

MINUTES of the regular **City Council** meeting of Wellsville City held **June 19, 2024**, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey; Councilwomen Kaylene Ames and Denise Lindsay; Councilmen Carl Leatham, Bob Lindley, and Austin Wood. City Engineer Chris Breinholt and City Manager/Recorder Scott E. 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 June 14, 2024. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present: Tracy Bodrero Margaret Bosworth Megan Petersen
 Gina Thompson Mark Thompson Linda Wursten

Opening Ceremony: Mayor Thomas G. Bailey

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

<u>YEA 5</u>	<u>NAY 0</u>	<u>ABSTAIN 0</u>	<u>ABSENT 0</u>
Kaylene Ames			
Carl Leatham			
Bob Lindley			
Denise Lindsay			
Austin Wood			

The Council reviewed the minutes of the May 01, 2024, regular City Council meeting. Councilman Carl Leatham asked if 200 East will be paved between 400 South and 700 South as indicated in the minutes. City Manager Scott E. Wells and Minute Taker Megan Petersen will review that line.

The Council reviewed the minutes of the June 05, 2024, regular City Council meeting. **Councilman Austin Wood made a motion, seconded by Councilman Bob Lindley, to approve the minutes of the June 05, 2024, regular City Council meeting.**

<u>YEA 5</u>	<u>NAY 0</u>	<u>ABSTAIN 0</u>	<u>ABSENT 0</u>
Kaylene Ames			
Carl Leatham			
Bob Lindley			
Denise Lindsay			
Austin Wood			

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. The Payment Approval Report is dated 06/19/2024. City Manager/Recorder Scott Wells noted 'L.N. Curtis & Sons' was paid for new helmets for each member of the fire department. Irene Einzinger was paid for language translation in the Wellsville Justice Court. After review and discussion, **Councilwoman Denise Lindsay, seconded by Councilman Bob Lindley, to approve the city's accounts payable bills for payment, represented by check number 29661 through 29696.**

<u>YEA 5</u>	<u>NAY 0</u>	<u>ABSTAIN 0</u>	<u>ABSENT 0</u>
Kaylene Ames			
Carl Leatham			
Bob Lindley			
Denise Lindsay			
Austin Wood			

At 6:13 p.m., Mayor Thomas G. Bailey opened the meeting for citizen input.

Margaret Bosworth asked why Whitaker uses culinary water to mitigate dust along the 4600 South roadway

leading to Wellsville Pine Canyon Pit. City Manager/Recorder Scott E. Wells explained that Wellsville City trades water for use of Whitaker's bulldozer. The volume of water used by Whitaker is tracked. Miss Bosworth recommended the City trade irrigation water to Whitakers rather than culinary water.

Tracy Bodrero asked if 'Google Translate' could be used in the Wellsville Justice Court rather than paying an interpreter hourly. City Manager/Recorder Scott E. Wells answered no and expounded that Utah State Courts require interpreters be credentialed and certified.

At 6:15 p.m., citizen input was closed.

Beginning at 6:16 p.m., the City Council shall receive public input, then consider for possible adoption **Resolution 2024-04**, a resolution opening the City 2023/2024 fiscal year General Fund, Capital Projects Fund, Water Fund, Sewer Fund, and Storm Water Fund, both Operating and Capital budgets previously adopted, to make transfers and adjustments and authorize certain interdepartmental transfers within. City Manager Scott E. Wells explained the adjusted revenues and expenses that balanced the 2023/2024 budget. He thoroughly reviewed each fund's interdepartmental transfers.

At 6:20 p.m., Mayor Thomas G. Bailey opened the public hearing and asked if there were any comments. Tracy Bodrero asked if the interdepartmental transfers are open to the public. Mayor Bailey answered that the city budget is always open to the public. City Manager/Recorder Wells explained that the State mandates that Wellsville City has a balanced budget, balancing the budget requires interdepartmental transfers. At 6:21 p.m., **Councilman Carl Leatham made a motion, seconded by Councilman Bob Lindley, to close the public hearing.**

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Kaylene Ames
Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

Mayor Bailey then asked the City Council if they had any questions or comments. Councilman Austin Wood asked what '*Community Progress*' encompasses. City Manager/Recorder Wells answered Founders' Day, Historical Committee, Beautification Committee, tree trimming, etc. Councilwoman Kaylene Ames pointed out an incorrect date on the third page. City Manager/Recorder Wells corrected the date. The Council verified all budget revenues matched expenses. **Councilwoman Kaylene Ames made a motion, seconded by Councilwoman Denise Lindsay, to adopt Resolution 2024-04 to open the 2023/2024 fiscal year General Fund, Capital Projects Fund, Water Fund, Sewer Fund, and Storm Water Fund, both Operating and Capital budgets previously adopted, to make transfers and adjustments and authorize certain interdepartmental transfers within.**

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Kaylene Ames
Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

Second, the City Council shall receive public input, then consider for possible adoption **Resolution 2024-05**, a resolution establishing the salary and salary ranges and benefits for the employees of Wellsville City, covering the fiscal budget year July 1, 2024 through June 30, 2025. Full time employees; public works, court clerk, and assistant treasurer will receive a three percent (3%) Cost of Living Adjustment (COLA) and a three percent (3%) Merit Increase. The Water Superintendent has a salary of \$5,878.00 month. The Sewer Superintendent has a salary of \$5,680.00 per month. The Roads Superintendent has a salary of \$5,311.00 month. According to a new State statute, City Manager/Recorder Scott E. Wells reported the nonelected, non-statutory, fulltime employee's salaries. Part-time employees will receive a three percent

(3%) Merit Increase. At 6:24 p.m., Mayor Thomas G. Bailey opened the public hearing and asked if there were any comments. There was no public input. At 6:25 p.m., **Councilman Carl Leatham made a motion, seconded by Councilman Austin Wood, to close the public hearing.**

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Kaylene Ames
Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

