

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, July 20, 2011, 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 July 15, 2011. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present: Jennifer Leishman Jeremy Ellis Ruthanne Ellis
Jeremie Poppleton Clint Kerr Blake Brenchley
Mike Newman Lamonte Jones Mandi McBride
Dave Bell Anne Bell Jake Harrison
Jonathan Cook Officer Groves

Opening Ceremony: Mayor Thomas G. Bailey

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

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

The Council reviewed the minutes of the July 6, 2011 City Council meeting. There were word changes on lines 12, 118, 119, and 181. Colin Harrison made a motion, seconded by Ron Case, to approve the minutes of the July 6, 2011 City Council meeting with the corrections.

YEA 5 NAY 0
Gary Bates
Ron Case
Colin Harrison
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, Jackie D. Orton made a motion, seconded by Colin Harrison, to approve the City's bills for payment, represented by check number 13292 through 13332.

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

Jeremy and Ruthanne Ellis met with the City Council to discuss the Youth Council. Gary Bates introduced Jeremy and Ruthanne Ellis as the new adult leaders of the Youth Council, and appreciated them for accepting this responsibility, and look forward to working with them. Mayor Thomas G. Bailey thanked Jeremy and Ruthanne Ellis for accepting the responsibility, and told them that they had an important job working with the young people of Wellsville City. Colin Harrison asked how the youth in the Youth Council rolled over. Jeremy Ellis stated that it is by word of mouth. There is some recruiting, and the youth drop out of the council as they graduate from high school. Mr. Ellis stated that they have about 30 youth participating in the Youth Council. Mr. Bates stated that there is a notice in the City newsletter about the Wellsville City Youth Council. Mr. Ellis stated that they have lived in Wellsville for 11 years, have

4 children, and are exciting to be the mentoring couple. Mr. Ellis stated that next week they will be having a party for those that are graduating and those that are entering the Youth Council. Ruthanne Ellis asked about the budget. Don Hartle stated that they have \$750. If they would like to purchase something, call the City Office and ask if Wellsville City has an account at the business. As soon as the purchase is made, bring the receipt to Don Hartle as soon as possible. Ron Case stated that there is a checking account for the Youth Council that is still in his wife's name that the Youth Council earned from various fundraising events, and it needs to be changed over. Mr. Bates stated that it could be discussed at a later time. Mrs. Ellis stated that the money in the checking account is to cover training and service projects. Mr. Harrison asked if the Youth Council was planning anything for Founder's Day. Mr. Ellis stated that they will discuss that issue at their party. Mr. Ellis stated that they are very excited for this opportunity to serve the youth of Wellsville City. Mayor Bailey thanked them for coming and for their willingness to serve.

Jeremie Poppleton representing Wellsville City Volunteer Fire Department met with the City Council to discuss capital needs of the fire department. Mayor Thomas G. Bailey stated that it has been mentioned before of adding a fee onto the utility bill for the capital needs of the volunteer fire department. Jeremie Poppleton stated that he is here to discuss different options. Mayor Bailey asked the City Council if they had talked to any of the other firemen and if they had any questions. Colin Harrison asked how long the current equipment will last. Mr. Poppleton stated that it is a difference of opinion. The needs of the fire department are popping up all the time. A person can definitely tell that the fire department is just scrapping by. Mr. Poppleton stated that Engine 61 can't provide service. The truck only carries 2 firemen. We owe it to the residents of Wellsville City to provide the level of service that is expected. Mayor Bailey asked if Mr. Poppleton spoke to the County Fire Chief and asked if the county plans on replacing the tender. Mr. Poppleton stated that he supports a tender rotation within the county, and that it would be 2013 and after 3 current tender trucks are paid off before Wellsville City would get a tender truck. Jackie D. Orton stated that Wellsville City has been using band-aids for years, and he has come to the conclusion that Wellsville City needs this new fire truck. Mayor Bailey asked if purchasing this new truck would throw Wellsville City out of the county rotation. Mr. Poppleton stated no. Mr. Orton asked if other cities have purchases new fire trucks. Mr. Poppleton stated that Hyrum, Paradise, North Logan, Smithfield, and Mendon have all purchased new fire trucks. Mayor Bailey stated that they will pursue this and set up the public hearings. Don Hartle asked if the City Council will pursue the fee on the utility bill. Mayor Bailey stated that was the recommendation from City Attorney Bruce Jorgensen. Mr. Hartle stated that he will add the information to the newsletter, and then advertize it in the Herald Journal. Mayor Bailey asked if this new fire truck will last 20 years. Mr. Poppleton stated absolutely. Mayor Bailey stated that they would need to discuss the longevity of this fee. Mr. Poppleton asked what would be discussed during the public hearings. Mayor Bailey stated that they would discuss the fee, and that Mr. Poppleton should plan to attend. Mr. Hartle stated that he will add Mr. Poppleton to the August 3, 2011 City Council agenda for an update on the fire truck costs. After discussion, Gary Bates made a motion, seconded by Colin Harrison, to hold a public hearing on August 17, 2011 to assess a monthly fee to the utility billing to procure capital assets for the fire department.

