

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, June 16, 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 and emailed and faxed to the Herald Journal on June 10, 2009. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present: Jennifer Leishman Todd Beutler
Darwin Call Julie Call
Justin Call Randy Wall
Bonnie Case Eric Seeholzer
Chris Freeze Hannah Freeze

Opening Ceremony: Carl Leatham

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

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

The Council reviewed the minutes of the June 2, 2010 meeting. There were word changes on lines 253 and 254. Jackie D. Orton made a motion, seconded by Carl Leatham, to approve the minutes of the June 2, 2010 meeting with the changes.

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

Justin Call met with the City Council concerning an Eagle Scout project. Mr. Call would like to seal the outside walls of the restrooms at the Wellsville City Square and the Wellsville Dam. Mr. Call plans to pressure wash the walls, and then use a sealant. Each restroom is 810 square feet. Mr. Call believes that he will need 20 gallons of sealant for this project. Sherwin Williams will sell the sealant to Mr. Call for \$16.99 per gallon, which equals \$339.80. This will provide one coat for each building. Gary Bates stated that this is a good project to have completed. Mr. Call stated that Sherwin Williams will donate one-half of the cost of the sealant. Randy Wall stated that he will donate one-half of the cost of the sealant. Mr. Call will have to mask off the drinking fountain and the sidewalk around the restrooms. Mr. Call stated that he will use a bug sprayer to apply the sealant. Don Hartle stated that Mr. Call would need to coordinate his efforts with the front office staff to ensure that the facilities have not been rented out. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to approve the Eagle Scout project for Justin Call, and that one-half of the materials will be donated by Sherwin Williams and the other half of the materials will be donated by Wall-to-Wall Painting.

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

Gary Bates reported to the City Council that Joshua Birmingham sealed the tables at the Wellsville Dam, and did a great job. Mr. Bates asked if he could purchase a length of chain and a paddle lock to lock the smaller tables together so that people can't pull them over next to the dam in order to fish off of them. Don Hartle stated that Wellsville City has tried that, and people will bring tools in order to cut the chains, or they will pull all of the tables next to the dam. Mr. Hartle stated that some people will get angry enough that they push the tables into the dam. Mr. Bates stated that the pavilions at the Wellsville City Square and the Wellsville Dam are in need of a paint job. Mr. Bates stated that 2 young men will be painting the pavilion at the Wellsville Dam, and the Youth Council will be painting the pavilion at the Wellsville City Square. Mr. Bates stated that Nick Palmer will be laying sod around the batting cages. Mr. Bates stated that Riley Seeholzer will to installing signs at the different parks around Wellsville City.

At 6:15 p.m., Colin Harrison made a motion, seconded by Jackie D. Orton, to go into public hearings:

YEA 5

NAY 0

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

First, receive public input on the adoption of a resolution opening all of the Cities' 2009/2010 budgets and making interdepartmental transfers and adjustments to balance the budgets. Don Hartle reviewed with the City Council the changes that were made to balance the budget.

Second, receive public input on the adoption of a resolution setting the salary ranges for the city employee for 2010/2011. Don Hartle stated that full-time position employees will receive \$50.00 per month raise, hourly employee will receive a \$.25 per hour raise, and part-time positions \$25.00 per month increase, as was approved by the City Council on March 17, 2010.

Third, receive public input on the adoption of a code amendment setting the salaries and benefits of statutory officers and elected officers for 2010/2011. Ron Case asked about the bonus Mayor Ruth P. Maughan has been receiving. Don Hartle explained the history of the Mayors' salary, and gave the history of it. Ron Case asked about the Justice of the Peace salary, and that a portion of his medical premiums are paid by Smithfield City. Mr. Case asked if Smithfield City adjusts their percentage down, then Wellsville City's percentage goes up. Mr. Hartle stated that the City Manager of Smithfield City is upfront with those costs. Mr. Case suggested paying the premiums up to a limited amount of a percentage. Mr. Case asked about the Mayor's bonus, and asked the opinion of the City Council. Gary Bates stated that there are a number of hours that are associated with being mayor. Bonnie Case asked why it is called a bonus and not part of the salary. Don Hartle stated that when the motion was made by Lynn P. Cooper, Mayor Ruth P. Maughan was to receive a bonus for as much time as she spent for Wellsville City. Jackie D. Orton stated that it shouldn't be a bonus, but just increase the salary. Don Hartle stated that is difficult because someone may be elected that has a full-time job, and may not spend as much time in behalf of the City. Mayor Thomas G. Bailey asked about the amount of time that he spends in behalf of Wellsville City as compared to Mayor Ruth P. Maughan. Mr. Hartle stated that Mayor Bailey spends as much time on behalf of Wellsville City as Mayor Ruth P. Maughan did.