Mayor Bailey then asked the City Council if they had any questions or comments. Councilman Bob Lindley asked why the seasonal part-time Summer Public Works employee salaries have such a broad range (\$9.00 to \$21.21 per hour). City Manager/Recorder Wells answered that higher salaries are paid to several individuals hired to operate equipment for road repairs. Youth hired for summer jobs are paid the lower end of the range. City Manager/Recorder Wells reported that superintendents are paid according to their certifications. Salaries increase \$1.00 per hour per certification to incentivize earning certifications. Councilwoman Denise Lindsay noted an incorrect date. City Manager/Recorder Wells made the correction. **Councilman Bob Lindley made a motion, seconded by Councilman Austin Wood, to adopt Resolution 2024-05, to establish the salary and salary ranges and benefits for the employees of Wellsville City, covering the fiscal budget year July 01, 2024 through June 30, 2025.**

YEA 4

NAY 0

ABSTAIN 1

ABSENT 0

Kaylene Ames
Carl Leatham
Bob Lindley
Austin Wood

Denise Lindsay

Third, the City Council shall receive public input, then consider for possible adoption **Code Amendment Ordinance 2024-03**, an amendment of the Wellsville City Code for the purpose of setting salaries and benefits for the elected and statutory officers for fiscal year July 01, 2024 through June 30, 2025. City Manager/Recorder Scott E. Wells stated the mayor and council members do not receive an increase in salary. Mayor Thomas G. Bailey is paid a quarterly salary of \$1,050.00 and a quarterly stipend of \$975.00. Councilmembers are paid a quarterly salary of \$445.00. Mayor Thomas G. Bailey and City Manager/Recorder Wells explained State law requires the Justice of the Peace receive the same raise as full-time city employees (6%). The State also raised Justice of the Peace minimum salaries at that particular tier which brought the overall increase to twenty one percent (21%). With that increase, the Justice of the Peace is paid \$2,745.00 monthly. The City Treasurer will receive a three percent (3%) Cost of Living Adjustment (COLA) and a three percent (3%) Merit Increase equaling a \$5,372.00 monthly salary. The City Manager will receive a two percent (2%) Cost of Living Adjustment (COLA) and a two percent (2%) Merit Increase equaling a \$5,463.00 monthly salary. The City Recorder will receive a two percent (2%) Cost of Living Adjustment (COLA) and a two percent (2%) Merit Increase equaling a \$3,642.00 monthly salary. At 6:33 p.m., Mayor Thomas G. Bailey opened the public hearing and asked if there were any comments. There was no public input. At 6:34 p.m., **Councilman Carl Leatham made a motion, seconded by Councilman Bob Lindley, to close the public hearing.**

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Kaylene Ames
Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

Mayor Bailey then asked the City Council if they had any questions or comments. Councilman Carl Leatham asked if a wage analysis has been conducted recently. City Manager/Recorder Wells reported that Hyrum City is in the midst of adopting a new wage analysis which Wellsville City will then compare

employee positions to. The city manager and public works positions have already been compared and are well matched. Job analyses will also be necessary given that employees have multiple responsibilities in small municipalities. Those analyses will help compare city employees to neighboring city employees. Mayor Bailey explained that Hyrum City has purchased a point system for wages. Employees build points as they attain new training and take on additional duties. Added points drive wage increases. Wellsville City has committed to implementing a similar point system for employees. The point system will help demonstrate that current employee wages and future pay increases are *not* arbitrary or capricious figures. **Councilman Austin Wood made a motion, seconded by Councilman Bob Lindley, to adopt Code Amendment Ordinance 2024-03, an amendment of the Wellsville City Code, for the purpose of setting salaries and benefits for the elected and statutory officers for fiscal year July 01, 2024 through June 30, 2025.**

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Kaylene Ames
Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

Fourth, the City Council shall receive public input, then consider for possible adoption **Resolution 2024-06**, a resolution approving and adopting the fiscal 2024/2025 Operating and Capital budgets for Wellsville City's General Fund, Capital Projects Fund, Water Fund, Sewer Fund, and Storm Water Fund. City Manager/Recorder Scott E. Wells repeated full-time employees will receive a six percent (6%) increase. Part-time employees will receive a three percent (3%) increase. Two part-time employees hired midyear will not receive an increase. Employee medical and dental insurance increased two and a half percent (2.5%). The City will cover ninety five percent (95%) of insurance premiums, with employees paying five percent (5%). City Manager/Recorder Wells highlighted each fund. Wellsville City was awarded \$100,000.00 in RAPZ tax which will be utilized to build a basketball court. \$36,000.00 of savings has been allocated for a land application sewer pump. Budgeted impact fees are associated with five homes. A new impact fee study will soon be needed. The Wellsville Justice Court is solvent and paying for itself. At 6:52 p.m., Mayor Thomas G. Bailey opened the public hearing and asked if there were any comments. There was no public input. At 6:53 p.m., **Councilman Bob Lindley made a motion, seconded by Councilwoman Denise Lindsay, to close the public hearing.**

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Kaylene Ames
Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

Mayor Bailey asked the City Council if they had any questions or comments. Councilwoman Denise Lindsay asked if the solvency of the Wellsville Justice Court is likely to continue. City Manager/Recorder Wells reported that the Wellsville Justice Court and neighboring courts are having increased difficulty achieving solvency. **Councilman Bob Lindley made a motion, seconded by Councilwoman Denise Lindsay, to adopt Resolution 2024-06, approving and adopting the fiscal 2024/2025 Operating Capital budgets for Wellsville City's General Fund, Capital Projects Fund, Water Fund, Sewer Fund, and Storm Water Fund.**

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Kaylene Ames
Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

Fifth, the City Council shall receive public input, then consider for possible adoption **Resolution 2024-07**, a resolution setting the fee in lieu of water dedication transferred to the city upon annexation, development and/or subdividing at \$7,500 per acre foot for the City's fiscal 2024/2025 year. Brent Parker estimates water rights are currently valued from \$7,500.00 to \$10,000.00 per acre foot. City Manager/Recorder Wells stated he determined to err on the conservative side setting the 'fee in lieu of transfer and dedication of the required water' at \$7,500.00. He reported that new State legislation determines that if a municipality has adequate water rights for a 40-year period it can no longer require 'fees in lieu of water dedication' to be transferred to the city upon development and/or subdividing. Annexations will continue to allow 'fees in lieu of water dedication' transferred to the city.

