

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, October 20, 2010, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilmen Ron Case, 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 October 15, 2010. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present: Jennifer Leishman David Bankhead
John Bostock Dylan Bostock

Opening Ceremony: Carl Leatham

Councilman Colin Harrison was excused from this meeting.

The Council reviewed the agenda. Jackie D. Orton made a motion, seconded by Carl Leatham, to approve the agenda as presented.

YEA 3 NAY 0
Ron Case
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, Ron Case made a motion, seconded by Carl Leatham, to approve the City's bills for payment, represented by check number 12341 through 12373.

YEA 3 NAY 0
Ron Case
Carl Leatham
Jackie D. Orton

David Bankhead lives on the corner of 200 West and 900 North. Mr. Bankhead installed rebar with PVC pipe coverings because people are swinging wide around the corner and driving on his driveway, which is tearing up his asphalt. Mr. Bankhead spoke with Mayor Thomas G. Bailey and City Manager Don Hartle about installing the rebar and PVC pipe. Based on a meeting with City Attorney Bruce Jorgensen, the City wrote Mr. Bankhead a letter and requested that it be removed because of the liability. Mr. Bankhead asked what the City Council will allow him to install so that vehicles do not drive onto his driveway and tear up the asphalt. Mr. Bankhead stated that with the new subdivisions above his home, there is more traffic driving onto his driveway. Ron Case asked if the City Attorney's concern was liability. Don Hartle stated yes. Mr. Case asked about installing the small, round road indicators. Mr. Bankhead stated that vehicles have also hit the guide wires on the power pole located by his home. Mayor Thomas G. Bailey stated that he and Mr. Hartle took this issue to the City Attorney because Wellsville City had received complaints about the rebar and PVC pipe posts. Mr. Bankhead asked about installing some fiberglass delineator posts. Mr. Bankhead stated that this has been a problem for the past 15 years. Mr. Bankhead stated that he doesn't want to tear out his asphalt driveway, but he will if it is going to continue to be a problem with vehicles driving on it. Mr. Hartle stated that the intersection on the corner is small, but a city can't make the radius of an intersection big enough. Carl Leatham suggested installing a yield sign or stop sign on the corner of 900 South and 200 West. Mr. Bankhead stated that it is vehicles that are driving east on 900 South rounding the corner to head south on 200 West. Mr. Hartle stated that the guide wires for the power pole are a liability of the power company. Mr. Bankhead asked what the city ordinance is for what people can install in the city right-of-way. Mr. Hartle stated that many people park cars on the city right-of-way. Cars can't be parked for over 48 hours or a citation will be issued to the owner. The cars parked in the city right-of-way have to be moved on a regular basis. Mr. Bankhead stated that if someone was to hit the rebar with the PVC pipe coverings, it would lay the rebar and coverings flat to the ground. Jackie D. Orton stated that he would like to look at the site and study it. Mr. Hartle stated that he would add this issue to the agenda for the City Council meeting scheduled for 2 weeks from tonight.

Councilman Gary Bates arrived at the meeting at 6:16 p.m.

The City Council reviewed for approval the final plat for the Reynolds subdivision consisting of a total of 3 lots (2 additional building lots) on property at 39 East 300 South. Mayor Thomas G. Bailey stated that there was a question concerning this subdivision as to the frontage on one of the lots. The Board of Adjustments has approved a variance for the frontage to be 79 feet instead of the required 82 ½ feet on lot #3, which is on 100 East. Gary Bates asked if the requirements for the side yards and house structure will be waived. Mayor Bailey stated no, that all of the other requirements will stay in place. Carl Leatham stated that the Planning Commission approved the final plat based on the Board of Adjustments approval. Ron Case asked about the sidewalk in front of the subdivision. Don Hartle stated that sidewalk is required in front of the lot on 100 East, but is sure the developer will not install sidewalk in front of Kevin Reynolds's home. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to approve the final plat for the Reynolds subdivision consisting of a total of 3 lots (2 additional building lots) on property at 39 East 300 South.

