

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, January 5, 2011, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilmen Ron Case, Gary Bates, Colin Harrison, 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 December 30, 2010. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present: Jennifer Leishman Laurie Christensen

Opening Ceremony: Ron Case

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

YEA 4 NAY 0
Gary Bates
Ron Case
Colin Harrison
Jackie D. Orton

Councilman Carl Leatham arrived at the meeting at 6:03 p.m.

The Council reviewed the minutes of the December 15, 2010 City Council meeting. Ron Case made a motion, seconded by Jackie D. Orton, to approve the minutes of the December 15, 2010 meeting as presented.

YEA 4 NAY 0 ABSTAIN 1
Gary Bates Colin Harrison
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, Gary Bates made a motion, seconded by Carl Leatham, to approve the City's bills for payment, represented by check number 12557 through 12656.

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

No one was in attendance for public input.

The City Council discussed the proposed County Justice Court. Don Hartle stated that he received a phone call from James Swink last Thursday asking if Wellsville City is interested in joining the County Justice Court. Mr. Hartle stated that his main concern is Laurie Christensen, who is an employee of the Wellsville City Justice Court. Mr. Hartle stated that the decision is not up to him. The decision is made by the City Council. Ms. Christensen is considered a very good court clerk. Ms. Christensen may be offered a job for the County Justice Court. Another problem is that the Justice Court is the only department in Wellsville City that makes money. Mr. Swink told Mr. Hartle that after the state is paid on traffic citations, they will remit 50% to Wellsville City. Right now, on a 10-mile per hour or less speeding ticket, Wellsville City makes \$35.00 after the state is paid. If Wellsville City joins the County Justice Court, they will make \$17.50 on said traffic citation. There will be no expenses for the Justice Court. Mr. Hartle informed the City Council that Mr. Swink will be in attendance to the February 16, 2011 City Council meeting. Ron

Case asked where the County Justice Court will be. Mr. Hartle stated that he is not quite sure. North Logan, Hyde Park, maybe Logan, Nibley if they can get help paying for their City building, and Hyrum who is having second thoughts, may be joining the County Justice Court. The County would like to hold the Court in Hyrum City. Gary Bates asked if Mr. Hartle could run a report that will show the income versus expenses for the Wellsville City Justice Court. Mr. Hartle stated yes. Mayor Thomas G. Bailey stated that if the barrier in the middle of Highway 89/91 through Wellsville Canyon is the problem, it is the County's fault. Jackie D. Orton asked if Wellsville City joins the County Justice Court, will Wellsville City gain or lose revenue. Mr. Hartle stated that Wellsville City will lose revenue, but there will be no expenses. Mr. Hartle stated that all other counties in the State of Utah have a County Justice Court. Not all cities within the county belong to the County Justice Court. Mr. Bates stated that he works with a municipal judge. These municipal judges go to training all around the country, and then come back to their counties and are to train the other judges. Mr. Bates stated that he is disappointed in the judge for Wellsville City because he is not sharing his information from training. Mr. Hartle stated that Wellsville City works with Smithfield City concerning salary and insurance for the judge.

The City Council reviewed the updated Inter-local Agreement with Hyrum City for library service. Don Hartle stated that he included a copy of the agreement in the packet that he sent to the Councilmen. Mr. Hartle stated that he hasn't prepared a resolution yet because he wanted the Councilmen to review the agreement to see if there were any changes to it before the resolution was prepared. Ron Case asked if Wellsville City pays for each library card that a citizen of Wellsville City has even if it hasn't been used for years. Mr. Hartle stated that he doesn't know, but will ask Hyrum City. Colin Harrison stated that he thought the agreement clarified a number of issues. Mr. Hartle stated that he will prepare a resolution for the next City Council meeting.

The City Council discussed the future use of the "Poo-Gloos" as a management tool for phosphorus at City sewer lagoons. Don Hartle stated that the Public Works department discusses sewer weekly. The water flows into cell 1, cell 2, cell 3A, then to cell 3B. The poo-gloos are located in cell 3B. From cell 3B, Public Works decides whether to discharge the water into Little Bear River, or move it to cell 4. In the spring of 2011, the Public Works department plans to get a secondary water line and power to the effluent building in order to land-apply the water from cell 4 to the 18 acres of land that Wellsville City owns. Mr. Hartle showed the City Council the numbers from each month during 2009 and 2010, and the poo-gloos are reducing the phosphorus that is in the water. Wellsville City currently owns 35 poo-gloos, and the Public Works department is convinced that Wellsville City needs 35 more poo-gloos. The poo-gloos cost about \$3,400 each. Dr. Johnson gave Wellsville City a new proposal. Dr. Johnson will install 40 more poo-gloos, replace the air hose in the existing 35 poo-gloos for \$2,350 each, which totals \$94,000. Gary Bates asked how long this offer is on the table. Mr. Hartle stated that it lasts for 30 days. Dr. Johnson is willing to come and discuss the matter with the City Council on February 2, 2011 if they would like him to. Mr. Bates asked about the possibility of purchasing more land in order to land-apply the phosphorus-rich water. Mr. Hartle stated that he is working on it. Mr. Hartle asked that the City Council review the proposal and be prepared to discuss the issue in 2 weeks. Mayor Thomas G. Bailey asked about the money for the poo-gloos. Mr. Hartle stated that it would come out of sewer impact fees.

