

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, February 15, 2012, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilmen Gary Bates, Colin Harrison, Carl Leatham, and Councilwoman Glenna Petersen. 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 February 10, 2012. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present: Jennifer Leishman Steve Krebs Jim McCaughey  
Kirsti Kjome Jonathan Cook Kyle Larsen  
Marci Larsen Clayton Case Tyson Case  
Scott Wells

Opening Ceremony: Mayor Thomas G. Bailey

The Council reviewed the amended agenda. Colin Harrison made a motion, seconded by Glenna Petersen, to approve the agenda as amended.

YEA 4 NAY 0  
Gary Bates  
Colin Harrison  
Carl Leatham  
Glenna Petersen

The Council reviewed the minutes of the February 1, 2012 regular City Council meeting. There were word changes on lines 130, 131, and 136. Gary Bates made a motion, seconded by Carl Leatham, to approve the minutes of the February 1, 2012 regular City Council meeting with the corrections.

YEA 4 NAY 0  
Gary Bates  
Colin Harrison  
Carl Leatham  
Glenna Petersen

Don Hartle gave the Council a copy of the Warrant Register showing bills submitted to the Council for approval. After review and discussion, Colin Harrison made a motion, seconded by Carl Leatham, to approve the City's bills for payment, represented by check number 14025 through 14082.

YEA 4 NAY 0  
Gary Bates  
Colin Harrison  
Carl Leatham  
Glenna Petersen

Councilman Ron Case arrived at the meeting at 6:10 p.m.

Kyle Larsen discussed with the City Council the ordinance concerning citizens' access to the water meter in emergency situations. Mr. Larsen stated that Wellsville City told him that he would absolutely not have access to turning the water meter on and off. Mr. Larsen was concerned about water loss and damage. Mr. Larsen stated that the City Council should reconsider allowing the citizen some control of the water meter during a given period of time. Mr. Larsen is also concerned with the frequency at which Wellsville City reads the water meters. Don Hartle stated that from a Public Works position, citizens that control the water meter is dealing with people's lives. Mr. Hartle stated that the drinking water could be contaminated, and Wellsville City would be responsible for it. The water meters are allowed to be turned on and off by City employees only. Gary Bates asked about surveying the citizens of Wellsville City concerning this issue. Carl Leatham asked that in an emergency situation, could Wellsville City open the manhole and show how to turn the water on and off during a limited time frame. Mr. Hartle stated that this would be no different

than him going to ATK and in a couple of minutes, show him how to fire a space shuttle motor. Mr. Hartle stated that the citizens are dealing with water that people drink. Mr. Hartle stated that this issue is taken very seriously. Mr. Hartle stated that Mrs. Larsen called and stated that she thought it has been leaking for some time. Marci Larsen stated that Mr. Hartle and the Public Works department were very good to work with. Mr. Bates requested putting this issue on a future City Council agenda.

Steve Krebs representing Questar met with the City Council. Mr. Krebs asked if there are any issues that Wellsville City has for Questar. Gary Bates stated that he had 3 different companies come to his home offering to do an audit for Questar. Mr. Krebs stated that Questar does support some contractor, but not all of them. Mr. Krebs stated that citizens should contact Questar if they have any questions. Mr. Krebs stated that Questar has begun a new coalition named NUCC, which stands for Northern Utah Chamber Coalition. The coalition meets to discuss the needs of counties in northern Utah. Mr. Krebs suggested that Wellsville City send a representative from Wellsville City to be a member of the coalition. Mr. Krebs stated that he is here to be of service to Wellsville City and the community of Wellsville. Colin Harrison asked if Questar is a member of the Cache Chamber of Commerce. Mr. Krebs stated yes. Mayor Thomas G. Bailey thanked Mr. Krebs for attending this City Council meeting.

Jim McCaughey met with the City Council for a business license. Mr. McCaughey stated that he has a small business accounting service that he runs out of his home. Carl Leatham stated that the Planning Commission approved the conditional use permit without any restriction. Mr. Leatham stated that most of the work is done inside of the home, and that Mr. McCaughey goes to the clients. Mr. McCaughey stated that is correct, and that no one would be coming to his home. After discussion, Carl Leatham made a motion, seconded by Glenna Petersen, to approve the business license for Jim McCaughey.