At 7:00 p.m., Mayor Thomas G. Bailey opened the public hearing and asked if there were any comments. Margaret Bosworth asked if a privately owned water share is worth \$7,500.00. Mayor Bailey clarified that the irrigation system sets their own rate for an individual share of water. This resolution applies to new developments bringing shares into Wellsville City or paying 'fees in lieu of water dedication.' Councilman Carl Leatham expounded that this ordinance was originally put in place to protect Wellsville City and its citizens by keeping ground water here where it belongs.

Mark Thompson asked if the \$7,500.00 per acre foot price is the same price for commercial developments. City Manager/Recorder Wells stated he would need to do some research before giving an accurate response.

Tracy Bodrero asked if water shares could be taken away if Wellsville City does not grow and expand as quickly as possible. Mayor Bailey answered that a considerable expense is spent annually ensuring that Wellsville City is kept up to date on its water shares. To this date, Wellsville City has not lost a single water share. City Engineer Chris Breinholt confirmed. Mr. Bodrero expressed concern that Wellsville City will lose water shares if the city does not achieve an adequate growth rate.

At 7:06 p.m., **Councilman Bob Lindley made a motion, seconded by Councilman Carl Leatham, to close the public hearing.**

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Kaylene Ames
Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

Mayor Bailey asked if the City Council had any questions or comments. Councilwoman Kaylene Ames pointed out a spelling error in the resolution's title which reads '*subdiving*' rather than '*subdividing*.' City Manager/Recorder Wells made the correction. Councilmen Austin Wood and Bob Lindley asked if an acre foot of water relates to 1,200 square feet of property. City Manager/Recorder Wells clarified that 3-acre feet of water is required per buildable acre. Councilman Carl Leatham asked if the resolution only applies to annexations. Mayor Bailey answered that the resolution also applies to development within the city. He noted that Wellsville City has encouraged subdivisions to install pressurized irrigation systems rather than pay a fee in lieu. **Councilman Austin Wood made a motion, seconded by Councilman Bob Lindley, to adopt Resolution 2024-07, setting the fee in lieu for water dedication transferred to the City upon annexation, development and/or subdividing at \$7,500.00 per acre foot for the City's fiscal 2024/2025 year; correcting '*subdiving*' to '*subdividing*' in the Resolution's title.**

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Kaylene Ames
Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

The Mayor and City Council shall discuss for approval a **Proclamation on Scarcity of Water** under

Wellsville City Code 8-1E-18. City Engineer Chris Breinholt authored a Memorandum (see Attachment #1) and began a presentation titled '*Wellsville City Culinary Water Report, Upper Pressure Zone's Water Scarcity*' (see Attachment #2). Overhead screens showed a map displaying the two main culinary wells adjoining Darley Park; Leatham Springs near Sherwood Hills, and the location of the newly proposed well near the Ranches Subdivision. City Engineer Breinholt displayed a map of the 'Upper Pressure Zone' area. Generally, this is the area above the elevation 4,650-feet, with the exception of Red Slide Subdivision. Red Slide gets its water from the city's wells and does not impact the spring. There are currently 156 units connected to the water system in the upper pressure zone which can only be served by the City's Springs (the Ranches, Mt. Sterling Estates, Sterling Ridge, Cooper Ridge, Sherwood Hills, etc.). At this time, the current infrastructure of the City's water system cannot get water from the wells to the Upper Pressure Zone. A moratorium on building was put in place above elevations of 4,650-feet in 2021 after drought caused a 29-year low in flows from Leatham Springs. Flows were still lower in 2022... with no other record as low. Springs rebounded in 2023 after better winter conditions. City Engineer Breinholt reported that the city's wells are doing good. He displayed a table titled '*Leatham Springs Water Production, Gallons per Day*' in August (the lowest production month along with the highest demand). The average flow from August 1991 to August 2023 has been 1,284,063 gallons per day. The lowest on record in 2022 was 335,418 gallons per day. City Engineer Breinholt explained that Leatham Springs is unique in that it is more susceptible to the prior winter precipitation accumulation than many other springs. He repeated homes in the Upper Pressure Zone can *only* be served by Leatham Springs. City Engineer Breinholt expounded that the State Division of Drinking Water (DDW) updated the city's '*System-Specific Minimum Sizing Standard*' in a memo dated October 17, 2022. The limiting factor in this case is the requirement for Peak Day Demand. The state requires that the system can supply 3,200 gallons per day/Equivalent Residential Connection (ERC).

Peak Day Supply Requirement for Upper Pressure Zones:

3,200 gallons/day x 156 ERC's= 499,200 gallons per peak day

The Peak Day Water available in August 2022 was 335,418 gallons. In addition to the water required for the homes and businesses connected, the City has a legal obligation to turn out four percent (4%) of the measured flow to Mark Thompson. In August 2022, 13,417 gallons per day were owned by Mr. Thompson. Leaving **322,001 gallons/day available** in August 2022. Subtracting the DDW's total required left Wellsville City in a **deficit of 177,199 gallons per day**. Councilman Austin Wood asked if conservation efforts over the last two years influenced these volumes. City Engineer Breinholt said conservation efforts may have helped prevent the 2022 deficit from becoming an inoperable emergency in the Upper Zone. City Engineer Breinholt concluded by reading aloud his recommendations,

- *"Assume drought conditions could return at any time.*
- *Be vigilant regarding water use restrictions in the upper zone as drought conditions return.*
- *Restrict any new demands on the upper pressure system.*
- *Seek new source for upper zone- continue with planned well drilling."*

City Engineer Breinholt's final recommendation was that the Mayor and City Council approve the **Proclamation on Scarcity of Water**.

