

MINUTES of the regular **City Council** meeting of Wellsville City held **March 06, 2024**, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey; Councilwoman Kaylene Ames; Councilmen Carl Leatham, Bob Lindley, and Austin Wood. City Engineer Chris Breinholt and City Manager/Recorder Scott Wells were also present. A copy of the Notice and Agenda were mailed to the Mayor and Councilmembers and emailed and faxed to the Herald Journal on February 29, 2024. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Councilwoman Denise Lindsay was excused from this meeting.

Others Present:	Tracy Bodrero	Megan Petersen	Bob Strong
	Brad White	Linda Wursten	

Opening Ceremony: Councilwoman Kaylene Ames

The Council reviewed the agenda. **Councilman Carl Leatham made a motion, seconded by Councilman Bob Lindley, to approve the agenda as presented.**

<u>YEA 4</u>	<u>NAY 0</u>	<u>ABSENT 1</u>
Kaylene Ames		Denise Lindsay
Bob Lindley		
Carl Leatham		
Austin Wood		

The Council reviewed the minutes of the February 21, 2024, regular City Council meeting. **Councilman Austin Wood made a motion, seconded by Councilman Bob Lindley, to approve the minutes of the February 21, 2024, regular City Council meeting.**

<u>YEA 4</u>	<u>NAY 0</u>	<u>ABSENT 1</u>
Kaylene Ames		Denise Lindsay
Bob Lindley		
Carl Leatham		
Austin Wood		

At 6:05 p.m., Mayor Thomas G. Bailey opened the meeting for citizen input. There was no citizen input. At 6:06 p.m., citizen input was closed.

Bob Strong met with the City Council to request a **Business License** to operate 'Commercial Tire Inc.,' out of the property located at approximately 400 East 400 North (Tax Id. #11-086-0047). Bob Strong informed the Commission that Commercial Tire intends to build a future facility north of Sharp Transportation for commercial and noncommercial vehicles. Until then, Mr. Strong, Zan Sharp, and Mike Pressley have been searching for a warehouse/mobile truck stop location in Wellsville City in which to establish commercial business. The 400 East 400 North (Tax Id. #11-086-0047) property's existing building would be used mainly as a storage warehouse however, some inhouse service would be provided within the building. Commercial Tire is currently servicing Sharp Transportation, Waste Management, and Super T Transport. Mr. Strong shared that Commercial Tire services trucks in Wellsville and Wellsville Canyon nearly daily. He added most of the Commercial Tire's servicing is done at client truck yards. He reported that a tire service in Wellsville would enable truckers to avoid Logan's congested traffic. Mr. Strong said Commercial Tire focuses on providing exceptional service which generates return customers. He noted the business' commercial tax will benefit Wellsville City in areas such as parks and schools.

Councilman Carl Leatham reported that the Planning Commission approved the **Design Review Permit** to operate 'Commercial Tire Inc.' business out of the property located at approximately 400 East 400 North (Tax Id. #11-086-0047); contingent upon the conditions of approval outlined in City Planner Jay Nielson's **Staff Report**. Councilman Leatham reviewed the required conditions of approval,

“Recommended conditions of approval:

- 1. No changes to the site shall be made without amending the Design Review Permit and obtaining permits for drainage and stormwater.*
- 2. No outside storage shall be allowed (including storage of tires).*
- 3. No parking in of vehicles or equipment in the front setback (30' from front property line.*
- 4. Define with this approval, where waste storage will be located. Cannot be located in front setback.*
- 5. No construction, filling, or storage in the floodway. See engineer's comments attached.*
(The west boundary of the floodway line runs east of the building at a location that is approximately midway between the existing building and the riverbank.)
- 6. Accommodations must be made for a permanent or temporary restroom.*
- 7. Must obtain letter clearing this building for fire safety.*
- 8. Amendment to the Design Review Permit shall be required for the following:*
 - a. More than 5 vehicles in the yard at any time*
 - b. On-site fueling*
 - c. Changes to the site*
 - d. Changes to the building*
 - e. Outside storage”*