**YEA 5**

**NAY 0**

Gary Bates  
Ron Case  
Colin Harrison  
Carl Leatham  
Glenna Petersen

Kirsti Kjome met with the City Council to discuss the all-horse parade and entertainment. Ms. Kjome asked if Wellsville City would support an all-horse parade minus the entertainment. Ms. Kjome stated that there were sponsors for the entertainment last year, but there are no sponsors this year. Ms. Kjome stated that she has been involved with the all-horse parade since the American West Heritage Center was in charge. Colin Harrison asked if this parade took place in other communities. Ms. Kjome stated that the parade takes place in Wellsville City because of the size of the City streets. Ms. Kjome stated that she has the mailing lists for all of the teams that participate in all-horse parades, and that about 50% of the teamsters live out-of-state. Gary Bates asked if Ms. Kjome had a tentative date for the all-horse parade. Ms. Kjome stated no. Ms. Kjome stated that the all-horse parade would come under Wellsville City's insurance policy, and there is no charge to participate in the parade. Mayor Thomas G. Bailey stated that people look forward to the all-horse parade. Ms. Kjome stated that a lot of people use it as a trial run for the July 24<sup>th</sup> parade in Salt Lake City. Mr. Bates stated that the entertainment last year was great, but the support wasn't there. Mr. Bates is wondering if the all-horse parade could tie into the music on the square. Mr. Harrison asked the reason for the lack of support. Mr. Bates stated that Monday night music had the best support last year. Ms. Kjome stated that the all-horse parade begins around 10:30 a.m. Ron Case asked if Ms. Kjome was requesting funds from Wellsville City in support of the all-horse parade. Ms. Kjome stated no. Ms. Kjome asked if Wellsville City had a mass mailing permit. Mayor Bailey stated that a newsletter is sent to the citizens of Wellsville City each month that Ms. Kjome is welcomed to add to it. Mr. Harrison stated that the newsletter could help to draw in people to watch the all-horse parade. Mr. Bates stated that he would discuss the issue with Debbie Miles, who is a member of the Parks and Recreation Committee. Mayor Bailey asked if the all-horse parade takes place early in the day, how many people will stay for the entertainment. Mr. Bates stated that he would discuss this issue with the Parks and Recreation Committee. Mayor Bailey asked how to proceed with this issue. Mr. Bates stated that he would work with Ms. Kjome to set a date. Mayor Bailey stated that he appreciated Ms. Kjome and her interest in the all-horse parade.

The City Council reviewed documents and the signing of documents associate with the 2011 Trails grant. Mayor Thomas G. Bailey stated that the City Council was sent a copy of the documents. Mayor Bailey asked if there were any questions concerning this issue. Gary Bates stated that Wellsville City received more money than what they were told they were going to receive. Mr. Bates stated that he recommends that Wellsville City pursue this issue and get the section of trail that this grant is for under way. After discussion, Gary Bates made a motion, seconded by Ron Case, to approve the documents and authorize the signing of the documents associated with the 2011 Trails grant.

**YEA 5**  
Gary Bates  
Ron Case  
Colin Harrison  
Carl Leatham  
Glenna Petersen

**NAY 0**

The City Council discussed and decided the project in which to apply for funds from the 2012 RAPZ and Restaurant tax program. Gary Bates stated that the Parks and Recreation Committee met and has decided to apply for funds to complete the remainder of the trail on 400 South from 100 East to the northwest corner of the Wellsville Dam. Mayor Thomas G. Bailey stated that it would be very helpful if Mr. Bates would put together a list of all of the projects that the RAPZ tax has helped Wellsville City complete and publish it in the newsletter. Colin Harrison stated that the cost to complete the trail will not be as costly as the first part of the trail. Mr. Bates stated that is correct. After discussion, Gary Bates made a motion, seconded by Colin Harrison to authorize Don Hartle to apply for funds from the 2012 RAPZ and Restaurant tax program to complete the trail system at Wellsville Dam.