Mayor Thomas G. Bailey explained that the **Proclamation on Scarcity of Water** restrictions would remain in place until withdrawn by the Mayor and the City Council. Whereas a moratorium expires in six months. City Manager/Recorder Scott E. Wells emphasized that the Proclamation is backed by State and City Code. He read aloud,

"WHEREAS, Utah Code 10-7-14 expressly grants cities the authority to enact ordinance, rules, and regulations for the management and conduct of the waterworks owned or controlled by them;

WHEREAS, Wellsville City Code 8-1E-18 provides that "In time of scarcity of water, whenever it shall in the judgement of the mayor and the governing body be necessary, the mayor shall by proclamation limit the use of water to such extent as may be necessary"

He asserted that the City Council and the Mayor have the authority to determine if the ongoing drought poses a significant risk to the health, safety, and general welfare of the citizens of the city, and to take action to limit the use of water in the Upper Pressure Zone. Mayor Bailey added that the **Proclamation on Scarcity of Water** has been recommended over moratoriums by the City's legal counsel. Councilman Austin Wood asked if a **Proclamation of Scarcity of Water** has an urgency similar to a moratorium. City Manager/Recorder Wells outlined Wellsville City's diligent efforts to begin drilling the proposed well to provide another source of water for the Upper Pressure Zone. He detailed the intricate processes behind specialists determining where to drill for water, acquiring the property, hiring a contractor, and obtaining funding from the State. City Engineer Breinholt stressed the duty and responsibility for the City to be actively engaged in finding an additional source of water. If the proposed well site fails, Wellsville City will have to drill for water at another site. The biggest challenge with a moratorium is that it must be readopted in six months. Six months from now, City Engineer Breinholt estimated the City will only know if the current well location is satisfactory. None of the infrastructure will be completed in six months even if the well is proved. There is no guaranteed end point (especially if the proposed well fails). City Engineer Breinholt repeated that the City has an obligation to solve the water problem in the Upper Pressure Zone, not only for new development, but also for existing residents. Councilwoman Kaylene Ames agreed. Councilman Bob Lindley asked if the **Proclamation** can be adequately defended on ample water years such as last year (Leatham Springs produced 1,654,281 gallons per day in August 2023). City Engineer Breinholt answered yes, he said it is the responsibility of the City to assume drought conditions could return at any time. Historical data proves that with the lowest flow on record has been within the last two years. He repeated that most springs flow steadier than Leatham Springs which is directly connected to the previous winter's precipitation accumulation. City Manager/Recorder Wells repeated that legal counsel recommends the defensibility of a **Proclamation** over a moratorium. City Engineer Breinholt seconded. He added once the Upper Pressure Zone has full infrastructure and access to a second water source it will be the Mayor and Council's duty and responsibility to withdraw the **Proclamation**. Councilman Carl Leatham asked if a **Proclamation** would allow an existing resident to remodel in the Upper Pressure Zone if they do not add a new water connection or use additional water. City Manager/Recorder Wells stated legal counsel would advise such an endeavor. Councilman Leatham expressed his support for the Proclamation which will be more defensible for Wellsville City and offers more options for current residents. **Councilman Bob Lindley made a motion seconded by Councilwoman Kaylene Ames, to approve a Proclamation on Scarcity of Water under Wellsville City Code 8-1E-18; and authorized the mayor to sign the Proclamation on Scarcity of Water.**

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Kaylene Ames
Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

Next, the Council shall review for possible acceptance **Resolution 2024-08**, a petition for annexation of certain real property under the provision of **Section 10-2-405, Utah Code Annotated, 1953, as amended**; from Joseph Stucki that 12.28 acres (Tax ID. #10-048-0035) located on the south end of Wellsville be annexed into the corporate limits of Wellsville City. City Manager Scott Wells pointed out that the property is located above 4,650 feet in elevation where no new connections to the City's culinary water system shall be issued or Development Applications approved according to the **Proclamation on Scarcity of Water**. Mr. Stucki plans to go through the annexation process now and to develop the property in the future once the **Proclamation** is withdrawn. City Manager/Recorder Wells reminded the Council that the annexation was previously accepted as **Resolution 2023-02** (June 07, 2023 City Council meeting) however due to Cache County delays the Resolution is being reinstated with Cache County support. City Manager Wells added that the 150-foot setback from Hwy 89/91 must be part of the annexation agreement. The property was displayed on the overhead screens. The 1450 South road will be extended. City Manager/Recorder Wells stated that the proposed annexation meets the criteria for acceptance and Mr. Stucki is aware of the project's obstacles including the corridor agreement and hawbush drainage system. **Councilwoman Denise Lindsay made a motion, seconded by Councilman Bob Lindley, to accept Resolution 2024-08, a petition for annexation of certain real property under the provision of Section**

10-2-405, Utah Code Annotated, 1953, as amended; from Joseph Stucki that 12.28 acres (Tax ID. #10-048-0035) located on the south end of Wellsville be annexed into the corporate limits of Wellsville City.

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Kaylene Ames
Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

Department Reports:

Councilwoman Denise Lindsay-

1) Councilwoman Lindsay received an email from a citizen worried about number of near collisions between pedestrians (especially children) and vehicles at the Center/Main intersection and the Center/100 South intersection. The citizen requests painted crosswalks on the roadway, pedestrian crossing signage, and handheld flags before there is a preventable accident. The resident recognized that Center and Main are State owned roadways. The Mayor and Council agreed to petition UDOT for painted crosswalks, pedestrian crossing signage, and handheld flags at the two intersections during the UDOT meeting on July 01, 2024. Resident Linda Wursten, who was in attendance, asked that the red paint be extended on the curbs at the Center and Main intersection as well.