Fourth, receive public input on the adoption of a resolution adopting the 2010/2011 certified tax rate. Don Hartle stated that the tax rate for the fiscal year 2010/2011 is .001151. The current certified tax rate for fiscal year 2009/2010 is .001072. Mr. Hartle stated that included in this calculation for this year is the 'Fee in Lieu'.

Fifth, receive public input on the adoption of a resolution adopting the 2010/2011 operating and capital budgets for the General Fund, Capital Facilities Fund, Water Fund, Sewer Fund, and Storm Water Fund. Don Hartle stated that there was very little change from the tentative budget that was adopted in April.

Sixth, receive public input for the possible adoption of a resolution which sets the dollar value for the Fee in Lieu of Water Dedication Transfer upon annexation, development, and/or subdividing for fiscal year 2009/2010. Don Hartle stated that there is not much that has changed with the water, so his recommendation is to leave it at the current rate of \$3,000 per acre foot.

No one in the audience had any input during the public hearings.

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

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

Jackie D. Orton made a motion, seconded by Gary Bates, to approve **RESOLUTION 2010-06 OPENING THE 2009/2010 FISCAL YEAR GENERAL FUND, CAPITAL FACILITIES FUND, WATER FUND, SEWER FUND, AND STORM WATER FUND, BOTH OPERATING AND CAPITAL BUDGETS, PREVIOUSLY ADOPTED AND MAKING TRANSFERS AND ADJUSTMENTS AND AUTHORIZING CERTAIN INTERDEPARTMENTAL TRANSFERS WITHIN.**

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

Carl Leatham made a motion, seconded by Gary Bates, to approve **RESOLUTION 2010-07 ESTABLISHING THE SALARY RANGES AND BENEFITS FOR THE EMPLOYEES OF WELLSVILLE CITY, COVERING THE BUDGET YEAR JULY 1, 2010 THROUGH JUNE 30, 2011.**

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

Ron Case made a motion, seconded by Jackie D. Orton, to **ADOPT CODE AMENDMENT 2010-01** adopting **AN AMENDMENT OF THE WELLSVILLE CITY CODE FOR THE PURPOSE OF SETTING SALARIES AND BENEFITS FOR THE ELECTED AND STATUTORY OFFICERS.**

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

Colin Harrison made a motion, seconded by Ron Case, to approve **RESOLUTION 2010-08 ESTABLISHING THE MUNICIPALITY CERTIFIED TAX RATE FOR FISCAL YEAR 2010/2011.**

YEA 5

NAY 0

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

Gary Bates made a motion, seconded by Carl Leatham, to approve **RESOLUTION 2010-09 APPROVING AND ADOPTING THE FISCAL 2010/2011 OPERATING AND CAPITAL BUDGETS FOR WELLSVILLE CITY'S GENERAL FUND, CAPITAL, CAPITAL FACILITIES FUND, WATER FUND, SEWER FUND, AND STORM WATER FUND.**

YEA 5

NAY 0

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

Jackie D. Orton made a motion, seconded by Colin Harrison, to leave the dollar value for the Fee in Lieu of Water Dedication Transfer upon annexation, development, and/or subdividing for fiscal year 2010/2011 at \$3,000 per acre foot.

YEA 5

NAY 0

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

Colin Harrison made a motion, seconded by Ron Case, to suspend the signing of the resolutions and code amendment documents until the end of this meeting.

YEA 5

NAY 0

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

The City Council discussed with Todd Beutler representing Cache Valley Transit District regarding potential bus service to Wellsville City. Mr. Beutler stated that the Cache Valley Transit District is governed by a Board of Trustees. The Board of Trustees establishes the growth criteria for the CVTD. There are 3 areas of concern for the Board of Trustees. They are: 1) how will the population grow within the current district boundaries, 2) adding service outside of the district, but still within Cache County, and 3) adding service outside of Cache County. The ridership standards are 10 passengers per trip. Wellsville City would be part of the level 2 of the growth criteria. The CVTD would design a route, and then receive input from the citizens of Wellsville City. Every 5 years, CVTD is required to produce a short-range transit plan. The CVTD will be doing this short-range transit plan next year, and service to Wellsville City would be reviewed. Mayor Thomas G. Bailey stated that in order for Wellsville City to receive bus service, it would need to be put to an election. Mr. Beutler stated that there would be 2 issues to vote on. The first issue would be to become part of the district, and the second issue would be that the bus service would be funded by part of the sales tax collected in Wellsville City. The district would then determine what they would want to do. Ron Case asked if there was any value in holding an election if Wellsville City would not be receiving bus service to 2 to 3 years. Mr. Beutler stated that he would recommend that Wellsville City wait until the short-range transit plan is completed. Mr. Beutler stated that the short-range transit

