

MINUTES of the regular City Council meeting of Wellsville City held July 17, 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 July 12, 2024. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present:	Glenn Ames	Trent Bailey	Tracy Bodrero
	Bill Bowen	Melanie Bowen	Fred Brasfield
	Teressa Breinholt	Reg Burningham	Shanna Burningham
	Austin Clark	Dean Clark	Kami Clark
	Dave Cook	Rachel Cook	Darrell Cowley
	Diana Cowley	Cindy Farmer	Kirk Farmer
	Sandy Garrett	Darrin Hall	Larry Hall
	Teresa Hall	Brenda Hawker	James Hawker
	Clay Isom	Angie Kerr	Clint Kerr
	Heath Kerr	Ingo Kupiec	Trevor Langston
	Christopher Lauritzen	Karma Leatham	Christine Lindley
	Belynn Lofthouse	Denise Mouritsen	Megan Petersen
	Ed Rigby	Bryce Rothlisberger	Diane Roundy
	Gary Saxton	Laura Stewart	Curtis Thompson
	Dayna Thompson	Gina Thompson	Mark Thompson
	Sharen Thompson	Jami Van Huss	James Wagstaff
	Jenny Wagstaff	Linda Wursten	

Opening Ceremony: Councilwoman Denise Lindsay

The Council reviewed the agenda. Councilman Bob Lindley made a motion, seconded by Councilman Carl Leatham, 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 July 03, 2024, regular City Council meeting. Councilwoman Kaylene Ames made a motion, seconded by Councilman Bob Lindley, to approve the minutes of the July 03, 2024, regular City Council meeting.

<u>YEA 4</u>	<u>NAY 0</u>	<u>ABSTAIN 1</u>	<u>ABSENT 0</u>
Kaylene Ames		Denise Lindsay	
Carl Leatham			
Bob Lindley			
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 07/17/2024. After review and discussion, Councilman Austin Wood, seconded by Councilman Carl Leatham, to approve the city's accounts payable bills for payment, represented by check number 29768 through 29789.

YEA 4

Kaylene Ames
Carl Leatham
Bob Lindley
Austin Wood

NAY 0

ABSTAIN 1

Denise Lindsay

ABSENT 0

At 6:06 p.m., Mayor Thomas G. Bailey opened the meeting for citizen input.

Tracy Bodrero asked City Manager/Recorder Scott Wells if he received citizen letters regarding the proposed water rate increase. City Manager/Recorder Wells reported about 50 letters were received. Mr. Bodrero then asked if the mayor and councilmembers have read each letter. Councilman Austin Wood confirmed that City Manager/Recorder Wells forwarded the letters, and that the Council has had the opportunity to read them all. The mayor and remaining councilmembers confirmed they have read each citizen letter.

Bryce Rothlisberger asked if state or federal grants have been applied for or awarded for the issuance of revenue bonds for funding of the drilling of a new well, a well house and the potential economic impact that the project for which the bonds pay all or part of the cost will have on the private sector. City Manager/Recorder Scott Wells answered that grants have not been applied for. Councilwoman Denise Lindsay reported that at the Utah League of Cities & Towns annual convention, Tim Davis the Deputy Great Salt Lake Commissioner, informed her that Wellsville City does not meet qualifications for many state grants. City Manager/Recorder Wells shared that the Rural Water Association of Utah also confirmed that Wellsville City does not qualify for state grants for the proposed well. City Engineer Chris Breinholt expounded that the average income of Wellsville City *residents* is too high to qualify for state grants. Mr. Rothlisberger asked if federal grants have been pursued. City Manager/Recorder Wells answered no and stated that federal grants are incredibly arduous and often unattainable.

Gary Saxton said that Wellsville City staff is proposing to increase the City's property tax revenue. A Truth in Taxation meeting will be held on August 07, 2024. Mr. Saxton asked which staff members were in the meeting. Mayor Thomas G. Bailey, City Manager/Recorder Scott E. Wells, and Assistant Treasurer Denise Lindsay were present. Councilwoman Lindsay attested that she abstains from any conflicting issues concerning her two positions. Councilman Carl Leatham explained that the City Council makes decisions after considering recommendations from city staff.

Diane Roundy asked for an update on the fluorescent dye testing (approved by the Council on March 15, 2023) which will be utilized to determine ground water movement and potential contamination of the aquifer at Leatham Springs. She also asked if water loss has been found from the Leatham Spring's infrastructure system. Councilwoman Kaylene Ames answered that the dye study will be addressed in the public hearing regarding the issuance of revenue bonds for funding of the drilling of a new well, a well house and the potential economic impact that the project for which the bonds pay all or part of the cost will have on the private sector.

Clint Kerr stated he does not believe that Wellsville City would be able provide water to a development in Wellsville Canyon. He suggested that the Council drill the proposed well at a higher elevation and table the discussion for four to five months. He said he is not in favor of pumping water uphill from the proposed site to the Lindley Reservoir.

Kami Clark said she believes a substantial number of citizens are unaware of decisions made at City Council meetings and asked how that gap in awareness could be bridged. She asked that the Council find a way to communicate what is happening at City Council meetings that does not require a citizen to attend the City Council meetings (held every first and third Wednesday at 6:00 p.m.); or read the city newsletter; or read the city agendas and meeting minutes which are required to be available to the public according to the Utah's Open and Public Meetings Act (Utah Code Title 52, Chapter 4). Councilwoman Denise Lindsay noted that according to state law the agenda and meeting minutes are available on the City's webpage. Citizens can contact the city office to have the city agendas emailed weekly directly to them. Councilwoman Lindsay clarified that meeting minutes are not available to the public until they approved

by the Council at the subsequent meeting. Rather than citizen's reading the meeting minutes, Ms. Clark asked that a short monthly summary of agenda items and decisions made be included in the City Newsletter "to give a full understanding of the troubles, and complications, and state rules and regulation that you guys have to deal with... most of us are not aware of those hard details and state laws, they are difficult to read and difficult to understand." She added that the "short summary" could also be shared on the City's Facebook page.

Mark Thompson recommended Mayor Thomas G. Bailey elucidate when public input will be allowed for concerns regarding the issuance of revenue bonds for funding of the drilling of a new well. Mayor Bailey explained that a public input will be allowed during Agenda Item #9 *'Continue the discussion of the issuance of revenue bonds for funding of the drilling of a new well, a well house and the potential economic impact that the project for which the bonds pay all or part of the cost will have on the private sector, pursuant to Section 11-14-318 of the Utah Code Annotated 1953, as amended.'*

At 6:18 p.m., citizen input was closed.

Beginning at 6:19 p.m., the City Council shall receive public input, then consider for approval **Resolution 2024-09**, the Wellsville City Sanitary Sewer Management Plan. Trent Bailey, Wellsville City Sewer Superintendent, shared that the Utah Sewer Management Program is a state program which requires an annual Sanitary Sewer Management Plan (SSMP), a document that outlines how to manage, operate, and maintain a sanitary sewer system. The SSMP's main goals are to minimize infiltration and inflow; ensure the system can handle peak flows; reduce the frequency of sanitary sewer overflows (SSOs); mitigate the impact of SSOs; and notify the public if there's a chance they could be exposed to pollutants from an overflow. The City's sewer design standards are outlined within the SSMP. Sanitary sewer defect report forms are also included to help properly analyze a problem. Grease, oil, and sand management plans are included for commercial businesses which gives the City authority to mandate a business clean the sewer system from their location to the truckline in the event of a spill. Sewer Superintendent Bailey concluded his overview of the Sanitary Sewer Management Plan and stated the presented SSMP complies with requirements set by the Water Quality Board for each municipality.