**YEA 5**  
Gary Bates  
Ron Case  
Colin Harrison  
Carl Leatham  
Glenna Petersen

**NAY 0**

The City Council reviewed documents and the signing of documents associated with a “First Right of Refusal and Right to Purchase” from Clarke Maughan. Mayor Thomas G. Bailey stated that when the City Council approved the purchase of Tom Maughan’s property, there was a discussion concerning purchasing the property adjacent to Tom Maughan’s property that is owned by the Clarke Maughan family. Carl Leatham asked for clarification of “Land in Lieu Acquired” properties, stating it’s good to have open space to preserve the views and the look of the openness of the community, but does the code allow for those properties to be developed into parks, playgrounds, and ball fields. Mr. Leatham stated it was his understanding the purpose of creating the case in lieu ordinance was to acquire larger pieces of land so the City could build parks and ball fields that people could use. If the code does not currently allow such use, the code may need to be changed before purchasing more land. Mayor Bailey stated that yes, the code does allow for those uses. Mr. Leatham stated that it is not what he understood from the discussion that Mayor Bailey and Don Hartle reported having with City Attorney Bruce Jorgensen concerning the Tom Maughan land purchase. The City Council was told that land in lieu monies could not be used to purchase recreational property. Mayor Bailey clarified that what Mr. Jorgensen had recommended was not to intermingle funds on the Higby purchase and that he would prefer to see the City keep those funds separate. Mr. Leatham stated that if that is the case, he has no problem with purchasing a right of first refusal agreement with the Clarke Maughan family. Mayor Bailey stated that Wellsville City can do what they want with the property as long as it complies with the open space ordinance. Don Hartle stated that the cash in lieu funds is to purchase property, and there will be other funds to establish a park. After discussion, Ron Case made a motion, seconded by Carl Leatham, to approve the documents and authorize the signing of the documents associated with a “First Right of Refusal and Right to Purchase” from Clarke Maughan.

**YEA 5**  
Gary Bates

**NAY 0**

Ron Case  
Colin Harrison  
Carl Leatham  
Glenna Petersen

The City Council reviewed the Letter of Intent from the Maughan Boys Corporation. Mayor Thomas G. Bailey stated that each year, Maughan Boys Corporation has to present Wellsville City with a letter of intent. There is no doubt that Perry Maughan and Tom Maughan work for Wellsville City. The letter of intent states that Maughan Boys Corporation may do projects for Wellsville City. Gary Bates stated that if Wellsville City has to use this letter as evidence, it would be nice to have the letter typed up and signed by both Perry Maughan and Tom Maughan. Mayor Bailey asked Don Hartle to go back to Maughan Boys Corporation and ask for a more formal letter. Colin Harrison asked that when Maughan Boys Corporation does a job for a property owner, are they expected to clean up after the job as much as any other contractor. The answer is yes. Mr. Harrison commented about a project that Maughan Boys Corporation completed for a resident near his home, yet there is still some cleanup work to be done. Don Hartle stated that he will discuss the issue with Perry Maughan and Tom Maughan.

The City Council reviewed a resolution making council department assignments and appointments for statutory offices. After discussion, Colin Harrison made a motion, seconded by Gary Bates, to approve **RESOLUTION 2012-01 ESTABLISH THE DUTIES AND RESPONSIBILITIES FOR THE CITY COUNCIL. APPOINT PERSONNEL TO THE STATUTORY OFFICES OF RECORDER, TREASURER, AND CITY MANAGER. ALSO, RENEW APPOINTMENTS TO THE PLANNING COMMISSION, BOARD OF ADJUSTMENTS, AND HISTORICAL COMMISSION.**

YEA 5  
Gary Bates  
Ron Case  
Colin Harrison  
Carl Leatham  
Glenna Petersen

NAY 0

The City Council continued the discussion of flooding that occurred along 400 South from 100 West to Center Street. Mayor Thomas G. Bailey stated that this issue was discussed at the last City Council meeting. It was discussed that the culverts are not big enough, and installing bigger culverts at 400 South and 100 West might help with future flooding. Mayor Bailey asked if the City Council had reviewed the area and asked for any comment. Don Hartle asked that the City Council hold off on this issue. Mr. Hartle stated that they are having some issues with the existing utilities. Mr. Hartle stated that they have talked to Annette Smith about building a berm in her backyard. Mr. Hartle stated that he will continue to work on this issue, and will bring it back before the City Council when he finds out more answers. After discussion, Gary Bates made a motion, seconded by Colin Harrison, to table the discussion of flooding that occurred along 400 South from 100 West to Center Street.