plan would be completed the end of 2011. The CVTD has many requests for service. Mr. Case stated that 1 citizen has asked about handicapped access. Mr. Beutler stated that service is called 'Call A Ride'. If the call for a ride is within ¾ mile radius of the regular bus route, CVTD provides curb to curb service for the handicapped. Gary Bates asked about commuter service. Mr. Beutler stated that it is similar to 'Call A Ride'. This service is for individuals who are unable to get to the bus stop for any reason. The individual must submit an application in order to be approved for this service. Mr. Beutler stated that Wellsville City could start with the 'Call A Ride' service. Mr. Case is concerned about justifying the cost for a single person. Mr. Beutler stated that they do group trips when they can. Mr. Beutler stated that Wellsville City would need to hold a public meeting, a route would need to be developed by CVTD, and the citizens would need to be informed on what they are voting on. Mr. Beutler stated that CVTD is funded by 3/10 of 1% of the sales tax collected in Wellsville City. Mayor Bailey stated that the problem is that the citizens of Wellsville City want this service, and they are blaming the City Council for not having this service, when the City Council has no control over it. Mr. Beutler stated that he is required to report back to the Board of Trustees that Wellsville City has requested bus service. Mr. Beutler stated that there are many different factors that go into the short-range transit plan. Mr. Beutler stated that a model will be used, public input, telephone surveys, and surveys of CVTD riders and non-riders. Mr. Beutler stated that he will continue to work with Wellsville City to see if this issue can be resolved. Mr. Beutler stated that if there are any questions, to please contact him. Mayor Bailey thanked Mr. Beutler for attending City Council meeting.

Chris and Hannah Freeze met with the City Council concerning their trailer parked on the city's right-of-way. Mr. Freeze stated that the individual who patrols this chalked his trailer's tire. Mr. Freezes' neighbor got in his car and followed the individual. The individual passed 9 other trailers and didn't chalk any of their tires. Mr. Freeze stated that his first violation gave him 7 days to move the trailer. The second violation gave him 48 hours to move the trailer. Mr. Freeze stated that the code posted on Wellsville City's website states 24 hours to move the trailer. Mr. Freeze asked which time limit is correct. Mr. Freeze asked who the individual was that marked the tires. Mayor Thomas G. Bailey stated that it is a gentleman who volunteers his time to the City. Jackie D. Orton stated that the idea behind this ordinance is to keep the City's streets clear. Mayor Bailey stated that he has no idea about the consistency of the gentleman who marks the tires. Mr. Freeze stated that his point of being here is that he feels that he is being singled out, and would like to have every citizen of Wellsville City held to the same standard. Mr. Freeze stated that his trailer is licensed and registered. Mr. Freeze stated that his address is 308 North Center Street. Mayor Bailey stated that he will talk with the individual about consistency. Mayor Bailey stated that he would recommend that the trailer be moved within 48 hours.

Ron Case stated that he is uncomfortable with dropping the bonus for Mayor Thomas G. Bailey. After discussion, Ron Case made a motion, seconded by Jackie D. Orton, to pay Mayor Thomas G. Bailey a stipend of \$975 per quarter effective July 1, 2010 through June 30, 2011, and it should be renewed on an annual basis.

YEA 5

NAY 0

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

The City Council continued their discussion on the sidewalk into Wellsville Dam park area from Center Street. Mayor Thomas G. Bailey stated that this issue has been discussed several times. The City Council has taken a field trip to review the area. Mayor Bailey recommended that a decision be made concerning this issue. Jackie D. Orton stated that a motion needs to be made. Ron Case stated that part of the motion should include the larger water line now. Mayor Bailey asked if there was money in the budget to install a larger water line and a sidewalk. Don Hartle stated that there is money in the capital facilities fund to install both the larger water line and the sidewalk. Gary Bates asked why the water line needed to be upgraded. Mr. Hartle stated that according to the water model, there is no change in the water line for new homes. When a public works facility is built on the remaining parcel of property, an 8-inch water line is needed for additional fire protection. Mr. Hartle asked if it makes a difference when the sidewalk is installed.