Councilman Carl Leatham-

1) Councilman Leatham pointed out that the sprinkler system soaked those who rented the bowery at Wellsville Dam on Fathers' Day. >
2) At the July 12, 2024 meeting, the Planning Commission approved the Sharp Transportation Maintenance Building (Tax Id. #11-093-0009) application for a **Design Review Permit** and **Conditional Use Permit**.
3) At the July 12, 2024 meeting, the Planning Commission approved a request from Bryan Carling for a **Design Review Permit** to operate 'Carling Commercial Storage' at the property located at 236 North Highway 89 (Tax Id. #11-090-0011),
4) Councilman Leatham reported that the Cache County Council approved the first phase of an application to keep farmland in Wellsville from being developed. If the application is fully approved, it will make about 20 acres of farmland in Wellsville, owned by Clair Cooper, into a conservation easement, protecting it from future development. The property of the application, named the Cooper Wellsville Open Space Application, is adjacent to U.S. Highway 89/91 near the mouth of Sardine Canyon (Tax Id. #10-016-0012, #10-041-0001). City Manager/Recorder Wells stated that sewer infrastructure for 200 East will be evaluated in the upcoming sewer study.

Mayor Thomas G. Bailey-

1) Mayor Bailey thanked Councilman Bob Lindley and Christine Lindley for their efforts organizing the Memorial Day Ceremony, Youth Fishing Derby, and Youth Baseball.

Councilwoman Kaylene Ames-

1) Councilwoman Ames asked if fees will be given to those who choose *not* to water on their appointed watering days. "If needs be," answered City Manager/Recorder Wells. Councilwoman Ames cautioned that those with secondary irrigation rights may have a scheduled allotment on Sundays. City Manager/Recorder Wells underscored that the watering restrictions apply to *culinary* water. He stressed that residents in the Upper Pressure Zone, who rely solely on water from Leatham Springs, must be the most conscientious. Irresponsible watering drains Lindley Reservoir faster than it can be replenished. Councilwoman Ames thanked City Manager/Recorder Wells for his water conservation efforts.

Councilman Bob Lindley-

1) No business or concerns at this time.

Councilman Austin Wood-

- 1) Councilman Wood asked for an update on Dave Cable's options for developing 35 acres of ground located east of 900 South 200 East (Tax Id. #10-043-0001, Tax Id. #10-043-0025). City Manager/Recorder Wells stated that Mr. Cable is proceeding with Cache County.
- 2) Councilman Wood asked for an update on the 'Sam Patch Co. Grocer and Sundries' located at 825 East Main (Tax Id. #11-088-0023 and #11-112-0001). City Manager/Recorder Wells answered that the city engineer finished the grocery store's construction drawings this week. Mike Baldwin hopes to break ground by August. Utilities are being turned off to the two homes which will be demolished on the property. Mayor Bailey shared that an application has been submitted for a \$400,000.00 grant from the Council of Governments (COG) for the 900 East/Hwy 101 intersection.

Resident Margaret Bosworth asked for the trees to be trimmed at the 200 East/Main intersection.

City Manager/Recorder's Report:

- 1) The Council approved a notice to be included in the City Newsletter for a 5K race to raise awareness of human trafficking.
- 2) The Council will discuss for approval City firework restrictions at the July 03, 2024 meeting. Fireworks have been restricted outside of 200 West and 900 South for several years. Mr. Wells suggested maintaining those restrictions. Residents outside of 200 West and 900 South are allowed to bring fireworks to the City Square.
- 3) An intersection safety meeting will be held with UDOT on July 01, 2024. A safety analysis will also soon be discussed with the Cache Metropolitan Planning Organization office.
- 4) Wellsville City's summer help has been painting city signs throughout town. They will be working to trim grass around the fishing holes and rake moss from the surface of Wellsville Dam.
- 5) Road projects will begin July 01, 2024. The new trail project around Wellsville Dam will also begin after July 01, 2024.
- 6) Time limits have yet to be imposed at the new pickleball courts. Neighboring residents have been invited to give the City their feedback if late night pickleball games become a disturbance.
- 7) Wellsville City is saving to resurface the tennis courts. The basketball court and additional pickleball courts are slated for construction prior to resurfacing the tennis courts.

At 8:24 p.m., Councilman Bob Lindley made a motion, seconded by Councilman Carl Leatham, to adjourn the meeting.

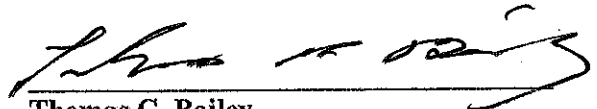
YEA 5

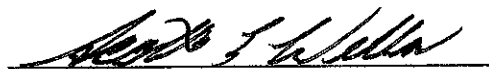
Kaylene Ames
Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

NAY 0

ABSTAIN 0

ABSENT 0


Thomas G. Bailey
Mayor


Scott E. Wells
City Manager/Recorder



MEMORANDUM

CONSULTING ENGINEERS

To: Wellsville City Council and Mayor
Scott Wells, City Manager
From: Chris Breinholt, City Engineer
Date: June 19, 2024
Subject: **Water Scarcity in Upper Pressure Zone**

There are currently *156 units* connected to the water system in areas that can only be served by the City's Springs. I call this area the "upper pressure zone" area. Generally, this is the area above the elevation 4650 ft, with the exception of Red Slide Subdivision. Red Slide gets its water from the city's wells and does not impact the spring. At this time, the City's water system cannot get water from the wells to the upper pressure zones with the current infrastructure.

The State Division of Drinking Water updated the city's System-Specific Minimum Sizing Standard in a memo dated October 17, 2022. For our purposes in this case, the limiting factor is the requirement for Peak Day Demand. The state requires that the system can supply **3,200 gallons per day/ERC** (ERC = Equivalent Residential Connection).

Peak Day Supply Requirement for Upper Pressure Zones:

3,200 gallons/day x 156 ERC's = **499,200 gallons per peak day**

Peak Day Water Available from Springs:

A 10-year history of the flows from the springs during the peak use months (July and August) is shown here. August of 2022 was the lowest in the previous 10 years. I have no record of lower flows from the springs with data going back to 1991.