At 6:24 p.m., Mayor Bailey opened the meeting for citizen input.

Gary Saxton asked if the presented SSMP suggests a sewer rate increase. Mayor Bailey answered that the SSMP does not address sewer rates or an increase in those rates.

At 6:25 p.m., Councilman Carl Leatham 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 Council if they had any further questions. Councilman Austin Wood asked if the SSMP has created any new procedures for the routine management of the sewer system. Sewer Superintendent Bailey shared that the SSMP includes program implementation for more sewer systems more intensive than Wellsville's lagoons, such as a sewer treatment plant, which is helpful to prepare for the future. Councilman Wood asked if the City has the necessary workforce capacity for the current sewer system. Sewer Superintendent Bailey answered yes, given that the city has very few commercial businesses to inspect at this time. Councilwoman Denise Lindsay asked if Wellsville City's sewer system is reaching capacity. Sewer Superintendent Bailey answered that certain parts of the system are reaching their bounds, chiefly outdated undersized lines along with groundwater infiltration. Once those issues are addressed the lagoons will function sufficiently for Wellsville City for a longtime to come, he stated. Sewer Superintendent Bailey explained that Wellsville City is lucky to have some of the largest lagoon ponds in

the state. Mayor Bailey expanded that following treatment the city's wastewater is land applied to two fields. Resident Dean Clark asked how much additional capacity the city's sewer system has. City Engineer Chris Breinholt answered an expert has stated that the current ponds have a population capacity of 10,000 residents. City Manager/Recorder Wells reported that aeration in Cell #1 is the next large capital need for the system. Mayor Bailey detailed that igloo-shaped, pollution-eating devices named "Poo-Gloos" have improved the chemical composition of the ponds. **Councilman Carl Leatham made a motion, seconded by Councilman Austin Wood, to approve Resolution 2024-09, the Wellsville City Sanitary Sewer Management Plan.**

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Kaylene Ames
Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

Next, the Council shall receive public input, then consider for approval **Resolution 2024-10**, a resolution for the Wellsville City Municipal Wastewater Planning Program. Trent Bailey, Wellsville City Sewer Superintendent, stated that the Utah Department of Water Quality's Municipal Wastewater Planning Program (MWPP) uses an annual survey to assist municipal sewerage systems and wastewater treatment works in evaluating and summarizing the technical, operational, and financial conditions of and requirements for these facilities. Sewer Superintendent Bailey shared that the Sewer System Management Plan (SSMP) manual provides a plan to reduce and prevent Sanitary Sewer Overflows (SSO), as well as minimize impacts of any SSOs that occur. The survey addresses annual population changes. Results of the survey were presented to the Council.

At 6:35 p.m., Mayor Bailey opened the meeting for citizen input.

Clay Isom asked if the SSMP and MWPP were available to the public. City Manager/Recorder Scott Wells invited those interested to further examine the documents at the city office during business hours. Mr. Isom expressed concern that the documents were not presented to the public prior to the public hearing.

Dean Clark asked if the proposed resolution increases sewer rates for citizens. Councilwoman Denise Lindsay replied that the resolution does not address sewer rates or an increase in those rates.

At 6:36 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 the Council if they had any further questions. Councilman Bob Lindley asked if the SSMP had any changes from last year. Sewer Superintendent Bailey stated several new homes were added to the collection system. He detailed that the survey requests the number of manholes, impact fees, homes connected, and miles of pipe to the Wellsville City sewer system along with a 10, 20, and 30-year plan. Councilman Austin Wood asked if Sewer Superintendent Bailey has any concerns regarding the MMPP. Sewer Superintendent Bailey stated the City's MMPP went very well overall. Councilman Carl Leatham noted that in the past, nitrate levels have been lower leaving the City's sewer lagoons than the levels in the Little Bear River. He asked if that is true today. Sewer Superintendent Bailey stated nitrates have not been tested in the river, however in April, the E. coli level was lower leaving the lagoons than the E. coli level in the Little Bear River. Sewer Superintendent Bailey concluded that the Wellsville City sewer system meets and complies with state regulations. Councilwoman Kaylene Ames thanked Sewer Superintendent Bailey

for his professional efforts along with his work on the SSMP and MWPP. The Council concurred. **Councilwoman Denise Lindsay made a motion, seconded by Councilman Bob Lindley, to approve the approval Resolution 2024-10, a resolution for the Wellsville City Municipal Wastewater Planning Program.**

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Kaylene Ames
Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

The Council shall continue the discussion regarding the issuance of revenue bonds for funding of the drilling of a new well, a well house and the potential economic impact that the project for which the bonds pay all or part of the cost will have on the private sector, pursuant to Section 11-14-318 of the Utah Code Annotated 1953, as amended. Mayor Thomas G. Bailey invited City Engineer Chris Breinholt to repeat his presentation of the current status of Wellsville City's water system previously reported at the July 03, 2024 and June 19, 2024 Council meetings. City Engineer Breinholt authored a Memorandum (see Attachment #1) and began a presentation titled '*Wellsville City Culinary Water System Report, July 2024*' (see Attachment #2). City Engineer Breinholt stated he has added supplementary clarifications within the presentation since the previous meeting. He began by addressing immediate water system issues. He listed those issues, historic low flows at Leatham Springs; water delivery from the gravel pit tanks severely hampered by undersized lines; limited water delivery for fire flows in the commercial area; undersized and old main distribution line from Lindley Reservoir to lower part of the city (a portion was built in 1934); overall aging infrastructure; and an increase in construction costs by 40 to 50 percent in just the last five years. He underscored that prices are not coming down. City Engineer Breinholt then shared solutions within the 25-year plan for city water infrastructure. First and foremost is drilling and equipping an additional well to directly service the Lindley Reservoir (backup water source for Leatham Springs). The majority of solutions listed were for old and undersized waterlines throughout the system and are not associated with the proposed new well. The total estimated cost of the 25-year plan is \$6,948,132.00. 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 has a pump station that brings culinary water from the city's wells and does not impact Leatham Springs. 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 City's water system infrastructure cannot pump 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 records as low. Springs rebounded in 2023 after better winter conditions. City Engineer Breinholt reported that the City's wells have good production. He displayed a table titled '*Leatham Springs Water Production, Gallons per Day*' in August (the lowest production month paired 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. City Engineer Breinholt said conservation efforts by citizens helped prevent the 2022 deficit from becoming an inoperable emergency in the Upper Zone. He then detailed water system projects and updates needed over the next 25 years. 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.*
- *Prepare and plan to carry out 25-year project plan. Adjust plan as demand dictates."*