Mayor Bailey stated that the meandering sidewalk is a dead issue. It was discussed that a new water line be installed and that the sidewalk is installed over the abandoned water line. The south edge of the sidewalk would be 12 feet from the asphalt, and the 8-inch water line would be installed in between the asphalt and the sidewalk. After discussion, Jackie D. Orton made a motion, seconded by Colin Harrison, to install a sidewalk 12 feet from the asphalt, and the 8-inch water line installed in between the asphalt and the sidewalk on the north side of 500 South from Center Street to 100 East.

YEA 5

NAY 0

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

Department Reports:

Jackie D. Orton – 1) At the top of the Red Slide subdivision, there is a problem with the water pressure. There is not enough pressure to run the sprinkling systems. Don Hartle stated that when the State of Utah came out to test the pressure, it was discovered that there was a problem from the water meter into the home.

2) Wellsville City Square sidewalk – begin work on June 21, 2010.

Colin Harrison – 1) Al Scott working on the City’s sound system – thinks it may be worth fixing.

2) Be thinking of a theme for Founder’s Day.

Ron Case – 1) Received a copy of Mendon’s storage and junk car ordinance, and asked that Don Hartle include a copy of it in the next packet.

Mayor Thomas G. Bailey – 1) Thanked the City Council for all of the work they do on behalf of the City. He appreciates what they do.

Gary Bates – 1) Sterile carp report – gave to Don Hartle.

2) Music in the Park – Simmons Brothers – June 19, 2010 – 7:00 p.m.

3) Paul Egbert accepted a term to serve on the Parks & Recreation Committee

4) ATV’s – young kids riding with no helmets. Need to pass a City regulation to limit the age of the rider and require a helmet. Colin Harrison stated that speed is a concern for him. Jackie D. Orton stated that kids on ATV’s speed on the trail next to the canal along 200 West.

5) Appreciate Brett Jorgensen for all of his work concerning the Youth Fishing Derby.

Carl Leatham – 1) The Planning Commission has recommended approval of the Master Plan to the City Council. A public hearing is scheduled for July 7, 2010.

City Manager/Recorders Report:

Don Hartle – 1) Cemetery – planning and working towards surveying a new section to the east. Will not begin to sell lots in it until all other lots are sold. Will recommend that all headstone have to be flat with the ground in that section.

2) Utah League of Cities and Towns – September 15 – 17, 2010 – will make reservations for rooms.

3) New Reservoir – have discussed building reservoir without raising water rates, and the intent is to still not raise water rates. The time table is as follows: June 15, 2010, an ad was placed in the Herald Journal to pick up plans for building the new reservoir. Bids are due back July 6, 2010 by 10:00 a.m. This will give City Engineer Chris Breinholt time to review them. On July 7, 2010, this issue will be discussed at the City Council meeting. A new regulation in bonding with the State of Utah is for every \$1.00 in expenses, a City has to have \$1.25 in revenues. If the City contributes \$500,000 and has to borrow \$1,000,000, Wellsville City would have to increase water rates by \$8.50. A part of the problem is the auditors. When Wellsville City spent \$225,000 for new water meters, it had to be expensed, it couldn't be depreciated. Mr. Hartle, in good conscience, can't raise water rates \$8.50. Mr. Hartle will not know anything until the bids are received. Mr. Hartle stated that his opinion is to proceed on this as they have in the past. Mr. Hartle is requesting from the City Council to authorize him to put a notice in the Herald Journal concerning a public hearing in case there is a need to raise culinary water rates. Mr. Hartle explained that there will be a loan that pays off January 1, 2013. In the years 2011, 2012, and 2013, Wellsville City would be short \$277,000 for those 3 years. If the Capital Facilities fund contributes to the Water Fund \$100,000 over 2 years, and they also use the reserve that is required after this loan is paid off, culinary water rates would be increase by \$3.00 per month. After discussion, Mr. Hartle will proceed.

Mayor Thomas G. Bailey signed the resolutions and code amendment documents pertaining to this meeting.

At 8:51 p.m., Colin Harrison made a motion, seconded by Jackie D. Orton, 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