

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, September 15, 2010, at the Wellsville City Offices at 75 East Main. City officials present were Councilmen Gary Bates, Ron Case, and Carl Leatham. 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 September 10, 2010. The meeting was called to order at 6:00 p.m. by Ron Case.

Others Present: Jennifer Leishman Branson Fannesbeck  
Randy Wall Jim McCaughey

Opening Ceremony: Branson Fannesbeck

Mayor Thomas G. Bailey, Councilmen Colin Harrison, and Councilmen Jackie D. Orton are excused from this meeting.

The Council elected a Mayor Pro-tem. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to nominate Ron Case as Mayor Pro-tem.

YEA 3 NAY 0  
Gary Bates  
Ron Case  
Carl Leatham

The Council reviewed the agenda. Gary Bates made a motion, seconded by Carl Leatham, to approve the agenda as presented.

YEA 3 NAY 0  
Gary Bates  
Ron Case  
Carl Leatham

The Council reviewed the minutes of the September 1, 2010 City Council meeting. Carl Leatham made a motion, seconded by Gary Bates, to approve the minutes of the September 1, 2010 meeting as presented.

YEA 3 NAY 0  
Gary Bates  
Ron Case  
Carl Leatham

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 12136 through 12228.

YEA 3 NAY 0  
Gary Bates  
Ron Case  
Carl Leatham

No one was in attendance for citizen input.

The City Council continued their discussion on open space and the Red Slide Subdivision West Park. Randy Wall stated that they have 21 of the 23 home owners in favor of the plan that was suggested at the last City Council meeting. Mr. Wall stated that he would like to discuss the water retention pond on the 22 acres that the Red Slide HOA will own. Mr. Wall stated that a small amount of water will come to the subdivision from the 22 acres, but it is not a big concern. Mr. Wall asked if Don Hartle had seen how much water comes off of the 22 acres. Mr. Hartle stated that he had never been up to watch the water. Mr. Wall stated that the 22 acres pretty much sits in a gully. Mr. Hartle stated that he has been asked the question

what happens when the ground is frozen, and the water goes into residents' backyards and floods their basements. Mr. Hartle stated that it is against the law for Wellsville City to go onto private property to fix anything. Mr. Hartle stated that it needs to be understood that storm water off the 22 acres will not be allowed to run into the storm water system in the City street. Mr. Wall stated that all that is left is to get approval from City Attorney Bruce Jorgensen. Carl Leatham asked if John Panos has signed the open space over to Wellsville City yet. Mr. Hartle stated that the papers haven't been drawn up yet, but he has spoke to Mr. Panos several times and Mr. Panos has told him that he has no problem signing the open space over to Wellsville City. Gary Bates stated that Wellsville City will be responsible for the park area, and planting it all in grass. Mr. Hartle stated that the planting of grass will take place after redoing the slope of the park, the berm, and the storm water detention pond. Mr. Wall stated that the Red Slide subdivision would still like to have 1 representative from the subdivision to work with Wellsville City concerning the park. Mr. Wall stated that if the park is planted in all grass, he worries about the water pressure for the residents on the upper street. Mr. Wall stated that a sprinkling system should be designed now for grass, as well as trees and shrubs. Mr. Hartle stated that the Public Works department has no man power to take care of trees and shrubs at the park. Mr. Wall stated that if some weed block fabric was installed, and some rock, that would be less grass and less water. Mr. Wall stated that he trims the bushes in his yard once a year. Mr. Wall stated that he trimmed the bushes at the entry park, and thinks he could get residents to help maintain the park. Mr. Bates stated that the Parks and Recreation Committee could help with maintaining the park area, and Mr. Wall could work on getting donations for trees and shrubs. Mr. Hartle stated that the first priority is the entry park, and enlarging the detention pond there. Mr. Wall stated that he is willing to work with A&D Landscaping to design the sprinkling system for the park. Mr. Hartle stated that the fact remains that there is no man power to maintain the park. Mr. Bates stated that he proposes drawing up a sprinkling system plan for the park, and having a member of the Red Slide subdivision work with Wellsville City on the park. Jim McCaughey stated that the landscaping class at Utah State University could have a contest with the prize being \$200. Ron Case stated that a member of the landscaping class could take it on as a class project. Mr. Bates asked how much money Wellsville City was paying for the park. Mr. Hartle stated that he couldn't remember, and would have to go look it up. Mr. Bates stated he thought he remembered \$70,000, but wouldn't swear to it. Mr. Case stated that as small issue arise, they could be worked out. Mr. Case stated that an agreeable solution for all parties has been reached. Mr. Wall stated that the Red Slide subdivision was ready to set up the HOA. Mr. Case stated that Wellsville City would be waiting for information from Mr. Jorgensen. Mr. Hartle stated that he will review this with Mr. Jorgensen.

