

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, August 18, 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 Treasurer Leesa Cooper 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 August 12, 2010. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

<u>Others Present:</u>	Jennifer Leishman	Robert Kurek
	Dave Kurek	Brian Leishman
	Connie Leishman	Scott Einerson
	Tammy Einerson	Karma Leatham
	Charlene Knighton	Cole Knighton
	Mandi McBride	Randy Wall
	Jim McCaughey	Sam Winward
	Eric Seeholzer	Riley Seeholzer
	Glenna Petersen	

Opening Ceremony: Mayor Thomas G. Bailey

City Manager/Recorder Don Hartle was excused from this meeting.

The Council reviewed the agenda. Gary Bates added an Eagle Scout project. Ron Case made a motion, seconded by Colin Harrison, 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	

The Council reviewed the minutes of the August 4, 2010 meeting. There were word changes on line 142. Colin Harrison made a motion, seconded by Jackie D. Orton, to approve the minutes of the August 4, 2010 meeting with the changes.

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

No one was in attendance for citizen input.

Robert Kurek met with the City Council to discuss a business license. Mr. Kurek, and his brother, Dave Kurek, would like to open a R.V. repair shop. There were conditions that were given to them by the Planning Commission last week, and they have agreed to all of them. Carl Leatham stated that the conditions are as follows: 1) the shop is for R.V. repair only, 2) there is to be no parking on the east side of the building, or on the north side of 760 South, 3) there can be a total of 5 trailers parked on the outside of the building, 4) there can be a total of 3 trailers parked on the inside of the building, 5) the hours of operation are 7 a.m. to 7 p.m., April through September, and 8 a.m. to 5 p.m., October through March, 6) there is drop-off, short-term parking in front of the building, and 7) Wellsville City will install some no parking signs along the north side of 760 South. Colin Harrison asked if they would sell R.V. trailer parts. Mr. Kurek stated yes. After discussion, Jackie D. Orton made a motion, seconded by Carl Leatham, to approve the business license for Robert Kurek. The name of his business is South Valley RV Repair.

YEA 5

NAY 0

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

The City Council reviewed for approval the final plat for the LaVell Leishman subdivision containing a total of 3 lots (2 additional building lots) on property at 245 North 100 East. Brian Leishman stated that they have done everything that the City has asked them to do, and now they are waiting for final approval. Carl Leatham stated that the Planning Commission approved this with no restrictions. Mr. Leatham stated that there were some questions concerning the small house on the south side of this property, but it has no bearing on this subdivision. After discussion, Ron Case made a motion, seconded by Gary Bates, to approve the final plat for the LaVell Leishman subdivision containing a total of 3 lots (2 additional building lots) on property at 245 North 100 East.

YEA 5

NAY 0

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

Riley Seeholzer met with the City Council to discuss his Eagle Project. Mr. Seeholzer will be installing 5 small "park closed" signs at the different parks in Wellsville City and 2 large "park rules" signs. Mr. Seeholzer asked where the Council would like the different signs to be installed. Mr. Seeholzer stated that he would be posting them on cross beams. Gary Bates stated that the signs would be more stable if they were attached to the buildings. Jackie D. Orton stated that the signs would be more sheltered by weather if they were attached to the buildings. Mr. Bates asked if Mr. Seeholzer will have enough hours for his project. Mr. Seeholzer stated that he hoped he would have enough hours. Mr. Bates asked if Mr. Seeholzer would install 4 usage signs for the new trail around Wellsville Dam. Mr. Seeholzer stated that he would install the 4 usage signs for the new trail around Wellsville Dam. Ron Case asked when the project would be completed. Mr. Seeholzer stated that he would like to complete it before school starts on August 26, 2010. After discussion, Gary Bates made a motion, seconded by Jackie D. Orton, to approve the Eagle Scout project for Riley Seeholzer.

At 6:30 p.m., Ron Case made a motion, seconded by Gary Bates, to go into a public hearing:

YEA 5

NAY 0

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

Conduct a public hearing to receive public input and consider the recommendation of the Planning Commission that a code amendment be approved on a request from Scott Einerson that property at 65 East 600 South (1.52 acres) be rezoned from RA-1 to R-1-12. Mr. Einerson stated that he would like to build a home on the back lot. Carl Leatham stated that the Planning Commission approved this because it is in the master plan that this property can be rezoned to R-1-12. The property does meet the city code, and it is adjacent to property that is zoned R-1-12. Colin Harrison asked if the full lot is 1.52 acres. Mr. Einerson stated yes. Mr. Harrison asked where the access to the second lot is. Mr. Einerson stated that it would be on the east side of the property. Mr. Leatham stated that no subdivision is being discussed at this point. Gary Bates asked if notification had been sent to the neighbors. Leesa Cooper stated yes. Cole Knighton asked what the definition of inter-block development is. Mayor Thomas G. Bailey stated that if an individual has 82 ½ feet of frontage on a road, that individual can build anywhere on the lot that they