YEA 4

Gary Bates

Ron Case

Carl Leatham

Jackie D. Orton

NAY 0

City Planner Jay Nielson met with the City Council to solicit their support in a planning effort. Mr. Nielson stated that he thinks this will have great benefit for Wellsville City. Mr. Nielson discussed the plan that surrounds the Logan Airport. Mr. Nielson stated that Logan City funded the entire project, but it provided planning for Logan, North Logan, Hyde Park, Smithfield, Benson, and Cache County. There is a specific plan to guide development in the 4,000 acres that surround the Logan Airport. This planning effort will help to manage growth, as well as promote economic development in the area. A similar planning effort will be south Logan all the way to Wellsville's south border and includes approximately 6,500 acres. Money for the planning effort will come from UDOT, Utah State University, Cache County, and the trucking industry, which is concerned about the south corridor. The participants of the study will be Wellsville, Nibley, Logan, UDOT, and Cache County. This proposal is intended to bring together planning expertise to find out what is wanted in the different communities, and that a plan is put together. Mr. Nielson stated that he was asked if Wellsville should participate in this project financially. Mr. Nielson stated that he said no, Wellsville shouldn't participate financially in this project because they have a decent general plan for the corridor into Cache Valley. This project will allow Wellsville, Nibley, and Logan to come together with joint minds. Each consultant will work within the communities to find out what each community wants. The significant benefit is that Wellsville City will get a much more detailed development plan for the commercial and industrial areas. Mr. Nielson proposed that a City Councilman and the Mayor work on the South Corridor Planning Group. There will be 4 to 5 meetings, and they will watch over the project. There is about \$120,000.00 available to do this project, and Mr. Nielson stated that they have about 25 applications to do this work. Ron Case stated that in the original agreement, it was projected out at 15 years, and there was a sunset date. This new project has a date of 50 years. Mr. Nielson stated that is correct, and they are about 7 years into the 15-year project. Mr. Case doesn't want the other members of the planning group to assume this issue will be renewed. Mr. Case voted against this issue because Wellsville City had a General Plan that included the corridor into Cache Valley. Mr. Case felt that Wellsville City was giving up control. Mr. Nielson stated that the first task would be to have the boundaries defined. Mayor Bailey asked if participating in the study will bind Wellsville City to some kind of contract. Mr. Nielson stated that the motivation for this plan from a Logan standpoint is limited development and more preservation work on Highway 89/91. Mayor Bailey stated that Wellsville City is the biggest stake holder in this study because they have put a lot on money into preserving the land along the highway corridor. Mr. Nielson stated that Wellsville City has the "in lieu" code that allows them to build a financial resource to purchase development rights. Mayor Bailey stated that this is a plan for the future, but Nibley and Logan need to buy into the plan also. Carl Leatham is concerned that Wellsville City is giving control of the commercial area to Logan, and therefore, no one can compete with Logan. Jackie D. Orton stated that he wouldn't buy into this plan if Wellsville City will lose its own independence and own thinking. Mr. Nielson stated that the study will allow Logan, Nibley, and Wellsville to develop an overall plan. Gary

Bates stated that if Wellsville City is not part of the study, they may lose their influence with Cache County and Nibley. Mayor Bailey stated that it would be silly on Wellsville City's part not to be part of the study. Mr. Nielson stated that they will use the existing General Plan and Land Use map as a starting point, and Wellsville City could implement the results of the study in the General Plan. Mr. Nielson stated that Cache County is very supportive of this plan. Mr. Case stated that he is very skeptical, but thanks to Mr. Nielson, Wellsville City already has plans in place for the highway corridor. Mr. Nielson stated that he will work through Mayor Bailey on this issue.

The City Council discussed the need to appoint someone to the Cache Mosquito Abatement Board of Trustees. Mayor Thomas G. Bailey stated that he has spoke with Mr. Ed Rigby, who is currently appointed to the Cache Mosquito Abatement Board of Trustees, and he has expressed to the Mayor an interest to withdraw from serving on the board. The meetings are on the fourth Thursday of each month, and they do pay a small amount plus mileage. Ron Case suggested that several people ran for office this past year, and to appoint one of them to the Cache Mosquito Abatement Board of Trustees. Gary Bates suggested Kyle Larsen to serve on the board. Mayor Bailey stated that if a City Councilman doesn't serve on the board, there is a process which a person has to follow. Don Hartle will have to advertize the position in the newspaper for 5 days, and the individual will have to fill out an application. Gary Bates is the City Councilman over the Cache Mosquito Abatement Board of Trustees. Mr. Ed Rigby will serve until January. This issue will be added to the next agenda.