City Engineer Breinholt emphasized that the Upper Pressure Zone needs a more consistent source of water. To restrict any new demands on the upper pressure system, at the June 19, 2024 Council meeting, with City Engineer Breinholt's recommendation, the Council approved the **Proclamation on Scarcity of Water under Wellsville City Code 8-1E-18**. City Engineer Breinholt concluded that water rates need to increase as inflation increases to update infrastructure, otherwise Wellsville City will soon be in a much worse position. Councilman Bob Lindley asked what action the state takes when a municipality reaches a water deficit. City Engineer Breinholt noted the Peak Day requirements have been newly mandated within the last five years but if systems are not compliant, they will eventually step in. Councilman Lindley asked if there is adequate fire flow for the Upper Pressure Zone during a deficit year such as August 2022. City Engineer Breinholt answered yes and described that every system has a reserve in its reservoirs for fire protection. Councilwoman Kaylene Ames thanked City Engineer Breinholt for including the letter regarding the Peak Day Source Demand from the Utah Division of Drinking Water in his presentation after a developer insinuated the volume was exaggerated during the previous meeting. Councilwoman Denise Lindsay addressed previous speculation that the Council has not examined alternatives to the proposed new culinary well. She detailed that a new water source has been a topic of discussion throughout her years on the Council. Six years ago, the cost of a new City well was projected at \$2 million. Construction costs have only skyrocketed since. She shared that an alternative previously considered was a pump station from the gravel pit reservoir (sourced by the existing wells #1 and #3) to Lindley reservoir. Infrastructure required to prevent starving the lower pressure zone was estimated to be \$3,300,000.00 *without* the benefit of diversifying the city's water system. Well #1 and Well #3 near the tennis courts are within 100-feet of each other, therefore if one stopped producing, or was contaminated, the other would most likely do so as well. City Engineer Breinholt described the proposed Well #4 as a second culinary well source that will give redundancy to the system (the intentional duplication of critical components or functions of a system with the goal of increasing reliability of the system). Mayor Bailey detailed that Wellsville City's Well #2, located next to the splashpad, failed within a month of being drilled, due to sand, and only produced 40 gallons per minutes. At that time, the City determined to abandon Well #2 and drilled Well #3 within 100-feet of Well #1. City Engineer Breinholt mentioned that even if functional, Well #2 could not be pumped to Lindley Reservoir in the Upper Pressure Zone with current infrastructure. Mayor Bailey thanked City Engineer Breinholt for his expertise.

Although the agenda item was not advertised as a public hearing, due to the elevated level of interest in the subject, Mayor Bailey chose to allow citizen input at 7:03 p.m.

Gary Saxton stated his concern isn't the proposed well but the financing of the well. He said what is being proposed as a "payback" does not add up. Councilman Austin Wood explained by taking the average from 2018 to 2022 that 23 houses per year have estimated at 2.00 percent. He recognized inflation has slowed new housing over the last several years. Councilman Wood stated that the impact fee for water is \$3,051.00 per household. Mr. Saxton does not agree with the Lower Zone being asked to contribute financially for an "Upper Zone Improvement." He said he is willing to pay \$15.00 per month for 20 years. However, he can't understand how that number could nearly double to \$29.00. Mr. Saxton asked, "Why are we not just paying for the loan, why are we building in this huge cushion?" He stated Zion's Public Finance, Inc. is driving the excess and "gouging" citizens. City Engineer Breinholt replied that the rate study includes pay

back on the loan which is from the state waterboard *plus* the projects for the 25-year plan. He pointed out there is a misconception that this increase is solely for the proposed well however the larger portion is for the rest of the aging system. *The proposed bond addresses water system issues for the entire community* City Engineer Breinholt concluded. Mayor Thomas G. Bailey reported that in the 2022/2023 Audit Report presented by Diana Cannell, representing Jackson Allred, P.C., it was recommended that the City reanalyze water and sewer rates which will eventually not be sufficient to keep up with maintenance costs.

Diana Cowley said she agrees with Gary Saxton. She stated the councilmembers work for the residents and need to find an alternative if citizens are against the proposed bond. Ms. Cowley said the cost of the bond should not fall upon the citizens. She asked for clarification on Bryce Rothlisberger's earlier question regarding grants. Councilwoman Denise Lindsay stated that Wellsville City does not qualify for state grants because the average *citizen* income level is too high. Ms. Cowley addressed City Engineer Breinholt's recommendation to restrict any new demands on the Upper Pressure system due to low flows from Leatham Springs. She asked if the bond is approved and well drilled, will the newly available water fulfill the water needs for the proposed Bridle Path Subdivision which consists of 130 lots total, located at approximately 7625 South Highway 89/91 (Tax Id. #10-053-0006, #10-053-0010, #10-050-0006, #10-062-0007, #10-053-0013). Ms. Cowley asked if water will be pumped from proposed Well #4 to the proposed subdivision. City Engineer Breinholt answered no. Mayor Bailey concurred. Ms. Cowley said she agrees with Ms. Clark that the Council should find a way to communicate what is happening at City Council meetings that does not require a citizen to attend the City Council meetings (held every first and third Wednesday at 6:00 p.m.) or access city agendas and meeting minutes online (which are required to be available to the public according to the Utah's Open and Public Meetings Act (Utah Code Title 52, Chapter 4)). Ms. Cowley suggested the meeting minutes be printed and included with the City Newsletter. She added she would like to receive her Newsletter earlier in the month. Councilman Austin Wood asked how much a single mailer to the citizens costs. City Manager/Recorder Wells answered approximately \$900.00. Ms. Cowley again suggested minutes be mailed to residents but stated she doesn't want that additional cost to be paid by the residents. Councilman Bob Lindley countered that is the City's only avenue. Councilwoman Kaylene Ames informed the public that to mail the July 03, 2024 meeting minutes would cost \$9.20 per resident. Ms. Cowley asked for bullet points rather than the complete minutes. Councilman Wood pointed out the potential risks of inferences made by a short summary rather than full meeting information. Ms. Cowley then addressed the third quarter financial report for March 2024 approved at the July 03, 2024 Council meeting, particularly the finances above budgeted numbers. She concluded that she believes citizens similarly feel like everything goes up but their incomes.

Mark Thompson asked what volume the city hopes proposed Well #4 will produce. City Engineer Breinholt stated the goal is for Well #4 to produce 800 gallons per minute. Mr. Thompson calculated that a production of 800 gallons per minute amounts to 1,152,000 gallons per day. He then divided that volume by 3,200 gallons/day per ERC. He then figured an average increase of 23 homes per year and suggested Wellsville City sell excess water until those ERCs are utilized. Councilwoman Denise Lindsay and Councilman Bob Lindley said they would not approve selling water to other communities. Mr. Thompson highlighted how much excess water Well #4 could produce and that other communities purchasing Wellsville City's excess water could finance the proposed bond. Mayor Bailey described that years ago Mendon City determined it was cheaper to drill an additional well than to build infrastructure to Wellsville City. He mentioned that Hyrum City has plenty of water.

Sharen Thompson clarified that if approved, water from Well #4 would be pumped up to Lindley Reservoir. Mayor Bailey affirmed. She asked if the proposed Bridle Path Subdivision would get their water from Leatham Springs. Mayor Bailey stated that the proposed subdivision would have to purchase water from Leatham Springs. Ms. Thompson asked what interest rate has been approved for the bond. Mayor Bailey answered 2.4 percent. City Manager/Recorder Wells explained that Zions Public Finance, Inc. conducted the Water Rate Study and is advising Wellsville City with the proposed loan from the *State of Utah*. Ms. Thompson said she would like to receive the City Newsletter earlier in the month.