choose as long as setbacks and side yard requirements are met. Mr. Leatham stated that it is similar to what David Hash has done with his property and where the home sits on it. Mr. Bates stated that Wellsville City has created a buffer around the Wellsville Dam. This type of building would have a negative effect on the walking trail around Wellsville Dam. The neighbors positioned and built their homes thinking that there is a buffer around the Wellsville Dam. This is a recreational area, which should have a buffer around it. This will have a negative effect on the neighbors to the west and north of Mr. Einerson. Mr. Einerson stated that he has kept his property up, and that it will be nicer with a new home on it. Mr. Bates stated that the difference is when people use the walking trail around the Wellsville Dam; there is a reservoir and an open field instead of a reservoir and a house. Karma Leatham stated that she used the walking trail around the Wellsville Dam, and doesn't see how this new home would cause any negative effects.

At 6:45 p.m., Ron Case made a motion, seconded by Colin Harrison, to close the public hearing:

YEA 5

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

NAY 0

After discussion, Carl Leatham made a motion, seconded by Jackie D. Orton, to **ADOPT CODE AMENDMENT 2010-04** adopting **AN AMENDMENT AMENDING THE WELLSVILLE CITY CODE, TITLE 10, LAND USE REGULATIONS, CHAPTER 4, ZONES ESTABLISHED, AMENDING THE ZONING MAP TO REZONE CERTAIN PROPERTY FROM RA-1 TO R-1-12.**

YEA 3

Colin Harrison
Carl Leatham
Jackie D. Orton

NAY 2

Gary Bates
Ron Case

Mandi McBride met with the City Council to discuss the "Run for Haiti". Ms. McBride stated that this is the third year that she has organized this fundraiser. Ms. McBride would like to use the pavilion on the Wellsville City Square on September 25, 2010 from 8:00 a.m. to 11:00 a.m. Leesa Cooper stated that Ms. McBride is penciled in on the calendar waiting approval from the City Council. Colin Harrison asked how many participants there will be. Ms. McBride stated that she has had up to 150 participants in the past, and is hoping for more this year. Ms. McBride stated that Paul Todd has offered to help with traffic. This fundraiser will be a 5k run or a 1 mile walk. Gary Bates stated that since this is a local fundraiser, he suggests waving the pavilion fee. After discussion, Gary Bates made a motion, seconded by Colin Harrison, to accept the proposal from Mandi McBride for a "Run for Haiti" fundraiser, and waving the pavilion fee.

YEA 5

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

NAY 0

The City Council continued their discussion of the open space and the Red Slide West Park. The Red Slide subdivision committee submitted the following proposal to Wellsville City:

We the following residents of Redslide phase three lot owners are in support of the city proposal with the following additions:

1. The open space be deeded over to the city with the allowed uses being:
 - a. Agriculture crop production compatible with adjacent residential development.

- b. Conservation areas, including, but not limited to, wilderness areas, watersheds, wildlife refuges, wetlands, river ways, drainage ways and riparian zones.
 - c. Forests and forest experimentation.
2. It is the intent of these deed restrictions to permanently and in perpetuity keep the 22.23 acres described in Exhibit D “Redslide Subdivision Phase 3 Boundary Description” as a natural area to provide buffer, wildlife refuge and maintain the view and natural beauty of the area in order to maintain and enhance the quality of life and subdivisions owners’ equity in their property in Redslide Subdivision.
 3. Also, keeping in mind that as the time goes by, situations change and the City of Wellsville may want to make certain changes to these restrictions (ex. underground utilities, new pump station) in order to maintain or enhance the quality of life in Redslide Subdivision. In order to make it possible to accomplish this, the City of Wellsville may make changes to these restrictions by obtaining a two thirds majority vote of the Redslide Subdivision Phase 3 property owners.
 4. Also that Phase 3 has 1 representative that can work with a professional designer and the City of Wellsville on the park plan.
 5. That a professional landscaper and designer do the final work on the park.
 6. Residents have full disclosure on retention pond. (upper)