The City Council reviewed for approval the bids on the 1600 South pressure reducing station. Don Hartle handed out a paper with the bid amounts on it. The bids are as follows:

Rupp Trucking	\$ 8,341.50
Grover Excavation	\$ 5,760.00
Associated Brigham Contractors	\$ 11,247.00
Maughan Boys	\$ 15,467.10
Whitaker Construction	\$ 12,760.00

Mr. Hartle stated that Grover Excavation is located in Tremonton, Utah. City Engineer Chris Breinholt knows the owner very well. Mr. Breinholt stated that he has an excellent reputation, and has done work in Brigham City and Tremonton. Mr. Hartle stated that Mr. Breinholt spoke with the owner of Grover Excavation, and would need a week's notice before the project is ready to be started. Mr. Hartle stated that the owner of Grover Excavation told Mr. Breinholt that it would take about 3 days to complete the project. Carl Leatham asked if Wellsville City is committed to take the lowest bid. Mr. Hartle stated that by law, Wellsville City has to take the lowest bid. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to accept the bid from Grover Excavation for \$ 5,760.00 for the 1600 South pressure reducing station.

YEA 3  
 Gary Bates  
 Ron Case  
 Carl Leatham

NAY 0

The City Council reviewed for approval the bids on the bridge abutments and installation of the trail bridge at Wellsville Dam. Don Hartle handed out a paper with the bid amounts on it. The bids are as follows:

Bailey Construction	\$ 17,670.00
Landmark Companies	\$ 27,304.00
Spindler Construction	\$ 46,120.00
Associated Brigham Contractors	\$ 45,750.00
Whitaker Construction	\$ 59,980.00
Raymond Construction	\$ 50,302.00
Build, Inc.	\$ 81,937.98
Willow Valley Construction	\$ 46,000.00

Mr. Hartle stated that these bids were opened at 2:00 p.m. today. City Engineer Chris Breinholt was concerned about the bid from Bailey Construction, so he contacted them. Bailey Construction failed to add the cost of cranes to lift and install the bridge to their bid. Bailey Construction withdrew their bid. Wellsville City requires a 5% bid bond, which in the case of Bailey Construction, is \$883.50. Mr. Hartle stated that because this is an honest mistake, he recommends that Wellsville City release the bid bond, and accept the second lowest bid. Carl Leatham asked how Wellsville City felt about Landmark Companies. Mr. Hartle stated that he or Mr. Breinholt has never worked with this company before. Mr. Hartle informed the City Council that his son, Kent Hartle, works for Landmark Companies as an electrician. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to accept the bid from Landmark Companies for \$27,304.00 for the bridge abutments and installation of the trail bridge at Wellsville Dam, accept the withdrawal of the bid from Bailey Construction, and to release the bid bond to Bailey Construction of \$883.50.

**YEA 3**

**NAY 0**

Gary Bates  
Ron Case  
Carl Leatham

#### Department Reports:

Gary Bates – 1) The park signs have been installed by Riley Seeholzer for his Eagle Scout project. He thinks they turned out very nice. Asked Don Hartle to contact the Cache County Sheriff's Office to have the deputy assigned to Wellsville City start enforcing the rules and also give him a copy of the Wellsville City ordinance.

2) Keys to chains for tables – Don has them, and will get them to Gary Bates.

3) The bridge will arrive on October 15, 2010 – Landmark Companies needs to be ready. The sidewalk from the trail to the abutments will be bid on separate.

Ron Case – 1) The sign at the Children's Park has been vandalized, and is gone. It needs to be replaced. Gary Bates will work on this.

2) Individual building a road that is north of Wellsville Dam – owned by Back Country Investments – individual lives in Willard – Don Hartle will organize a meeting with him if possible – should be concerned about wet lands and storm water. Don Hartle does not know what the individual is doing. After discussion, Gary Bates made a motion, seconded by Carl Leatham, that Wellsville City approve all plans of roads before they are built.

**YEA 3**

**NAY 0**

Gary Bates  
Ron Case  
Carl Leatham

4) Wayne Persell and Eric Duersch – interested in doing pit beef/dutch oven dinner next year for Founder's Day.

City Manager/Recorder Report:

Don Hartle – 1) On Monday, the Bank of Utah approved the loan for Wellsville City for the new 1-million-gallon reservoir. They would like to close the loan as soon as possible, so a special meeting will be held on September 29, 2010. Gary Bates and Carl Leatham will be in attendance, Ron Case will be out of town.

At 6:57 p.m., Carl Leatham made a motion, seconded by Gary Bates, to adjourn the meeting.

**YEA 3**

Gary Bates

Ron Case

Carl Leatham

**NAY 0**

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Ron Case

Mayor Pro-tem

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Don Hartle

City Manager/Recorder