gary Bates made a motion, seconded by Colin Harrison, to approve an authorization for City Manager/Recorder to sign various applications and documents associated with the culinary water improvement project.

YEA 5

NAY 0

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

The City Council continued the discussion on the possibility of putting the “public transit tax” to a vote of the residents on the November ballot. Don Hartle stated that he spoke with Jill Zollinger, Cache County Clerk, about this issue. There is no reason why this issue can’t be on the November 2010 ballot, unless CVTD is not willing to make a run out to Wellsville. Mr. Hartle stated that the cut-off date for the November 2010 ballot is August 15, 2010. Mr. Butler, a representative of CVTD, needs to come to a City Council meeting this discuss this issue. After discussion, Jackie D. Orton made a motion, seconded by Ron Case, to continue the discussion of this issue at which time Mr. Butler representing CVTD can discuss the matter with the City Council.

YEA 5

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

NAY 0

Kaden Clark met with the City Council to discuss his Eagle Scout project. Mr. Clark stated that he would like to pour cement pads for the garbage dumpsters at the Wellsville Dam to sit on. Gary Bates stated that they would need to be 3 feet by 3 feet cement pads. Don Hartle suggested adding some rebar set into the cement for the dumpsters can slide down in so the dumpsters don’t tip over. Mayor Thomas G. Bailey suggested not using rebar, because even after it is painted, it still looks like rebar. Carl Leatham suggested using steel of some kind. Mayor Bailey stated that Wellsville City will pay one-half of the Eagle Scout project cost. Mr. Hartle suggested that the City Council approve the Eagle Scout project, and Mr. Clark return to City Council meeting in 2 weeks to discuss the cost. Mr. Bates suggested that Mr. Clark contact Dallas Hall, who gathers the garbage, to ask his input on the project. After discussion, Carl Leatham made a motion, seconded by Jackie D. Orton, to approve the Eagle Scout project for Kaden Clark.

YEA 5

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

NAY 0

Department Reports:

Jackie D. Orton – 1) Eagle Scout project for replacing sod after the sidewalk on the City Square has been finished – tie it into replacing the cement bench on Main Street and 100 East.

Colin Harrison – 1) Olsen’s request for a tree next to their son’s grave in the cemetery. The Shade Tree & Beautification Commission recommends no more trees in the cemetery. Discussed the Recreation Committee find a place for a Memorial Grove.

2) Cemetery – Dale Bankhead is sanding and repainting the monument at the cemetery on Saturday, May 22, 2010 at 7:00 a.m.

3) Memorial Day program – suggestions for entertainment.

Ron Case – 1) City Manager Meeting – asked if there is a need for the City to declare a disaster cap. Handed out an article concerning this issue – will research it more.

2) Utah League of Cities & Towns – September 15 – 17, 2010 – will cancel City Council meeting that week.

3) Discussed opening and closing public hearings, and how it should be done.

Mayor Thomas G. Bailey – 1) Received a packet from Steven Heniger’s College to sponsor a scholarship – have never done it in the past – No.

2) Discussed a citizen who goes around town and writes letters to residents who park unlicensed, non-working, long periods of time, etc. vehicles and trailers on the city right-of-way. The City has received some complaints about the letters that have been issued. This will be added to the next agenda.

Gary Bates – 1) The signs for the parks have been printed. They will be installed very soon.

2) Talked with Nate Plowman about serving on the Recreation Committee, and he is too busy. Discussed Paul Egbert to serve a 2-year term on the Recreation Committee. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to nominate Paul Egbert to serve a 2-year term on the Recreation Committee.

YEA 5

NAY 0

Gary Bates

Ron Case

Colin Harrison

Carl Leatham

Jackie D. Orton

3) The price of the bridge over Wellsville Dam came in higher than anticipated. The reasons were because the cost of steel has gone up and there was a mistake made in the calculation. The price that was told to Mr. Bates was \$65,000. Mr. Bates put in for the grant for \$80,000. The bid came back at \$120,000.

4) The 4 Hims will not be performing on June 19, 2010 for Wellsville City’s Music in the Park. The Recreation Committee is trying to get the Simmons Brothers.

5) June 5, 2010 – Youth Fishing Derby – 8:00 a.m. to 12:00 p.m. – ages 15 and under. Will be using the west side for the kids.

6) Still working on getting the sterile grass carp.

Carl Leatham – 1) Ryan Higbee – improvements for his business license – report to Don Hartle.

2) Property purchased from the Parker family – still being farmed – yes – any thoughts as to dandelion control - will look into it.

3) Sidewalk on 500 South – was voted not to have a sidewalk on 500 South. Discussed extending the trail system on 400 South up to Center Street. The high ground is privately owned.

4) Thank Wellsville City for being in the forefront with their planning. Wellsville City is an example. The City Officials should be commended, and a big thanks to City Planner Jay Nielson.

City Manager/Recorder Report:

Don Hartle – 1) Asked if there were any changes to the tentative budget – will begin working on the final budget and adding it in the computer.

2) Red Slide – City Attorney Bruce Jorgensen is working on an agreement.

3) The bridge on 400 North by the old Sharp Transportation building was downgraded 2 years ago, and rated as unsafe. UDOT was responsible for this decision. Wellsville City made some improvements to the bridge. Another inspection was done on Monday, May 17, 2010. The improvements made by Wellsville City have done nothing to improve the integrity of the bridge according to the UDOT Inspection on May 17, 2010. If nothing is done, and something does happen, Wellsville City will be held liable.

4) Handed out a copy of Hyrum’s newsletter – power rates went up 30% - property tax, water, sewer, and storm water rates were all raised in order to balance their budget. Wellsville City will be facing some of the same realities in future years.

At 9:16 p.m., Jackie D. Orton made a motion, seconded by Colin Harrison, to adjourn the meeting.

YEA 5

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

NAY 0

Thomas G. Bailey
Mayor

Don Hartle
City Manager/Recorder