Councilman Leatham pointed out that the site has no water. Therefore, the business must haul in water necessary to mix with soap. He noted the site is served by 400 North Street which has a weight limit posted for 10,000-pounds. Mr. Strong reported that they have one vehicle that exceeds that weight. If required, they could park that vehicle at an off-site location. At the Planning Commission’s public hearing on February 14 2024, a citizen asked what the city intends to do about the weight limit. City Engineer Chris Breinholt reported the new road and bridge are capable of accommodating a 10,000-pound truck. Councilman Leatham recommended the weight limit sign be relocated to limit heavy truck traffic past Wellsville Cemetery. Three service trucks and one hand truck will be located on site. The Planning Commission also questioned access to the site. There are two gravel accesses to the site. Applicant wants to use both for better truck circulation. He stated road base will limit the amount of mud tracked out onto the 400 North roadway. At tonight’s meeting, Councilman Austin Wood asked if the site’s yard has adequate space for a truck to turn around in. Mr. Strong said they will utilize Sharp’s truck yard with a mobile service truck for most heavy trucks. Smaller trucks will be utilizing 400 North, such as 450 and 550 service trucks, he stated. Thus, Councilman Leatham concluded that he sees no need to change the weight limit on 400 North. **Councilman Carl Leatham made a motion, seconded by Councilman Bob Lindley, to approve a Business License for ‘Commercial Tire Inc.,’ to operate out of the property located at approximately 400 East 400 North (Tax Id. #11-086-0047).**

YEA 4

Kaylene Ames
Bob Lindley
Carl Leatham
Austin Wood

NAY 0

ABSENT 1

Denise Lindsay

Payroll is approved through the budget, therefore, the checks approved in the City Council minutes are not in numerical order from City Council meeting to City Council meeting as the city uses the same checking account for payroll and accounts payable. After review and discussion, **Councilman Austin Wood made a motion, seconded by Councilman Bob Lindley, to approve the city’s accounts payable bills for payment, represented by check number 29321 through 29357.**

YEA 4

Kaylene Ames
Bob Lindley
Carl Leatham
Austin Wood

NAY 0

ABSENT 1

Denise Lindsay

Next, the Council shall continue the February 07, 2024 discussion regarding septic tank and waterline options for Brad White at the property located at approximately 450 North 150 East (Tax Id. #11-080-0053). Mr. White reminded the Council that he intends to sell the lot which is a unique property given that the Oregon Short Line Railroad (Tax Id. #11-080-0005) will not allow future growth to the north. The lot is approximately 250-feet from the nearest city utilities at approximately 150 East 400 North. **8-3-2: 'Use of Public Sewers Required'** requires a property owner to hook onto city sewer when an existing mainline is within 300-feet. Mr. White said the cost of utilities makes developing the open lot unfeasible. At the previous meeting, he brought up cost-saving suggestions such as running utilities 10-feet past the southern edge of the parcel (rather than the entire frontage), constructing private service lines, or Wellsville City allowing a septic system for the lot. At the end of the previous meeting, the Council agreed to review **8-3-2: 'Use of Public Sewers Required;'** and consult with City Engineer Chris Breinholt.

This evening, Mr. White asked if he would be required to replace the approximate 225-feet of sidewalk he previously installed along 150 East. Mayor Thomas G. Bailey asked City Engineer Chris Breinholt for his recommendations. City Engineer Breinholt stated city policy does not allow private lateral in city streets. He explained that state law requires that cities blue stake their utility lines. Private sewer lines running parallel with city lines within city streets are particularly difficult to blue stake. If those private lines are damaged within the city street, Wellsville City could be held liable City Engineer Breinholt explained. He said there may be an option to run private lines through private property if allowed by the neighboring property owner. City Engineer Breinholt reported the southern edge of Mr. White's lot is 235-240 feet from the existing sewer. The existing sewer is 325-feet from the center of his lot. **8-3-2: 'Use of Public Sewers Required'** requires a property owner to hook onto city sewer when an existing mainline is within 300-feet. The Council can determine how to interpret the 300-foot rule he stated. City Engineer Breinholt added that code requires city-owned sewers to be an 8-inch minimum, with a manhole every 300-feet.

Councilwoman Kaylene Ames asked where the lot would attach to the water mainline. City Manager/Recorder Scott Wells answered the south side of 400 North. Councilman Austin Wood shared he was in favor of allowing Mr. White to run utilities 10-feet past the southern edge of the parcel rather than the lot's entire frontage. Mr. White suggested the city allow a septic system since the existing sewer is over 300-feet from the center of his lot. Councilman Bob Lindley stated state code requires a property owner to hook onto city sewer when an existing mainline is within 300-feet of the edge of their property. He expounded that city code requires mainlines to run to the full frontage of a property. Councilman Lindley emphasized he would not vote to allow a septic system on this lot. Councilman Carl Leatham noted this is a unique property given that the railroad will not allow future growth to the north. Councilwoman Kaylene Ames agreed. Councilman Leatham reminded the Council that Mr. White's home/shop lot (Tax Id. #11-080-0018) is large enough to divide in the future for another building lot directly north of the lot in question. In that scenario, the sewer and waterlines would have to be extended even further. City Manager/Recorder Wells confirmed another buildable lot could be subdivided to the north in the future. Councilman Leatham questioned utilizing a grinder pump to connect to the 100 East sewer. City Manager/Recorder Wells reported that the distance from 100 East to the center of Mr. White's lot, is approximately the same as the distance from 400 North to the center of the lot. Councilman Leatham stated he is very leery of running a private lateral given that property owners change over time. No variances can be made within the public right-of-way Councilman Lindley asserted. Councilman Wood stated that requiring residents to extend water and sewer the full length of their property makes sense when additional development can take place beyond that property. He recognized the possibility of a single buildable lot connecting to this lot's utilities. City Manager/Recorder Wells said that additional sidewalk will be required along this lot's frontage. Councilman Leatham added that any existing sidewalk along 150 East damaged in the construction process must be replaced. City Engineer Breinholt repeated that code requires a city-owned sewer to be a minimum diameter of 8-inches with a manhole every 300-feet. Councilman Leatham noted that fire hydrants are required every 250-feet. Mayor Thomas G. Bailey encouraged the Council to not deviate from the code.