Denise Mouritsen pointed out that she is one of the youngest individuals in the room. Young people are typically more concerned about the future than older people. Ms. Mouritsen shared that she has extremely poor water pressure at her home located on 800 South. With such poor water pressure, she pays the same

rate as those in the Lower Pressure Zone with excellent pressure. Ms. Mouritsen said if the new well improved the water pressure at her home she would be willing to pay a much higher rate than proposed by the bond. She raised the valid concern that the ongoing drought will only get worse. Ms. Mouritsen's future-mindedness and desire for her son to have a future in Wellsville City makes her willing to pay the proposed water rate. She asserted that in order for our city to continue to increase and prosper, the city must be able to provide water for a growing population. Through taxes and utility bill citizens finance the repair of aging infrastructure and grow of infrastructure. To match inflation, taxes and utility bills must increase. Ms. Mouritsen shared she works in public education and encouraged the community's older population to bear in mind upcoming generations. She commended the City's efforts to inform citizens via text message of repair projects throughout the city. Ms. Mouritsen concluded by encouraging citizens with questions to reach out to their councilmembers, each of whom are willing to help.

Dean Clark said he appreciates the Council extending this discussion to a second meeting. He stated it is clear to everyone that the city's water system needs updates, and recognized pressure fluctuations throughout the system, but he believes the water rate increase proposed by the bond is too expensive. Mr. Clark asked the Council to take a different approach. He mentioned some in the Lower Pressure Zone already pay for secondary irrigation rights and said it is unfair to ask them to contribute towards the bond so the Upper Pressure Zone can water their lawns with culinary water.

Bryce Rothlisberger asked if the proposed well is approved and proven would development be allowed in the moratorium area. Councilman Austin Wood asserted that once Well #4 is proven, has full infrastructure, and the Upper Pressure Zone has access to a second culinary water source it will be the Mayor and Council's duty and responsibility to withdraw the **Proclamation on Scarcity of Water** and allow building permits. Councilman Wood recapped that 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. Mr. Rothlisberger suggested new developers participate in the cost of the new well, and tank storage, rather than existing residents. He addressed grant options again. Councilwoman Lindsay repeated that the average income of Wellsville City *residents* is too high to qualify for state grants. Mr. Rothlisberger encouraged the Council apply for federal rural grants. City Engineer Chris Breinholt pointed out that the proposed municipal well will serve the community as a whole and the City would be hard-pressed to find a developer which could get a return on a municipal well project. He expounded that new development is required to pay impact fees. Those impact fees help fund *growth related projects*. The proposed well is partially a growth-related project but has also been spurred by the drought affecting the existing system. City Engineer Breinholt stressed that residents should not forget that Leatham Spring's has never recorded a flow as low as that in 2022. He emphasized that income from impact fees were included in the Rate Study and the 25-year plan. Concerning the arduous federal grants application process, City Engineer Breinholt used as an example the proposed pressurized secondary irrigation system which has taken years and years to apply for a federal grant. Mr. Rothlisberger again urged the Council to pursue federal grants. He then said the well cost of \$3.3 million would only serve those in the Upper Pressure Zone. City Engineer Breinholt pointed out more than half the bond amount would improve aging infrastructure in the Lower Pressure Zone. Mr. Rothlisberger said that the \$3.3 million is not warranted enough to serve only 135 homes in the Upper Pressure Zone as compared to the 1,040 homes in the Lower Pressure Zone. City Engineer Breinholt countered that the water from the proposed well would be able to gravity flow from Lindley Reservoir to serve the entire community. Councilman Carl Leatham seconded that the proposed well would improve water availability and pressure throughout the entire system.

Glenn Ames asked permission to provide an update of the fluorescent dye testing (approved by the Council on March 15, 2023) which will be utilized to determine ground water movement and potential contamination of the aquifer at Leatham Springs. The mayor and council agreed. Mr. Ames explained that Leatham Springs, much of which is used for the public water supply, is located on the east flank of the Wellsville Mountains at the head of Wellsville Canyon, about four miles southwest of the community of Wellsville. One of the chief concerns regarding the proposed Bridle Path Subdivision consisting of 130 lots total, located at approximately 7625 South Highway 89/91 (Tax Id. #10-053-0006, #10-053-0010, #10-050-0006, #10-062-0007, #10-053-0013) is the potential contamination of the City's adjoining water source protection zone and subsequently Leatham Springs. Mr. Ames and geologist Larry Spangler (USGS

retired) were able to perform baseline work but were unable to conduct the study in 2023 due extraordinary water flows from heavy snowpack. An ideal place has been identified to inject the dye, a place where the water disappears into the ground. Unfortunately, so far into 2024 the water has continued to flow at too high a rate. Once flows subside Mr. Ames and Mr. Spangler will conduct the dye study. Mr. Ames stressed the importance understanding the ground water movement and the potential contamination of the aquifer at Leatham Springs or any other spring or well. Mr. Ames noted he has had the chance to be involved with the Leatham Springs water system over the years and thanked the council for their ongoing efforts with the water system. He added that the council is working to do their very best for the citizens of Wellsville. Mr. Ames recommended Wellsville City run additional financial scenarios to fund the needed well. He recognized the financial strain on members of the community and suggested the council take additional time to analyze other financial scenarios such as increasing impact fees, increasing water overage fees, in order to make the expense more palatable and affordable for those with tight incomes.

Tracy Bodrero directed a to Councilwoman Kaylene Ames. He asked what Councilwoman Ames meant when she indicated she did not have certain facts on this issue during the July 03, 2024 Council meeting. Councilwoman Ames replied that she was referring to the State Division of Drinking Water's (DDW) Peak Day Demand limiting factor. She described that at the previous meeting a certain developer implied that the state standard, requiring that the Wellsville City system can supply 3,200 gallons per day/Equivalent Residential Connection (ERC), was exaggerated. Councilwoman Ames thanked City Engineer Breinholt for including the DDW's System-Specific Minimum Sizing Standards letter, dated October 17, 2022, in his presentation which authenticates that the Peak Day Source Demand is 3,200 gal/day/ERC.

Darrin Hall asked what the City plans to do if the proposed new well fills with sand like Well #2 (next to the Tabernacle). He also asked why Wellsville City considered selling water to Mendon City years ago given Leatham Spring's lowest recorded flow in 2022. Mayor Bailey explained that past consideration with Mendon pertained to Wellsville's culinary Well #1 and Well #3, not Leatham Springs. Councilman Carl Leatham clarified that the consideration with Mendon City was at least six years ago. He expounded that the discussion also encompassed Mendon City constructing a reservoir near Red Slide Subdivision which would have been mutually beneficial for Wellsville City. Another caveat was that county residents between Wellsville and Mendon would not be allowed to hook onto the waterline unless they annexed into either town. The former council's chief concern was to prevent hardship circumstances on its own residents. After consideration, Mendon City determined it would be more financially feasible to drill a well of their own.

Clint Kerr illuminated that a culinary well will not be drilled until a test hole is proven. The Council concurred. Mr. Kerr underscored that it will not cost \$3.3 million to dig a test hole. If the test hole is not proven, Wellsville City will search for a new site. Mr. Kerr recommended the Council find an alternative location at a higher elevation that would not require water to be pumped up to Lindley Reservoir.

Christopher Lauritzen asked who benefits from the proposed well. He stated that if the proposed well benefits the developers, the developers should finance the new well and its infrastructure rather than existing taxpayers. Mr. Lauritzen said it is the Council's obligation to fix infrastructure for residents not developers.