Department Reports:

Carl Leatham – 1) Discussed Heritage Southwest Estates wanting to install a monument subdivision sign. Discussed using numbers for subdivisions instead of names. Discussed having a sign code for a housing development.

Gary Bates – 1) Old City Council Meeting agendas – the City website links you to the State of Utah archives site. When searching for something, it may take a long time, or give you multiple agendas. Discussed this with the State of Utah, and they are in the process of upgrading their system. Passed the information onto Ron Case.

2) Christensen Field lights – it is possible to put them on a timer – will pursue this next year with the recreation budget.

Mayor Thomas G. Bailey – 1) Handed out copies of letters sent to citizens of Wellsville City who are in violation of the code. Asked Carl Leatham, who is the City Councilman over Planning and Zoning, if he would be in charge of letting Don Hartle know what letters need to be sent.

2) On Saturday, October 16, 2010, Tom Leishman's home caught on fire. Mayor Bailey appreciates all of the effort and work the Fire Department done.

City Manager/Recorder's Report:

Don Hartle – 1) Karen Johnson is a first responder. She called in the fire at Tom Leishman's home, and went in after Tom and his wife. In the process, she lost her new cell phone, and has asked if Wellsville City would pay to replace it. After discussion, Gary Bates made a motion, seconded by Jackie D. Orton, to replace Karen Johnson's cell phone.

YEA 4

Gary Bates

Ron Case

Carl Leatham

Jackie D. Orton

NAY 0

2) Wellsville City receives B & C road funds. There are 27.41 miles of road in Wellsville City, 26.20 miles which are asphalt. 19.97 miles of asphalted roads have been rebuilt, and 6.23 miles of asphalted roads still need to be rebuilt. 76.2% of the roads have been rebuilt, with 23.8% left to be rebuilt.

3) Handed out a copy of the spice ordinance that Hyrum City has adopted.

- 4) Christensen Field – the restrooms have been winterized and locked for the winter.
- 5) Handed out copies of the Red Slide proposal – needs input within 1 week. Will discuss this issue in at the next City Council meeting.
- 6) About 1 month ago, discussed beginning work on a new section of the cemetery. It will need to be surveyed, marked, and a sprinkler system installed. Would like to proceed and put this in next year's budget. After discussion, Ron Case made a motion, seconded by Carl Leatham, to proceed with beginning work on a new section of the cemetery.

YEA 4

NAY 0

Gary Bates
Ron Case
Carl Leatham
Jackie D. Orton

- 7) Please research code 10-11-8 and 10-11-11. This is concerning the older white home on the corner of Center Street and Main Street. There has been an offer made on the home, and they would like to leave the hedge. This issue will be on the City Council meeting agenda in 2 weeks.
- 8) There are areas in Wellsville City that are dedicated streets, but the streets haven't been built yet. For this reason, Wellsville City rents the area to people to farm. On the east side of Wellsville Dam, from 700 South to 400 South, Eldon Cooper owns the south part, and Maurice Pitcher owns the north part. In this area, there is about 3 blocks of City roads, or about 4 ½ acres, that is rented out to Paul Cooper. The rent is \$40 per year, and Mr. Cooper hasn't paid since 2006. Mr. Hartle is seeking approval to send a letter that if the rent is not paid in full by February 1, 2011, his renting of the property will be terminated and the City will do something different with the property. The City Council gave Mr. Hartle approval to send the letter.

At 7:38 p.m., Jackie D. Orton made a motion, seconded by Carl Leatham, to adjourn the meeting.

YEA 4

NAY 0

Gary Bates
Ron Case
Carl Leatham
Jackie D. Orton

Thomas G. Bailey
Mayor

Don Hartle
City Manager/Recorder