YEA 5

NAY 0

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

Mike Newman met with the City Council to discuss super league and sponsorship. Mr. Newman stated that he would like to bring competitive sports back to Wellsville. Mr. Newman stated that the cost is \$1,600 to start the program. He has \$800 in sponsorships. The bare minimum that he could start with is \$1,200, so he is still short \$400. Mr. Newman stated that he is sure other competitive coaches and teams will follow. Mr. Newman stated that he has thought about Wellsville City giving him money, and then what about the next competitive coach that asks for money. Mr. Newman would like to see Wellsville City develop a competitive sports fund. Mr. Newman would like to participate in the fall super league, and use Wellsville City's recreation baseball equipment. Mr. Newman also asked if he could submit the field next to the Wellsville Dam as a field that can be played on. Ron Case asked what age group would be participating.

Mr. Newman stated that it is the 7 to 9 year olds. Mr. Newman stated that the super league is a step up from recreation league. Mr. Newman stated that it is a traveling team. Mr. Case asked if there are other teams like this. Mr. Newman stated that there are super league teams all over the valley. Colin Harrison asked how super league will fit in with recreation league. Gary Bates stated that the recreation leagues are what they will be recruiting from. Jackie D. Orton asked how the teams will be selected. Mr. Newman stated that they will have tryouts. Mr. Orton asked if Wellsville City sponsors them now, will they be back next year for more money. Mr. Newman stated that they would start fundraisers. Mr. Newman stated that the average startup fee is \$1,200 to \$2,000, and there are spring and fall super leagues. Mr. Orton stated that Wellsville City would be funding better athletes. Mr. Bates stated that the recreation league is largely self-supported. The money is used to purchase shirts, sand, and equipment upgrades. Mr. Newman stated that this money would help with registration and equipment. Carl Leatham likes the concept of super leagues. It is the next step up from recreation league, and gives the athletes a chance to develop. Mr. Orton asked what the name of the team is. Mr. Newman stated that the members of the team like Cache Stangs. Mr. Harrison stated that he understands the concept of super league, and that the recreation league gives each athlete the opportunity to play. Mr. Harrison asked how much each athlete pays to play in the super league. Mr. Newman stated that it is \$56 per player, which includes a shirt, hat, socks, and belt. Each player will purchase their own pants. Mr. Newman stated that he figures about \$650 for equipment, which includes balls, catching gear, bats, and helmets. Mr. Bates stated that he supports Mr. Newman using the recreation equipment. Mr. Orton asked if they still need the \$400. Mr. Newman stated yes. Mr. Case asked why the name of Cache Stangs. Mr. Newman stated that it is for the 20% of athletes that will not be from Wellsville. Mr. Bates gave his opinion of the super league, and reviewed the pros and cons of supporting a super league. Mr. Orton stated that he could support a super league if Wellsville was represented in the name of the team. Mr. Leatham thinks that they need to keep the Stangs as part of the team name because it gives the athletes something to aspire to when they get to high school. Mayor Thomas G. Bailey asked if there was a problem using the field. Mr. Bates stated no, but the recreation league did pay a young person to prepare the field. Mr. Newman stated that he and his team are willing to prepare the field for each game. After discussion, Jackie D. Orton made a motion, seconded by Carl Leatham, to support the super league as a sponsor of \$400, and be allowed to use the field and the recreation baseball equipment.

YEA 2

Carl Leatham
Jackie D. Orton

NAY 3

Gary Bates
Ron Case
Colin Harrison

After discussion, Gary Bates made a motion, seconded by Ron Case, that the competitive league be allowed to use the Wellsville City south baseball field and the recreation baseball equipment for fall super league.