Ed Rigby addressed the bonds proposed increases over the next five years. After recognizing there is a need for the proposed well, he stated the projections "over recover." He agreed with Gary Saxton's comment. Mr. Rigby said the General Fund must already have some finances saved for repairs. He said a 100 percent increase over a 20-year period "over recovers" the bond. Mr. Rigby concluded that he believes the resident's baseline water bill will be increased over that period despite the bond.

Mayor Bailey asked if there were any other citizens that wished to comment. There were none.

Councilwoman Lindsay began by addressing Ms. Cowley's comment. She agreed the Council has been elected by the citizens, and they have been elected to understand what is happening within the city. They have been elected to read and pore over large volumes of documents, research studies, and declared she takes her job very seriously. Councilwoman Lindsay shared she can relate to those on fixed incomes. She

stated that the Council heavily weighs the public's opinions. Councilwoman Lindsay stressed that alternative water options have been examined over the years and there is no question that Wellsville City needs another water source because there is *no guarantee* that Wellsville City's two functional wells (within 100 feet of each other) will still be flowing in the years to come. In such a scenario as Well #1 and Well #3 failing, would an additional \$11 a month on a water bill really matter Councilwoman Lindsay questioned. The proposed well *is* Wellsville City's back up plan. Councilwoman Lindsay stressed that it is the City Council's responsibility to make the best decisions for the whole community.

Councilman Bob Lindley pointed out that some of the 140 homes in the Upper Pressure Zone have been part of Wellsville longer than he has... "They are a part of our community. We don't just supply water to the Lower Zone or the easy zones, we have to supply water to all the residents of Wellsville. Once they become a resident of Wellsville, they have every right to have the same water supply that everybody else has." Councilman Lindley shared that he relates to those on a fixed income since he is retired and also living on a fixed income.

Councilman Austin Wood began by addressing impact fees. He referred to Supreme Court rulings on nexus and proportionality (terms used in law to describe the relationship between conditions imposed on land use permits and the impacts of development). He explained that an impact fee study can be conducted however there is *not a guarantee* that the rate will go up or down. Equality and equity require the rate to be set at whatever the study recommendations. Councilman Wood noted that Newton City recently increased impact fee rates considerably. He addressed the suggestion at the previous meeting that Wellsville City sell property to help fund the proposed well. Councilman Wood pointed out that in meetings many vocal residents have called for the open space and rural feel of our community to be maintained. Wellsville historically has strategically acquired properties with the intent to listen to the public and maintain a rural appeal. He addressed the suggestions that those in the Upper Pressure Zone fund the proposed well themselves and brought attention to the huge burden that would put on less than 20 percent of our citizen community. Councilman Wood encouraged those struggling financially to look at the avenues of assistance offered by the Bear River Health Department for low-income individuals and families. He stated a deep dive could be taken examine a rate reduction however he does not take lightly Wellsville City's aging infrastructure needs. Councilman Wood invited Mr. Rothlisberger to the city office to share his knowledge concerning grants. He concluded by stating it would be prudent to conduct an impact rate study prior to approval.

Councilman Carl Leatham said he understands citizen concerns regarding rate increases given cost of living difficulties. Yet inflation has also affected Wellsville City and the City's cost of operation is only going up as well, and *the water deficit must be resolved*. He called attention to the fact that the Upper Pressure Zone residents have always contributed to the pumping expenses from Well #1 and Well #3 as they pump water up to the Gravel Pit Tanks, without any of that well water benefiting the Upper Pressure Zone. Councilman Leatham emphasized that Sherwood Hills is within Wellsville City limits. Sherwood Hills was annexed into Wellsville City in the as a matter of self-protection. Councilman Leatham provided a basic history of the development. If Sherwood Hills had developed as part of Cache County the increased density of homes allowed with wells and septic tanks on top of Wellsville City's aquifer would have been hazardous. Not to mention the potential chemical leach into the aquifer from an extension of the golf course. It is Wellsville City's responsibility to provide services to the taxpayers within the City. That includes future residents if future developments meet the City's Code requirements and zoning ordinances. Councilman Leatham emphasized that the City Council works for every resident of the City, including future residents. He hopes his grandchildren will have the same opportunities he has had to live in and be proud of Wellsville City. Councilman Leatham concluded that he is open to exploring federal grants opportunities.

Councilman Kaylene Ames addressed the citizen letters regarding xeriscaping, a landscaping technique that uses minimal water and can reduce or eliminate the need for irrigation. She noted at the May 17, 2023 Council meeting, resident Lee Gray provided an informational overview of xeriscaping with a PowerPoint presentation. The Council compares ideas and plans with other drought affected municipalities throughout the state at the Utah League of Cities and Towns annual convention. Councilwoman Ames observed that removing lawn and implementing xeriscape landscaping does not come without a price. She added she looks forward to the proposed pressurized secondary irrigation system which will minimize the culinary

water used in Wellsville for irrigation. Regarding Ms. Cowley's suggestion that the City disseminate information more widely, Councilwoman Ames detailed that Wellsville City operates with only three full time employees; every text alert from the City has a fee; and to increase the City information on social media the staff would have to hire a social media community manager or add that duty to an existing employee and increase wages. Councilwoman Ames ultimately drew attention to the fact that the cost of disseminating information is real. She clarified that Wellsville City does change coverage fees for culinary water. She streamlined that Zions Public Finance presented the City two options, increase culinary water bills to pay for the proposed well's bond, or do nothing. Councilwoman Ames declared, "I do not believe Wellsville City will do nothing. I believe we are all here to figure it out." She thanked the public for their attendance in the last two meetings and for their passion concerning water and keeping rates as low as possible. She also thanked City Manager/Recorder Wells for his professional efforts. Councilwoman Ames concluded by seconding Councilwoman Lindsay, there is absolutely *no guarantee* that the fortunate volume of water that Well #1 and Well #3 produce will endure.

Mayor Bailey began by thanking the public for their attendance at tonight's meeting. "Wellsville City is one city. We will not divide this City up and expect some of the citizens to pay more money than others for water. Wellsville City is one city and that is the way we are going to stay," he proclaimed. Mayor Bailey drew attention to the current housing crisis throughout Utah and the Utah Legislature's efforts to mitigate the problem by pressing municipalities to increase density. The Legislature has even considered not permitting municipalities to charge impact fees on affordable housing developments. Mayor Bailey explained that the City has held developers financially responsible for impact fees, roads, sidewalks, and utility. The controversy regarding the proposed Bridle Path Subdivision (130 lots total, located at approximately 7625 South Highway 89/91 (Tax Id. #10-053-0006, #10-053-0010, #10-050-0006, #10-062-0007, #10-053-0013) hinges between those seeking to preserve the environment and traditional locale and those advocating for private property rights. Mayor Bailey spelled out that the Sherwood Hills area is private property, and although many may have taken personal ownership of the area as open space, it remains private property. If a developer meets Code requirements and zoning ordinance, a municipality must honor private property rights. Mayor Bailey recognized the rising cost of living but also pointed out that letting the City fall apart is not an option. According to an independent third party, Auditor Dianna Cannell, representing Jackson Allred, P.C. in the 2022/2023 Audit Report, the City must reanalyze current water rates which will not be sufficient to keep up with maintenance costs. Water rates need to be increased even if the City does not drill a new well. As far as citizen suggestions that the City more widely publicize information, he pointed out that an agenda is published for City Council meetings which are held every first and third Wednesday of the month at 6:00 p.m. Mayor Bailey expressed consternation that merely five residents attended the June 19, 2024 City Council meeting which covered the City's total 2024/2025 operating budget. The City communicates with citizens by holding City Council meetings (held every first and third Wednesday at 6:00 p.m.); mailing the city newsletter; and publishing the city agendas and meeting minutes which are required to be available to the public according to the Utah's Open and Public Meetings Act (Utah Code Title 52, Chapter 4). He stated the citizens also have a responsibility to be civically minded and more actively involved in their city. He expressed appreciation to those few citizens who do attend city meetings regularly. Mayor Bailey emphasized that Wellsville City's files are available to the public and that he and the Council are happy to answer questions. He recapped that the 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 records as low. On June 19, 2024, the Council **approved a Proclamation on Scarcity of Water under Wellsville City Code 8-1E-18**. Mayor Bailey concluded by asserting that it is the City Council's responsibility to find a solution to the scarcity of water. Once the Upper Pressure Zone access to a second culinary well source with full infrastructure it will be the Mayor and Council's duty and responsibility to withdraw the **Proclamation on Scarcity of Water** and allow building permits.