Colin Harrison asked what homes make up the Red Slide subdivision phase 3. Randy Wall stated that phase 3 is all of the homes on the upper road, 1 house on the south road, and all of the north road down to, but not including, Malm’s. Mr. Harrison asked how the meeting went last Wednesday. Gary Bates stated that he thought it went well. It was not a large meeting. Mr. Bates stated that he would like to contact Lindsay Bankhead to design the park because he fully supports the idea of the park being designed. There will be a reasonable limit to how much Wellsville City will spend on the design. Mr. Bates stated that he would like Reed Nielson to come and level out the park, and then seed it. The City Council agreed that the City would be willing to grade, repair sprinklers, and seed the property, but additions such as trees, paths, and benches would have to be provided by Eagle Scout projects, fundraisers, and donations. Mr. Harrison asked if the long-term plan calls for playground equipment as part of this park. Mr. Wall stated no. Mr. Wall stated that he would like to see a nice walking area, with a place or two to sit. Mr. Wall stated that phase 1 and phase 2 are feeling left out, and have stated that some individuals would like to donate money to help lessen the cost. Mr. Wall stated that he would like to use the money that phases 1 and 2 donate to plant trees. Jackie D. Orton stated that if this is approved, A&D Landscaping would need to finish the sprinkling system. Mr. Bates stated that Wellsville City has had good success with an individual that Don Hartle works with. Mr. Bates stated that he doesn’t want to constrain Wellsville City to who it would be, but Wellsville City also needs to settle with A&D Landscaping for the work that they have performed. Mr. Wall stated that his opinion is that Wellsville City could get a better price than the quote that he seen from A&D Landscaping. Mr. Orton asked about item #6, and if there is going to be a pond, how much water will stay in the pond. Mayor Thomas G. Bailey stated that the pond will not be more than 1 foot deep. Mr. Wall stated that there will be a burm along the east side of the park. Mr. Orton stated that as residents of the Red Slide subdivision, they need to take part in and help clean it up so that it can be used. Sam Winward asked that concerning the retention pond, how much standing water will be in the bottom of it before it hits the drain. Mayor Bailey stated that he doesn’t know, but it will not be much. Mayor Bailey stated that he will get this information to City Attorney Bruce Jorgensen to see if it can be worked into the agreement. Mayor Bailey thanked everyone for their work on this issue. Mayor Bailey stated that he truly appreciates all of the work that has been done so far.

Department Reports:

- Jackie D. Orton – 1) Progress of the sidewalk on the south side of the Wellsville City Square – last cement pour tomorrow, Eagle Scout project to replace sod along the sidewalk started tonight.
- 2) Will hold off on the driveway – cost was too high.
 - 3) Stop Sign at Center Street and Main Street – looks to be about 6 feet from the sidewalk – move closer to the road. Mayor Bailey stated that the stop sign can’t be move because it is a State Stop Sign. Contact Paul Egbert from UDOT about it.

- Colin Harrison – 1) Attendance at the Family Summit – a must, no. If you want to go, go.
 2) Founder’s Day – talked to Darla Moore about Dustin Moore being in the parade, Margo will find a place for him.
 3) Discussed flowers for who and what type.
 4) Discussed charging an entry fee for commercial types of floats in the parade. Also discussed increasing the amount that the LDS Wards are reimbursed for entering a float in the parade.
 5) Contact Sheriff’s Department about traffic control for Founder’s Day – Marcene Parker used to – has been done for the parade.
 6) Discussed pit beef dinner – can’t get anyone to be in charge – Chad Lindley contacted John Booth, owner of Copper Mill. Will charge adults \$10.00, children \$6.00. Council agreed, may do something different next year.

Ron Case – 1) Received a call from Kristine Jenkins – accident at Youth Council activity – broken toes.

- Gary Bates – 1) Bridge to be installed October 15, 2010. Likes the looks of the segmented blocks, but will go with the poured concrete because of the long-term maintenance.
 2) Appreciate cleaning up around the park.
 3) Playground bark has been delivered and spread out.
 4) Jon Tenhoeve – software tournament starting Saturday – has had some complaints about the new fence.
 5) Asked for input for a new member of the Parks & Recreation Committee – Mandi McBride or Angie Olsen were suggested.

- Carl Leatham – 1) Music in the Park – great.
 2) Discussed trail maintenance – may use someone who needs to work off hours.
 3) Picnic table where the bridge will be installed – needs to be rebuilt – Eagle Project
 4) Russ Glenn – swap a lot for open space – gave examples of what has been happening in the Red Slide subdivision and the Mt. Sterling Estates subdivision – withdrew his request.

- Mayor Thomas G. Bailey – 1) Discussed the need to notify Trevor & Alaina Erickson at 21 North Center that their hedges need to be cut down to 4 feet in height to avoid blocking the sight line at the intersection of Main Street & Center Street.
 2) Discussed replacing Jerry Cokely – deal with complaints instead of issuing tickets.
 3) Discussed Marshall of the Day for Founder’s Day 2010 – Don Bailey, if he can’t, then Arlyn Brenchley.
 4) Thank-you note to Jeff & Michelle Andrews for the City booth at the Cache County Fair.
 5) Special City Council meeting – August 24, 2010

At 8:21 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