The City Council continued their discussion on trees planted illegally on City streets right-of-ways. Mayor Thomas G. Bailey stated that this discussion is concerning the trees that were planted around Dave & Ann Bell's home at the intersection of 200 East and 100 North in the street right-of-way. Mayor Bailey stated that letters have been sent to their home with no reply. Don Hartle put a packet together of the letters that have been sent to the home and sent them to Mr. Bell's place of employment with no reply. Colin Harrison stated that he believes that all of the trees along 100 North from their fence to the edge of the road need to be removed. Mr. Harrison stated that along 200 East, the north apple tree needs to be removed and the south apple tree needs to be trimmed. The Wellsville City code gives Wellsville City the right to remove these trees because Mr. and Mrs. Bell are in violation of the City's code. Don Hartle stated that his recommendation is that City Attorney Bruce Jorgensen writes another letter to the Bell's informing them of what will take place and when it will happen. Mr. Harrison stated that Hull Tree Trimming will be coming to Wellsville in the spring and that the trees can be removed then and Wellsville City can remove the stumps with the backhoe. Jackie D. Orton stated that Wellsville City needs to be fair and nice, but they can't let the citizens intimidate the City Council. Ron Case stated that he supports this action 100%. Gary

Bates stated that he fully supports Councilmen Harrison on this issue. Mr. Bates reminded the City Council that Wellsville City has their own problem concerning trees that were planted by Wellsville City in the streets right-of-ways. Carl Leatham stated that he supports this issue. Mr. Leatham stated that Wellsville City code allows for trees in the right-of-way, but is restricted to what trees can be planted in the right-of-way, and fruit trees are not permitted. Mayor Bailey stated that Wellsville City does have the right to remove the trees, but that it is common courtesy to send one final letter to Mr. and Mrs. Bell informing them of what will take place and when it will happen. Mr. Hartle stated that he will prepare a letter for Mr. and Mrs. Bell, and will have it ready for the next City Council meeting for their approval before he mails it.

Department Reports:

Jackie D. Orton – 1) He called the principals of Wellsville Elementary, Willow Valley, and South Cache, and discussed children going door-to-door with fundraiser sales. He stated that all 3 principals said that the policy is that students do not do that, and sell to close family and friends. This issue will be discussed at all of their next staff meetings.

Colin Harrison – 1) Would like to see the code changed concerning fence and hedge height from 2 feet to 42 inches. Don Hartle will notify Mr. Anderson who lives on the corner of Main Street and Center Street about this change.

2) Asked if there will be an extension on the cemetery, and grass further to the east. Don Hartle stated yes.
3) Asked if Wellsville City had any control over athletic programs, and if games could not be played on Monday nights. Gary Bates stated that he would discuss this issue with the Parks & Recreation Committee. Mr. Bates stated that all athletics were controlled at a district level.

Mayor Thomas G. Bailey – 1) Received an email concerning the committee for the south corridor plan. Their first meeting is February 3, 2011, at 4:00 p.m. They asked for 3 people to serve, 2 elected officials, and 1 non-elected official. Asked if Carl Leatham, Mayor Thomas G. Bailey, and City Manager/Recorder Don Hartle would serve on that committee.

2) Encouraged all City Councilmen to attend the Utah League of Cities and Towns this year.

Gary Bates – 1) State Fishery meeting – couple weeks at 1:30 p.m. – Ron Case would like to attend with Mr. Bates.

2) The deck at the Wellsville Dam that was installed by an Eagle Scout looks very nice. The hand rails are not complete yet.

3) Parks & Recreation Meeting is tomorrow night.

4) Youth Council – Adult leaders to replace Mr. & Mrs. Jenkins – Nolan & Pam Gunnell

5) Scott & Janet Okelberry will head the bike rally and race this year.

6) Asked about the status of the tabernacle – Don Hartle stated that Laurel Maughan is still waiting for the report.

City Manager/Recorder's Report:

Don Hartle – 1) Received the articles of incorporation for Red Slide subdivision – have been filed with the State – went to Salt Lake City and John Panos has signed the appropriate documents – those documents have been filed at the County Recorder's Office.

2) MS Bike Tour – June 26, 2011 – 6:00 a.m. to 4:00 p.m. – may have 500 riders, but will not have more than 200 riders at a time stopping in Wellsville. Decided on \$1.00 per rider.

3) At the next City Council meeting, Mr. Hartle will hand out the 2011/2012 budgets (wish lists) for each department. The Councilmen have 30 days to return them to Don.

4) There are some headstones at cemetery that Wellsville City doesn't have the ability to move. Mr. Hartle recommends that when an opening or closing of a grave takes place, before a price is given, the Public Works department will measure the headstone. If the cement base exceeds 84 inches wide, 30 inches deep, or from the top of the cement to the top of the headstone exceeds 32 inches, an additional \$250 will be added to the price for Brown Monument to come to Wellsville to move the headstone. The City Council was in agreement with this.

5) December 23, 2011 – the cap was placed on the reservoir.

At 7:41 p.m., Jackie D. Orton made a motion, seconded by Carl Leatham, 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