Councilman Wood stated he would like to have an impact fee study conducted and explore federal grants. City Engineer Breinholt shared that he will begin an update to the Capital Facilities Plan this fall, the Impact Fee Facilities Plan will then be forwarded to a financial analyst to do an Impact Fee Assessment, which the state must then approve. The process is timely and will take at least six months. He noted the bond's rate schedule may be able to be adjusted later *if* impact fees do increase substantially enough to make a difference. City Engineer Breinholt clarified he does not expect the impact fee to change

dramatically. Councilwoman Lindsay pointed out that construction costs will only increase the longer the Council chooses to delay drilling. City Engineer Breinholt concurred and specified that construction costs have increased 40 to 50 percent over the last five years and show no signs of decreasing. He pointed out the contracted well drillers are presently waiting on the Council's approval. Based on the flow and geology presented, the drillers will dig the test hole then immediately begin drilling the functional culinary well. Councilman Leatham brought up federal grant exploration over the near future. City Engineer Breinholt noted how difficult federal grants are to attain and shared that Jones & Associates Consulting Engineers, represents 20 communities throughout the state, and none of those communities have been awarded federal grants for culinary wells over the last 28 years. Federal grant money is more accessible for water conservation projects such as secondary irrigation systems he stated. City Manager/Recorder Wells expounded that for the proposed bond the State of Utah requires that the City's water rates pay for 1.25 percent of the loan cost and an additional 25 percent put in future capital. City Engineer Breinholt underscored that the estimated costs in his presentation are merely projected and subject to change. Mayor Bailey and City Engineer Breinholt recognized that many water system improvements and a rate increase are long overdue. Councilwoman Lindsay shared that former Mayor Ruth P. Maughan stated that Wellsville City has needed another culinary well as long as she can remember. The cost of the another well is not getting cheaper. Councilwoman Lindsay reported that the projected cost of a new well, four years ago, was \$2 million. City Engineer Breinholt agreed well drilling costs have skyrocketed. The Council collectively agreed Wellsville City needs another culinary well. Councilman Leatham, Councilman Lindley, and City Engineer Breinholt discussed the state mandated limitations on how municipalities can utilize impact fees. Those limitations result in impact fees never actually covering every growth cost, not to mention maintenance costs. The Council considered the ramifications of terminating the well drillers contract and rebidding. Councilman Leatham pointed out to rebid will likely only increase the bid. Councilwoman Ames shared that after reaching out to a grant writer the grant writer responded, "Most grants are on timelines with an application date. So even if you find a magic grant, it's pretty much completely unlikely it would fit into any timeline that would actually be useable." Councilwoman Lindsay and City Engineer Breinholt will consult with the grant writer at Jones & Associates Consulting Engineers to explore federal grant options. Councilman Bob Lindley made a motion, seconded by Councilman Carl Leatham, to accept the issuance of revenue bonds for funding of the drilling of a new well, a well house and the potential economic impact that the project for which the bonds pay all or part of the cost will have on the private sector, pursuant to Section 11-14-318 of the Utah Code Annotated 1953, as amended; if additional funding sources are found, including federal grants, they will be applied directly to the bond.

YEA 4

Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

NAY 1

Kaylene Ames

ABSTAIN 0

ABSENT 0

City Manager Scott Wells then opened a discussion concerning the **Noise Control Ordinance** and rooster chickens in Wellsville City. Resident Bill Bowen shared that he is awakened at 4:45 a.m. every morning by a neighbor's roosters. He pointed out **5-4-5: Prohibited Acts, B. 4.** addresses noisy birds which reads,

4. Animals And Birds: Owning, possessing or harboring any animal or bird which frequently or for continued duration, howls, barks, meows, squawks, or makes other sounds which create a noise disturbance across a residential real property boundary or within a noise sensitive zone. Because of the agricultural and rural heritage, tradition and source of family income established in the city for many decades and the desire to preserve the same, this provision shall not apply to cattle, horse, donkeys, mules, sheep or goats.

Mr. Bowen asked the Council to review and enforce the Code. Resident Belynn Lofthouse spoke in favor of rooster chickens and their place in our rural community. She noted that the **Chapter 4 Noise Control** limits allowed noise from 10:00 p.m. to 7:00 a.m. She noted how that for the City to ask a dairy farmer not to start milking until 7:00 a.m. would be less unreasonable than asking a rooster not to crow until 7:00 a.m.

Ms. Lofthouse stated Wellsville City is a farming community and asked the Council to protect the animals within it.

Councilman Bob Lindley asked if animal density allowances change per City zone. City Manager Wells affirmed there is a point system. He reported that Hyrum City's animal limits are also according to lot size. City Manager Wells pointed out **5-4-5: Prohibited Acts, B. 4.** does not specifically mention 'crowing' as a noise disturbance. Mayor Thomas G. Bailey recounted that when the ordinance was written 'squawk' related to peacocks and guinea hen. Councilman Carl Leatham concurred. Mayor Bailey mentioned the large of number of roosters throughout Wellsville City. Resident Linda Wursten pointed out that hens can create as much noise as roosters. The Council pondered how to define a nuisance. Resident David Cook asked how the City proposes to enforce the animal and bird noise ordinance. He asked if Wellsville City would impound or eliminate the animal or if that would be the owner's responsibility. Mr. Cook stated Wellsville is a rural community and said he has noticed newcomers are less tolerant of farm animals. He worried that more and more farm animals will be pushed out of Wellsville City over time. Mayor Bailey stated that the animal control officer will only impound dogs. Beyond dogs, the Council and City Manager/Recorder Wells answered that it would be the owner's responsibility to halt the noise disturbance, and the method of doing so would be up to the owner. City Manager/Recorder Wells explained that city staff tries to work with residents and only issue fines as a last resort. Resident Melanie Bowen clarified that her neighbor's roosters are causing enough of a disturbance to awaken them at 4:45 a.m. with their windows closed. She added that the crowing continues throughout the entire day. Ms. Bowen refined that the City's ordinance preserves Wellsville's rural heritage by *not* applying to cattle, horses, donkeys, mules, sheep, or goats. Councilwoman Kaylene Ames recommended the Bowen's begin with a civil discussion with their neighbor about the crowing disturbance. City Manager/Recorder Wells also asked the Council to consider the number of allowed horses and dogs within city limits over the next several weeks. Councilman Austin Wood suggested Wellsville City further examine the animal ordinances of other Cache Valley cities. **Councilman Bob Lindley made a motion, seconded by Councilman Carl Leatham, to continue the discussion concerning the Noise Control Ordinance and rooster chickens in Wellsville City.**