In addition to the water required for the homes and businesses that are connected, the City has a legal obligation to turn out 4% of the measured flow to Mark Thompson. The water available for peak-day use is summarized here:

Peak-day flow (August 2022) 335,418 gallons per day
4% to Mark Thompson 13,417 gallons per day
Total Available 322,001 gallons per day

Year	Jul	Aug
2023	1,794,923	1,654,281
2022	467,411	335,418
2021	584,168	484,310
2020	1,281,337	1,149,945
2019	2,029,747	1,990,855
2018	680,086	674,830
2017	2,111,736	1,958,270
2016	1,017,501	1,023,808
2015	947,075	905,030
2014	895,569	840,910

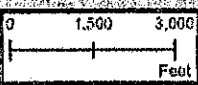
Peak Day Summary (Aug 2022)

Total Available 322,001 gallons per day
Total Required 499,200 gallons per day
Deficit (177,199) gallons per day

[illegible]

DATE: 11/29/2021

0 1,500 3,000
Feet



	Elevation 4650
	City Boundary
	Building Moratorium

JONES & ASSOCIATES CONSULTING ENGINEERS
6080 Fashion Point Dr
South Ogden, Utah 84403 (801) 476-9767

WELLSVILLE CITY

BUILDING MORATORIUM EXHIBIT





State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF DRINKING WATER
Tim Davis
Director

October 17, 2022

Scott Wells
Wellsville City Water System
75 East Main Street
Wellsville, Utah 84339

Subject: **System-Specific Minimum Sizing Standards**
Wellsville City Water System, System #03022, File #11549

Dear Scott Wells:

Based on the water use data submitted to the Division of Water Rights (DWRi), the following system-specific minimum sizing standards have been set for Wellsville City Water System:

Peak Day Source Demand (gal/day/ERC) – 3,200 gal/day/ERC
Average Annual Demand (gal/yr/ERC) – 458,183 gal/yr/ERC
Equalization Storage (gal/ERC) – 1,252 gal/ERC
Fire Storage (gal) – 540,000 gal

These standards are effective as of the date of this letter. A summary of the water use data and calculations used to set the minimum sizing standards is attached for your reference. The Division plans to evaluate these standards every 3 years, or upon request.

Water System Background

Wellsville City Water System is a community water system located in Cache County. The water system serves a population of approximately 4190 residents. The system currently serves 1207 residential connections, 9 agricultural connections, 21 commercial connections, and 26 industrial connections. The water system is made up of one spring and two well sources, three active storage tanks, two chlorination facilities, and one booster pump station.

Scott Wells
Page 2 of 3
October 17, 2022

Minimum Sizing Standard Background

Per Utah Code 19-4-114, the information needed for the Division of Drinking Water (the Division) to set system-specific minimum sizing standards may be based on water use data submitted to the DWRI, or alternatively, a community water system can submit an engineering study to the Division if the water system's water use data is not representative of future use or the water system does not yet have actual water use data.

Actual water use data was available through DWRI and an engineering study was not submitted to the Division for review. Therefore, the Division analyzed the submitted DWRI water use data and sent a draft summary of the resulting system-specific minimum sizing standards to your office on March 24, 2022. Your office replied on August 23, 2022, with justification to request the variability factor be limited to 20% for Peak Day Demand and Equalization Storage. Your office responded to the updated standards on September 7, 2022, to verify the draft sizing standards are representative. Therefore, the Division is setting system-specific minimum sizing standard for Wellsville City Water System.

The calculated variability factors for the Peak Day Demand and Equalization Storage were originally 28% and 26% respectively. These were revised to 20% as allowed by Division policy.

Water Use Data Definitions

Peak Day Source Demand is the total flow into a public water system to meet the demand of the water system on the day of highest water consumption in a calendar year.

Average Annual Demand is the total quantity of drinking water flowing into a public water system within a calendar year.

Total Equivalent Residential Connections (ERCs) term represents the number of residential service connections and the number of equivalent residential connections for non-residential connections (commercial, industrial, institutional connections).

Minimum Equalization Storage requirement is a volume that is equivalent to the amount of water needed to meet the average day culinary demand for public water systems. Equalized storage per ERC is calculated by dividing the Average Annual Demand per ERC data by the number of operational days in a year.

Fire Storage was set based on information from the Cache County Fire Marshall on March 8, 2022.

Storage Capacity

Based on your systems storage facilities and the storage minimum sizing requirement established in this letter, your system is compliant with the minimum storage capacity requirements.

Scott Wells
Page 3 of 3
October 17, 2022

Source Capacity

The Division has documentation of established safe yields for all your system sources. Using total system-wide safe yields and the source minimum sizing requirement established in this letter indicates your water system is compliant with minimum source capacity requirements.

If you have any questions regarding this letter, please contact Hunter Payne, of this office, at (385) 278-9837, or Michael Newberry, Engineering Manager, at (385) 515-1464.