Councilman Carl Leatham made a recommendation, seconded by Councilman Austin Wood, to require an 8-inch sewer line within Wellsville City's right-of-way, from 400 North to at least 10-feet past the south lot line, at the property located at approximately 450 North 150 East (Tax Id. #11-080-0053); as well as replace the existing sidewalk along 150 East.

YEA 2

Carl Leatham
Austin Wood

NAY 2

Kaylene Ames
Bob Lindley

ABSENT 1

Denise Lindsay

It was then up to Mayor Thomas G. Bailey to cast the deciding vote. Mayor Thomas G. Bailey stated he is willing to allow Mr. White to construct a sewer line 10-feet past the south property line rather than the full length of the lot. **Mayor Thomas G. Bailey, Councilman Carl Leatham, and Councilman Austin Wood voted to require an 8-inch sewer line within Wellsville City's right-of-way, from 400 North to at least 10-feet past the south lot line, at the property located at approximately 450 North 150 East (Tax Id. #11-080-0053); as well as replace the existing sidewalk along 150 East.**

YEA 3

Carl Leatham
Austin Wood
Mayor Thomas G. Bailey

NAY 2

Kaylene Ames
Bob Lindley

ABSENT 1

Denise Lindsay

Department Reports:

Councilman Carl Leatham-

1) No business or concerns at this time.

Councilwoman Kaylene Ames-

1) No business or concerns at this time.

Councilman Bob Lindley-

1) RAPZ Tax Program applications were completed on March 05, 2024. Applications were made to refurbish the tennis courts, construct basketball courts, and install two blocks of trail to help eventually connect Wellsville Reservoir to Murray Trailhead. The Council was in favor of asphalt trails in undeveloped areas.

1) Baseball, softball, and t-ball signups began on March 01, 2024.

Councilman Austin Wood-

1) No business or concerns at this time.

City Manager/Recorder's Report:

1) A flyer was presented to the Council advertising the first ever Wellsville Stampede Rodeo Royalty contest. City Manager/Recorder Scott Wells asked if the Council is comfortable with allowing the announcement sheet to be included in the city newsletter envelopes. There is no additional postage charge for a second sheet of paper. The Council approved.

2) On March 5, 2024 Wellsville City applied for a \$3.1 million low-interest loan to fund a future culinary well (Tax Id. #10-039-0004), which will hopefully service those in the city living above 4,650-feet of elevation. Total cost of the project including well house infrastructure is estimated to be \$3.5 million. Wellsville City has the difference within its budget. City Manager/Recorder Wells explained the bid for the project has numerous variables. Wellsville City will present the culinary well project to the State of Utah on April 30, 2024. A loan with the State of Utah currently has a 2.5% interest rate. Private loans currently have a 5% interest rate.

3) Councilmembers were asked to review their budgets and be prepared to discuss adjustments (if needed) within the next few weeks.

4) Pickleball courts will be completed once the snow melts.

5) The Council and Planning Commission will review and possibly reevaluate the one-year time limit on **Design Review Permits**. Subdivision permits have no time limit.

6) City Manager/Recorder Wells invited the Council to attend the March 13, 2024 Planning Commission meeting. The Commission shall receive public input, then consider for approval a request from Mike Baldwin for a **Design Review Permit** to operate the "Sam Patch" grocery store out of the property located at approximately 825 East Main (Tax Id. #11-112-0001). The Council discussed the commercial project's details. The developer has agreed to donate property if Wellsville City will square the intersection at 900 East and Hwy 101 to provide a safer access. Council of Governments (COG) funding for the project is under consideration.

At 7:28 p.m., Councilman Bob Lindley made a motion, seconded by Councilman Carl Leatham, to adjourn the meeting.

YEA 4

Kaylene Ames
Carl Leatham
Bob Lindley
Austin Wood

NAY 0

ABSENT 1

Denise Lindsay



Thomas G. Bailey
Mayor



Scott E. Wells
City Manager/Recorder