YEA 5  
Gary Bates  
Ron Case  
Colin Harrison  
Carl Leatham  
Glenna Petersen

NAY 0

The City Council held a discussion concerning wages for budget year 2012/2013. Mayor Thomas G. Bailey stated that all of the City Council members were handed budget worksheets at the last City Council meeting. Mayor Bailey asked if there was money in the budget for raises this year. Don Hartle stated that he has discussed this issue with several other City Managers. Mr. Hartle stated that other cities have a 0 to 2% increase. Mr. Hartle stated that increases are not based on individuals, but on percentages. Mr. Hartle stated that this is another issue that he would like to postpone for 2 weeks. Mr. Hartle stated that he is not quite sure, but for some reason, the finances are not making sense right now. Mr. Hartle stated that the last

raises were \$20 a month for full-time employees and \$0 for part-time employees. Mayor Bailey stated that the insurance rate was locked in at last year's rate, so any increase in insurance will be picked up by the employee. Mr. Hartle stated that there will be no increase to Wellsville City for the cost of insurance. Ron Case asked Don Hartle to put together some numbers for next City Council meeting showing what 1% and 2% increase would be, and also the salaries for each employee. Mr. Case asked if Wellsville City has salary ranges set. Mr. Hartle stated no. Mr. Hartle stated that he would like to see Wellsville setup and print a personnel policy manual. After discussion, Ron Case made a motion, seconded by Carl Leatham, to table the discussion concerning wages for budget year 2012/2013.

YEA 5

NAY 0

Gary Bates  
Ron Case  
Colin Harrison  
Carl Leatham  
Glenna Petersen

#### Department Reports:

Colin Harrison – 1) Letter from Tree City USA – application for 24 years has been approved – been sent on to national level.

Glenna Petersen – 1) Youth Council – will help Don Hartle with water information for the 5<sup>th</sup> graders on March 21, 2012.

2) Letter for sidewalk grants – add item to next City Council agenda.

Ron Case – 1) Youth Council – 6 to 7 member of the Wellsville City Youth Council helped at the Children's Justice Center banquet – thank you.

2) Have reported fires seen down by the Wellsville Dam – west side, called the Sheriff's Office and responded within 10 to 15 minutes of the call – couple of nights ago, seen another fire on the east side of the Wellsville Dam.

3) CERT Training – March – 6 have signed up so far – discussed quarterly training done by the Wellsville City Volunteer Fire Department – review procedures.

4) Nibley City Manager Position – 59 candidates applied, have narrowed it down to 5.

Mayor Thomas G. Bailey – 1) Margo Pierce has accepted the position of 2012 Founder's Day Parade Chair, and Dee Stoddard has accepted the position of parade float driver.

Gary Bates – 1) Handed out a current list of the Parks and Recreation Committee members.

2) Sand – 30 cubic yards – 1 load – dump ½ at the softball field and ½ at the little league field.

3) Parks and Recreation Committee not excited about a community yard sale – feel overwhelmed – name for a specialist to be in charge.

4) State of Utah is willing to construct a fish cleaning station at the Wellsville Dam – Wellsville City would be responsible for utilities (sewer, water, power) – discussed with Parks & Recreation Committee – decided people can take fish home. Some concerns were keeping the station clean, where would the station be constructed. Discussed additional fishing platforms, too many may distract from view and finish the fishing platform we have. Would be nice to have something on the east side, review the east side, west side has plenty of fishing platforms.

5) Healthy City – gold award – will look into it.

Carl Leatham – 1) Commercial Committee meeting – tomorrow night – Carl's home.

#### City Manager/Recorder Report:

Don Hartle – 1) Gary Hansen – has discussed with a lot of people different options concerning the cheese plant. The cheese plant has a 3-inch water hook-up, which the impact fee is \$45,772. The City Engineer and Public Works department agree that the impact fee has been paid years ago. A ¾-inch water hook-up

has an impact fee of \$3,051. Wellsville City would take back the 3-inch water hook-up, and provide 15 ¾-inch water hook-ups. The City Council agrees.

- 2) Red Slide Subdivision West Park – all documents have been signed and it was filed as of yesterday.
- 3) Art Smith – form a Wellsville City support group for Alzheimer’s – would like to use the City Office for meetings – No.

At 7:51 p.m., Carl Leatham made a motion, seconded by Glenna Petersen, to adjourn the meeting.

**YEA 5**

Gary Bates  
Ron Case  
Colin Harrison  
Carl Leatham  
Glenna Petersen

**NAY 0**

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Thomas G. Bailey  
Mayor

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Don Hartle  
City Manager/Recorder