Sincerely,



Michael Newberry, P.E.
Engineering Manager

HP/mrn/mb

Enclosures

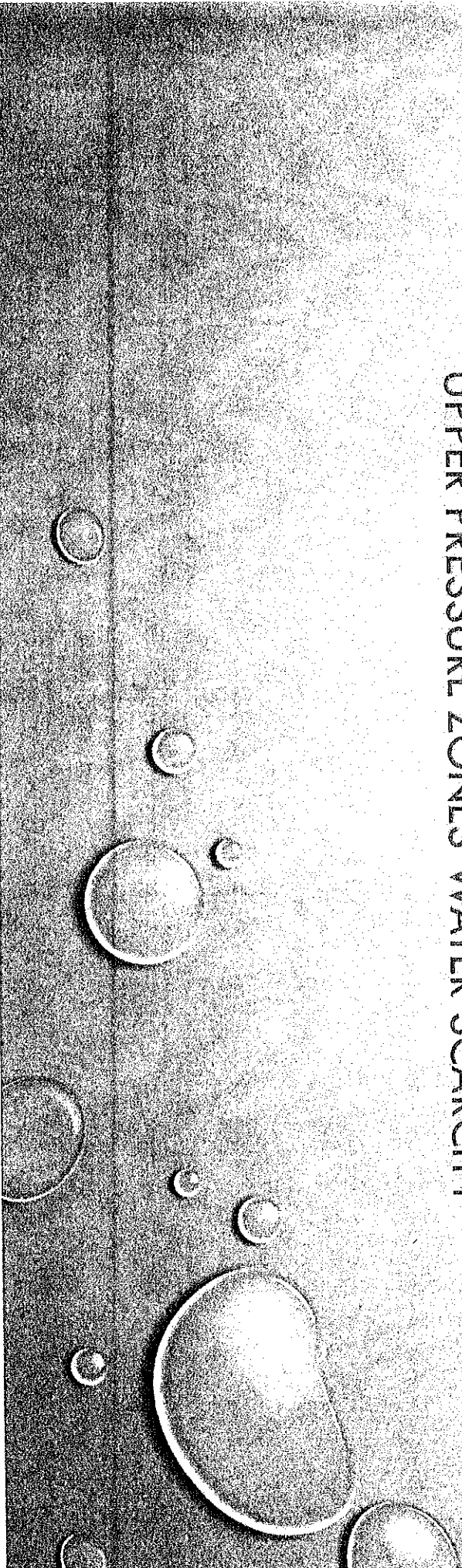
1. Utah Department of Environmental Quality Division of Drinking Water Minimum Sizing Standards Summary Report

cc: Ben Harker, Bear River Health Department, bharker@brhd.org
Scott Wells, Wellsville City Water System, swells@wellsvillecity.com
Chris Breinholt, Wellsville City Water System, chrisb@jonescivil.com
Hunter Payne, Division of Drinking Water, hnpayne@utah.gov
Craig Humphreys, Cache County Fire District, craig.humphreys@cachecounty.org
Ted Black, Office of the State Fire Marshal, tblack@utah.gov