YEA 5

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

NAY 0

Mandi McBride met with the City Council to discuss the "Run for Haiti". Ms. McBride stated that she would like to schedule the run for September 10, 2011 at the City Square pavilion from 7:00 a.m. to 11:00 a.m. Ms. McBride stated that there is an individual that has the City Square pavilion reserved, but she has contacted them and they will not be using it until 12:00 p.m. Ms. McBride asked that because this is a charity run, the fees to rent the City Square pavilion be waived. Gary Bates stated that this run has become almost a Wellsville City sponsored event. After discussion, Colin Harrison made a motion, seconded by Gary Bates, to support the "Run for Haiti" and waive the rental fees of the City Square pavilion.

YEA 5

Gary Bates
Ron Case
Colin Harrison

NAY 0

Carl Leatham
Jackie D. Orton

The City Council discussed the final decision of removal of remaining trees on the southwest corner of the intersection of 100 North 200 East on City street right-of-way. Mayor Thomas G. Bailey stated that this issue has been discussed many times, and asked for a time limit of 10 minutes. Mayor Bailey stated that Dave Bell and Colin Harrison had a discussion and decided what trees were going to be removed. Colin Harrison asked what happened on Thursday, July 14, 2011. Dave Bell stated that as he was backing out of his driveway to go to work, he stopped next to Hull's Tree Trimming truck and asked what they were doing. Mr. Bell stated that Junior Kerr pulled up and stated that the trees were coming down. Mr. Bell stated that he expressed his opinion, and told Mr. Kerr what a benefit the trees were to the community. Mr. Harrison asked if Chad Hull left and was told not to cut down the trees. Don Hartle stated yes. Mr. Hartle stated that Mr. Kerr came to the City office and spoke with him. Based on the conversation, Mr. Hartle contacted the Mayor so there was no misunderstanding, asked Chad Hull to leave and then scheduled the discussion and decision for City Council meeting tonight. Mayor Bailey stated that neither he nor Mr. Hartle could remember the exact decision that had been made. Mr. Harrison asked if there was a fight, an argument, or a nice conversation. Mrs. Bell stated that it was a nice discussion. Mrs. Bell then starting telling about the history of planting the trees. Mr. Harrison stated that wasn't the issue, and that all he was concerned with was what happened on Thursday, July 14, 2011. Mrs. Bell stated that she said to Mr. Kerr that she doesn't believe the trees should be removed. Mrs. Bell stated that she is a good person. Mr. Harrison stated that Mr. Kerr then came to the City office and told Mr. Hartle that there was a problem. Mrs. Bell stated that Mr. Kerr got very upset. Mr. Harrison stated that he is upset because he had an agreement with Mr. Bell. Mrs. Bell asked if she had a voice concerning the trees. Mr. Bell stated that he did go against the agreement that he and Mr. Harrison had. Mr. Bell apologized. Mr. Bell stated that he did express his feelings to Mr. Kerr concerning the trees. Mr. Harrison stated that the Shade Tree & Beautification Commission has a tree planting list. Mr. Harrison stated that the Kerr's have been on the committee for 28 years, the Hall's twenty-something years, and the Poulsen's 20 years. Mr. Harrison stated that the agreement that was made between himself and Mr. Bell is less than what the Shade Tree & Beautification Committee wanted, but more than what the City Council asked for. Mr. Harrison stated that the City Council has tried to work with Mr. and Mrs. Bell, but they have been ignored. Mr. Harrison stated that a decision was made by the City Council what trees to remove, and a compromise was made between himself and Mr. Bell. Mr. Harrison stated that the City Council was trying to make this a slow and easy process and work with Mr. and Mrs. Bell. Mr. Harrison stated that an agreement had been made, and he was shocked to find out that Chad Hull was sent away without removing the trees. Mr. Harrison stated that Chad Hull missed ½ day's work. Mr. Harrison stated that his opinion is that everything that is within the City's right-of-way and code be removed. Mayor Bailey stated that this is a no win situation for all parties involved. Mr. Harrison stated that the agreement that Mr. Bell agreed to was removing the 3 apple trees, 2 on 100 North and 1 on 200 East, and trimming the flowering crabapple. These trees are on City property and it is not for Mr. & Mrs. Bell to decide. After discussion, Colin Harrison made a motion, seconded by Carl Leatham, that the 3 apple trees are removed and the flowering crabapple be trimmed.