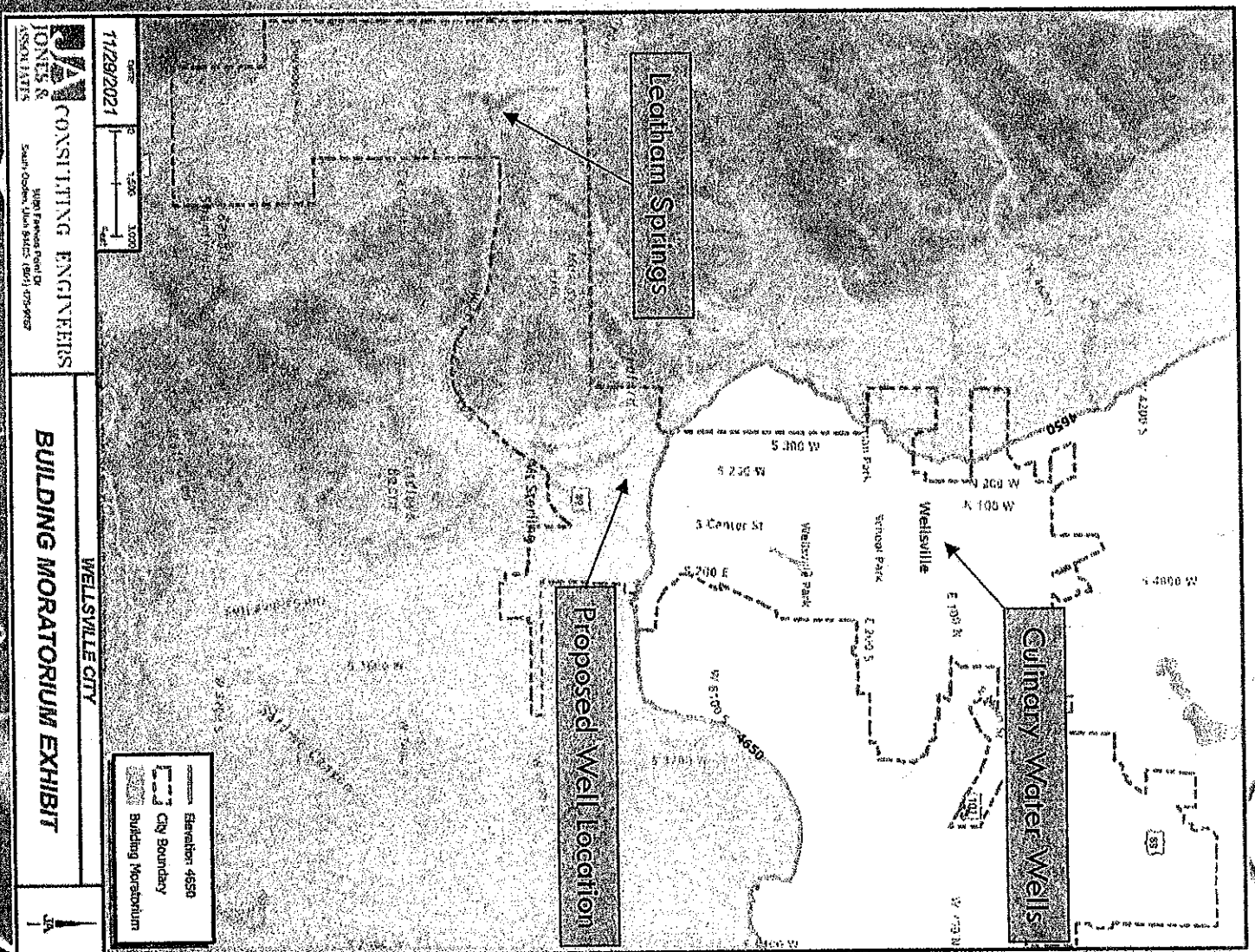
DDW-2022-037375

WELLSVILLE CITY CULINARY WATER REPORT

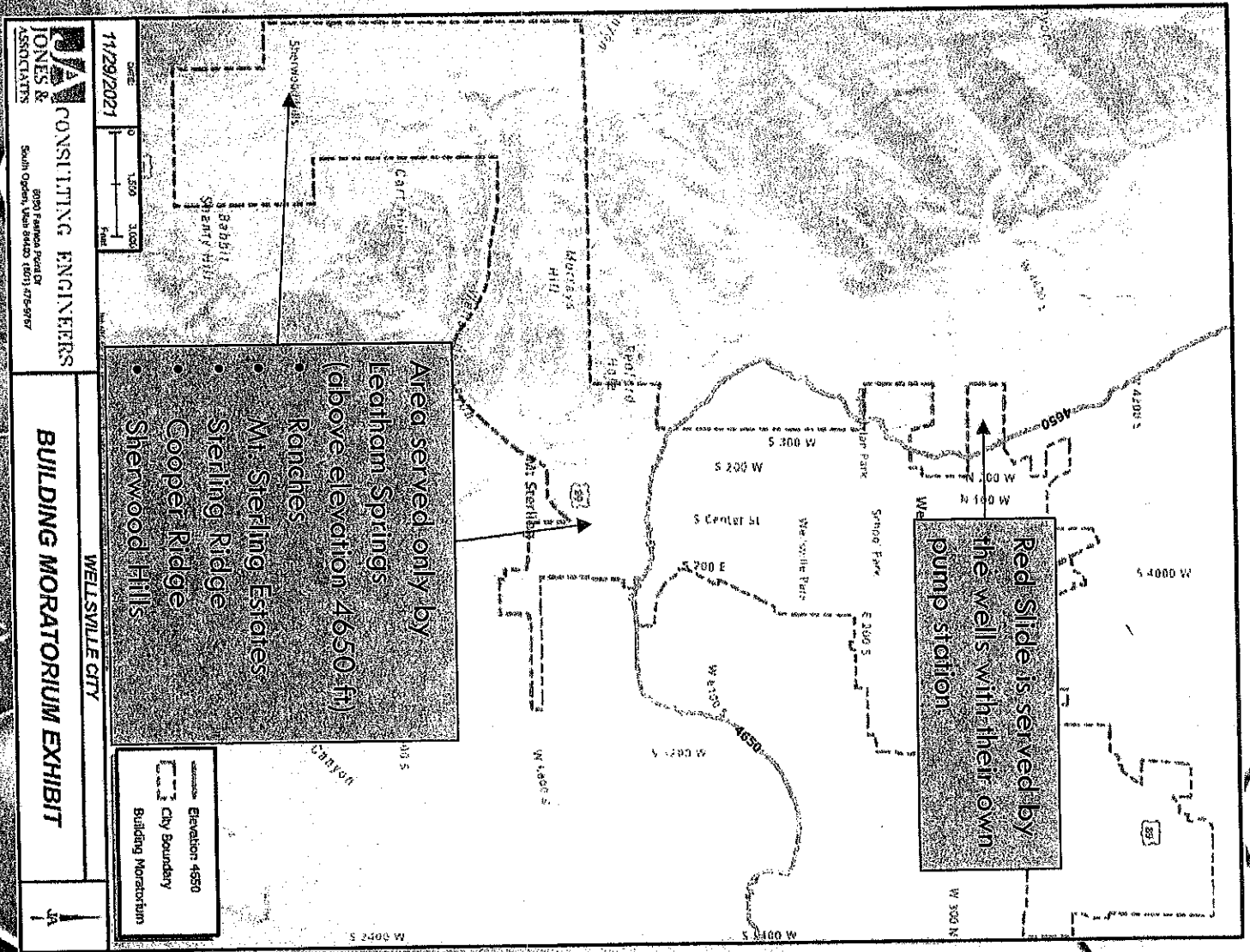
UPPER PRESSURE ZONES WATER SCARCITY



CULINARY WATER SOURCE SUMMARY



CULINARY WATER SOURCE SUMMARY



CULINARY WATER PRODUCTION

- Moratorium put in place after low flows from Leatham Springs in 2021
 - Drought caused
 - 29 year low
- Lower flows in 2022
 - No other records as low
- Springs rebounded in 2023 after better winter conditions
- The City's wells are doing good

LEATHAM SPRINGS WATER PRODUCTION

GALLONS PER DAY

Year	August (low month)
2023	1,654,281 gallons
2022	335,418 gallons
2021	448,310 gallons
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1992	474,063 gallons
---	---
Average ('91 - '23)	1,284,063 gallons

DIVISION OF DRINKING WATER REQUIREMENTS

- System Specific Sizing Standards
 - **Peak Day Source Demand** – 3,200 gal/day/ERC
 - Average Annual Demand – 458,183 gal/year/ERC
 - Equalization Storage – 1,252 gal/ERC
 - Fire Storage – 540,000 gal
- 156 ERC's in the upper pressure zone

DIVISION OF DRINKING WATER REQUIREMENTS

- DDW requirements for Upper Pressure Zone
 - 156 ERC x 3200 gal/day/ERC = 499,200 gal. (on peak day)
- Peak Day Water Available (August 2022)
 - Peak day flow 335,418 gal/day
 - 4% owned by Mark Thompson 13,417 gal/day
 - **Total Available** 322,001 gal/day
- Peak Day Summary
 - Total Water Available 322,001 gal/day
 - Total Required (DDW) 499,200 gal/day
 - **Deficit** 177,199 gal/day

RECOMMENDATIONS

- Assume drought conditions could return at any time
- Be vigilant regarding water use restrictions in upper zone is drought conditions return
- Restrict any new demands on the upper zone system
- Seek new source for upper zone – continue with planned well drilling