YEA 5

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

NAY 0

The City Council reviewed bids for approval of the 2011 asphalt work. Don Hartle read the following bids:

Consolidated Paving	\$66.12 per ton
LeGrand Johnson	\$58.40 per ton
Staker Parkson	\$52.30 per ton

After the bids were read, Mr. Hartle recommended awarding the contract to Staker Parson. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to award Staker Parson the contract for the 2011 asphalt work for Wellsville City.

YEA 5

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

NAY 0

The City Council discussed for possible approval of combining precincts for the Wellsville City 2011 elections. Mayor Thomas G. Bailey stated that there are 6 candidates and 3 seats available on the City Council. There will be no primary election, just a general election only. Don Hartle stated that there are 4 voting precincts, which are split by Main Street and Center Street. The voting takes place at the LDS church house on 200 South. Mr. Hartle recommends that the 4 precincts be combined into 2 precincts for City 2011 elections. Mr. Hartle recommends that Darla Moore serve as chief election official and pick 4 judges out of the 6 people that have previously served before. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to combined the 4 precincts into 2 precincts divided by Center Street and known as the east side and the west side, and Darla Moore serve as chief election official.

YEA 4

Gary Bates
Ron Case
Colin Harrison
Carl Leatham

NAY 1

Jackie D. Orton

The City Council continued their discussion of City insurance. Don Hartle stated that he contacted the Utah Local Governments Trust concerning vandalism on reservoirs. Mr. Hartle stated that they will do some research and get back to him with an answer. Mr. Hartle stated that there is no insurance coverage on underground infrastructure. Mr. Hartle stated that there is a pool program for flooding and earthquake insurance. Mr. Hartle stated that as he finds out more information, he will report to the City Council.

Department Reports:

Jackie D. Orton – 1) Would like to thank the Sheriff’s Office – has seen a deputy every morning this week.
2) Sidewalk on the City Square is finished – the scout group that replaced the sod was very impressive.
3) Asked what happens if there is a yard in the city limits that looks awful – City can send them a letter. After discussion, Jackie D. Orton made a motion, seconded by Gary Bates to send a letter to the home at approximately 100 West and 300 North identifying the problem.

YEA 5

NAY 0

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

Colin Harrison – 1) Attached to the upcoming newsletter will be an agenda for Founder’s Day.
2) The Young Men and Young Women of the Stake will be doing highway cleanup on September 6, 2011, and there will be help available to clean up the City Square after Founder’s Day.
3) New section of cemetery – any trees – none.
4) East side of cheese plant – trees need water and asked if the water truck could be used to do this.
5) Will not be in attendance at the next City Council meeting.

Ron Case – 1) Youth Council – money in a checking account – will be calling a co-couple.
2) Heard anything from the Utah League of Cities and Towns – no.

Gary Bates – 1) A letter dated July 20, 2011 concerning the Wellsville Dam Bridge Project was sent to Mark Reeder of Landmark Companies from City Engineer Chris Breinholt.
2) Will be receiving an estimate from Mr. Archibald for hand rails on the west side of the bridge.
3) Jonathon Cox – Eagle Scout project – re-stripping the Park & Ride – supposed to be completed by UDOT.
4) Discussed closing reservoir for night fishing – Officer Groves asked for some clarification as to the code and areas around the Wellsville Dam – will wait on closing the reservoir until there is a problem, but the City Square is closed and will remain closed.

Carl Leatham – 1) A special thank-you to Mayor Bailey for attending the Planning Commission meeting and the question and answer session.
2) A special thank-you to Don Hartle for sending out the letters to residents in violation of the Wellsville City code.
3) Members of the City Council need to be supportive of one another.

City Manager/Recorder Report:

Don Hartle – 1) Handed out copies of letters that have been sent to residents in violation of the Wellsville City code this week.

At 8:45 p.m., Ron Case made a motion, seconded by Jackie D. Orton, to go into an executive session.

YEA 5

NAY 0

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

At 9:30 p.m., the City County left the executive session and went back into the regular City Council meeting at which time; a motion was made by Ron Case, seconded by Colin Harrison, that City Council go back into regular City Council meeting.

YEA 5

NAY 0

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

At 9:32 p.m., Ron Case made a motion, seconded by Carl Leatham, that Don Hartle prepares a draft agreement for all parties concerned regarding the matter discussed in executive session.

YEA 5

NAY 0

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

At 9:34 p.m., Jackie D. Orton made a motion, seconded by Gary Bates, to adjourn the meeting.

YEA 5

NAY 0

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

Thomas G. Bailey
Mayor

Don Hartle
City Manager/Recorder