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Kaylene Ames
Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

City Manager/Recorder Scott Wells opened the discussion regarding building permits with existing homes that have existing water connections in the areas within the current **Proclamation on Scarcity of Water under Wellsville City Code 8-1E-18**. He shared that the proposed Bridle Path Subdivision developers have hired an attorney to challenge the **Proclamation on Scarcity of Water under Wellsville City Code 8-1E-18**. City Manager/Recorder Wells stated that the **Proclamation** prohibits Development Applications *'located partly or entirely within the Upper Pressure Zone and will immediately, or in the future may, require a connection to the City's culinary water system.'* He shared there are requests for building permits for two existing homes in the Upper Pressure Zone. One request is for a garage addition to a home, which will *not* require a new water connection. The other is for an elevator within the home. Seth Tait, of Olson & Hoggan, Attorneys at Law, has been consulted and is comfortable with allowing building permits in circumstances in which a new water connection is *not* involved. Councilman Carl Leatham clarified that a new water connection is defined as a new line from the street to the water meter. City Manager/Recorder Wells affirmed. City Engineer Chris Breinholt stated the **Proclamation on Scarcity of Water** limits the Upper Pressure Zone to the existing 156 Equivalent Residential Connections (ERCs). He encouraged the Council to employ the ERC designation as the garage addition will *not* change the existing home's single ERC to two ERCs. City Engineer Breinholt made the distinction that a sink added for the purpose or use of a *business* would create another ERC. Mayor Thomas G. Bailey noted the defensibility of 4,650-feet and encouraged the Council and City Manager/Recorder Wells to exercise caution in permitting. **Councilman Carl Leatham made a motion, seconded by Councilman Austin Wood, to allow the city manager to make the determination of building permits with existing homes that have existing water connections in the areas within the current Proclamation on Scarcity of Water under Wellsville City Code 8-1E-**

18; with an exclusion of additional water connections.

YEA 4

Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

NAY 1

Kaylene Ames

ABSTAIN 0

ABSENT 0

Department Reports:

Councilwoman Denise Lindsay-

1) Food Truck Friday will be held on July 19, 2024. In addition to food and music, there will also be a foam machine for children and a movie in the park.

Councilman Carl Leatham-

1) No business or concerns at this time.

Mayor Thomas G. Bailey-

1) Asked the Council to consider individuals to nominate as the Outstanding Citizen and Marshal of the Day.

2) Thanked Councilwoman Ames for her city float and Founders' Day efforts.

Councilwoman Kaylene Ames-

1) Applications have been received for Founders' Day booths.

Councilman Bob Lindley-

1) No business or concerns at this time.

Councilman Austin Wood-

1) UDOT was petitioned for painted crosswalks, pedestrian crossing signage, and handheld flags at the Center/Main and Center/100 South intersections on July 09, 2024. They also ask that the paint be extended on the curbs at the Center and Main intersection. The Council discussed the dangerous learning curve to navigate the Restricted Crossing U-Turn (RCUT) intersection suggested by UDOT at the US 89/91 and Hwy 23 intersection. If constructed, the intersection would be Utah's first RCUT. Mayor Bailey and Councilman Leatham attested that Wellsville City requested an overpass or underpass from UDOT over 35 years ago. Councilman Wood shared that the UDOT director stated that population takes precedence for overpass and underpass construction.

City Manager/Recorder's Report:

1) The next meeting with UDOT will be held January 22, 2025.

2) Information for the Founders' Day flier needs to be submitted by July 25, 2024.

3) A non-profit organization has requested to reserve the pickleball courts for a Saturday morning in September. The Council agreed. The non-profit organization will be responsible to place signage on the court notifying residents one week in advance.

4) Donations have been made for two benches at Wellsville Dam. The city will advertise for bench donations at the pickleball courts.

5) Bleachers will be rented for the arena during Founders' Day.

6) Children have been stung by wasps at the splash pad. Staff will spray for wasps.

At 9:56 p.m., Councilman Bob Leatham made a motion, seconded by Councilman Carl Leatham, to adjourn the meeting.

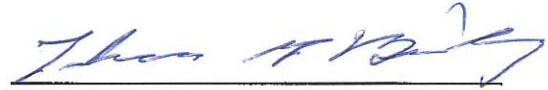
YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Kaylene Ames
Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood



Thomas G. Bailey
Mayor



Scott E. Wells
City Manager/Recorder



MEMORANDUM

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.

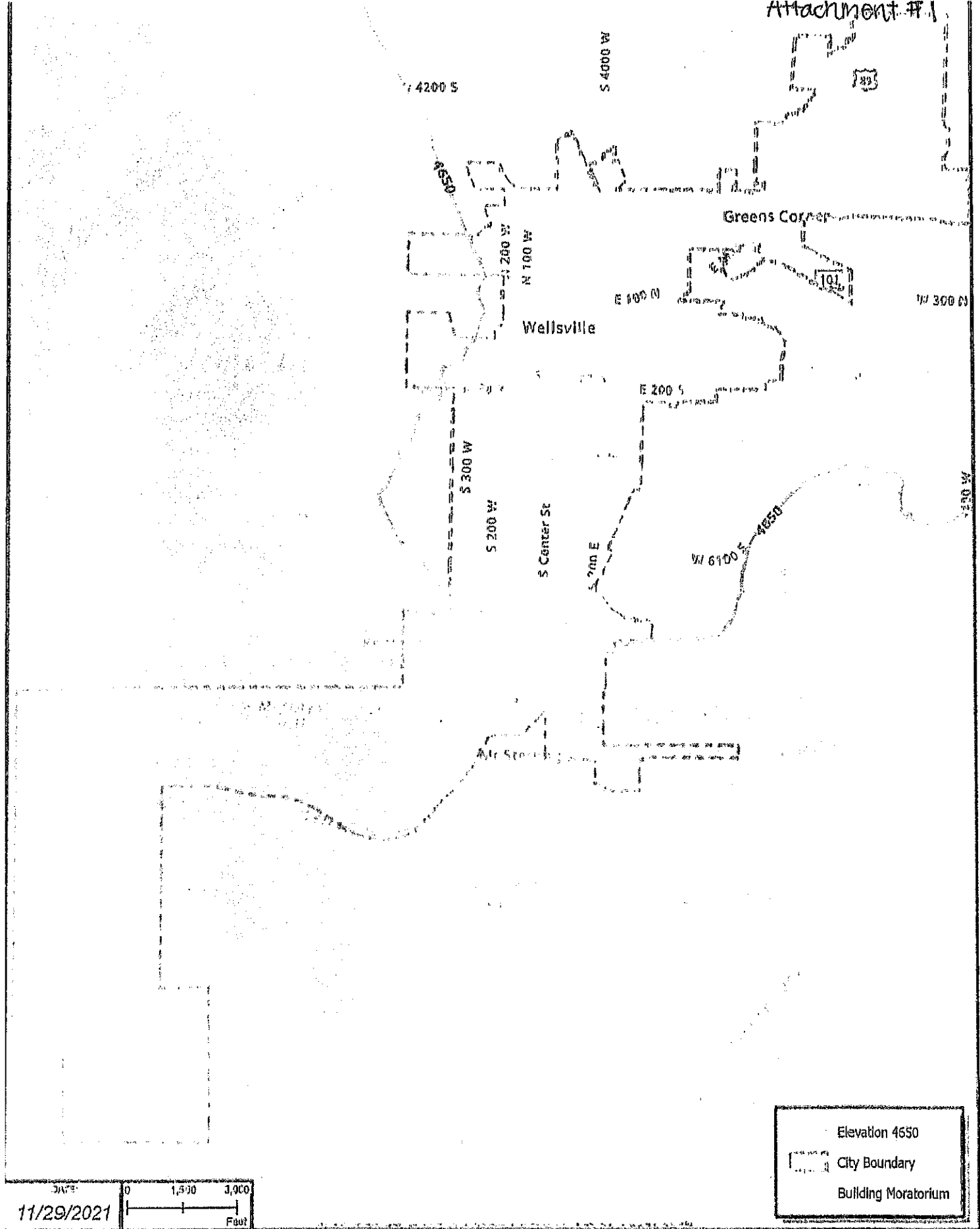
In addition to the water required for the homes and businesses that are connected, the City has a legal obligation to turn out 4% of the measured flow to Mark Thompson. The water available for peak-day use is summarized here:

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

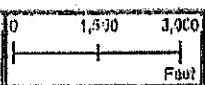
Year	Jul	Aug
2023	1,794,923	1,654,281
2022	467,411	335,418
2021	584,168	484,310
2020	1,281,337	1,149,945
2019	2,029,747	1,990,855
2018	680,086	674,830
2017	2,111,736	1,958,270
2016	1,017,501	1,023,808
2015	947,075	905,030
2014	895,569	840,910

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



11/29/2021



•	Elevation 4650
- - -	City Boundary
[Shaded Area]	Building Moratorium



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.

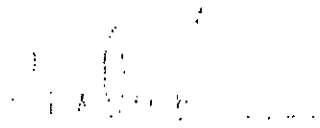
Scott Wells
Page 3 of 3
October 17, 2022

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/mdb

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 System Report

July 2024

Attachment #2

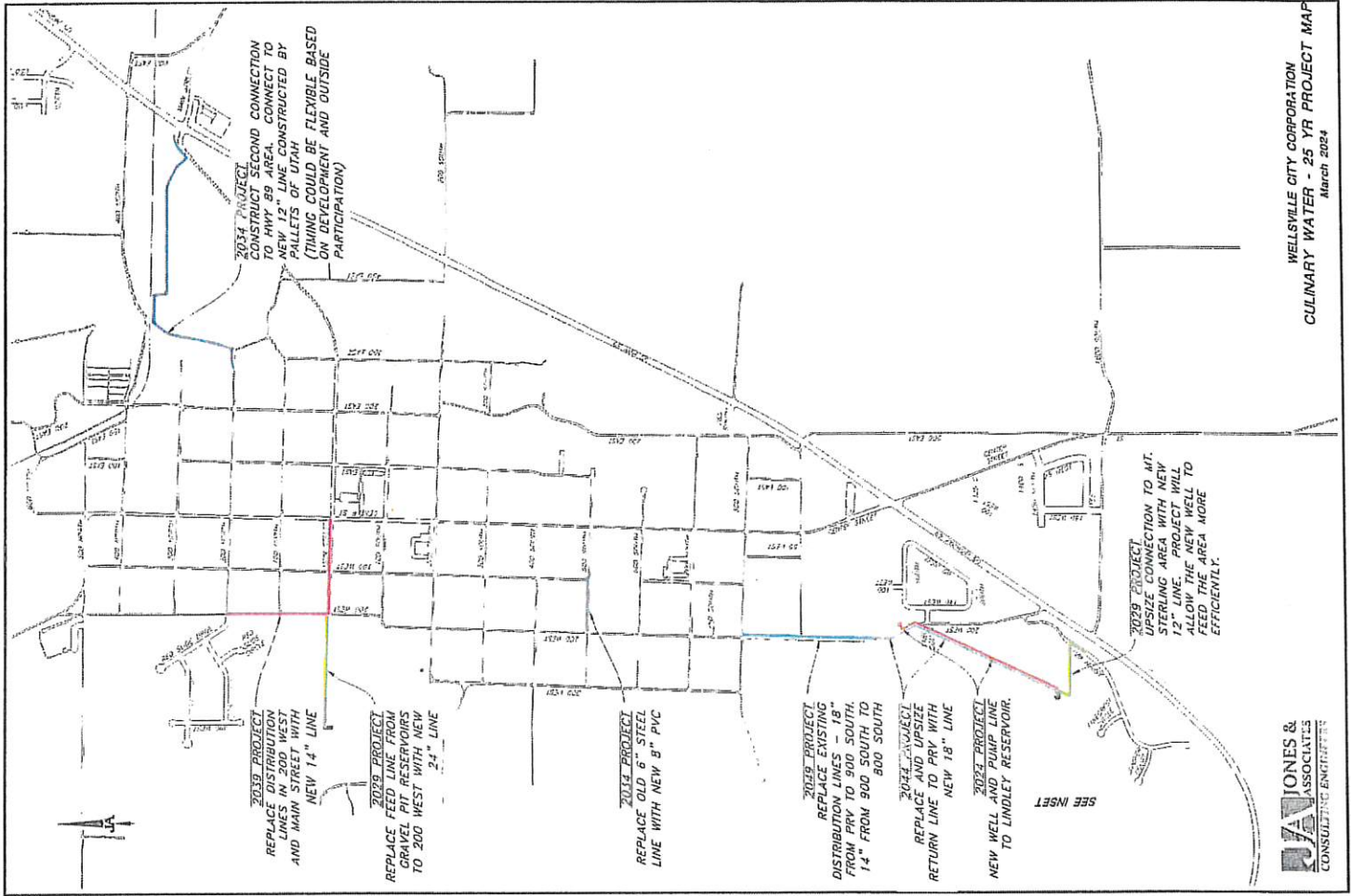
IMMEDIATE WATER SYSTEM ISSUES

- Historic low flows at Leatham Springs caused a need for a building moratorium in the bench areas
- Water delivery from the gravel pit tanks is hampered by severely undersized lines
- Water delivery for fire flows in the commercial area is limited
- Main distribution line from Lindley Reservoir to lower part of the city is undersized and old (a portion was built in 1934)
- Overall aging infrastructure
- Construction costs have increased 40% to 50% in just the last 5 years

SOLUTIONS (25-YEAR PLAN)

- Drill and equip an additional well to directly service the Lindley Reservoir (backup water source for Leatham Springs)
- Upsize waterline from Gravel Pit tanks to 200 West (severely undersized)
- Construct waterline from Lindley Reservoir to 1600 S line (backup water source for Leatham Springs)
- Construct new waterline from 300 East to Hwy 89 (for fire flow)
- Replace 6" steel line in 500 S (old and undersized line)
- Replace waterlines in 200 West and Main Street near Gravel Pit Reservoirs (better distribution)
- Replace distribution line from Lindley Reservoir to PRV (old and undersized line)
- Replace 200 West waterline from PRV to 800 S (old and undersized line)

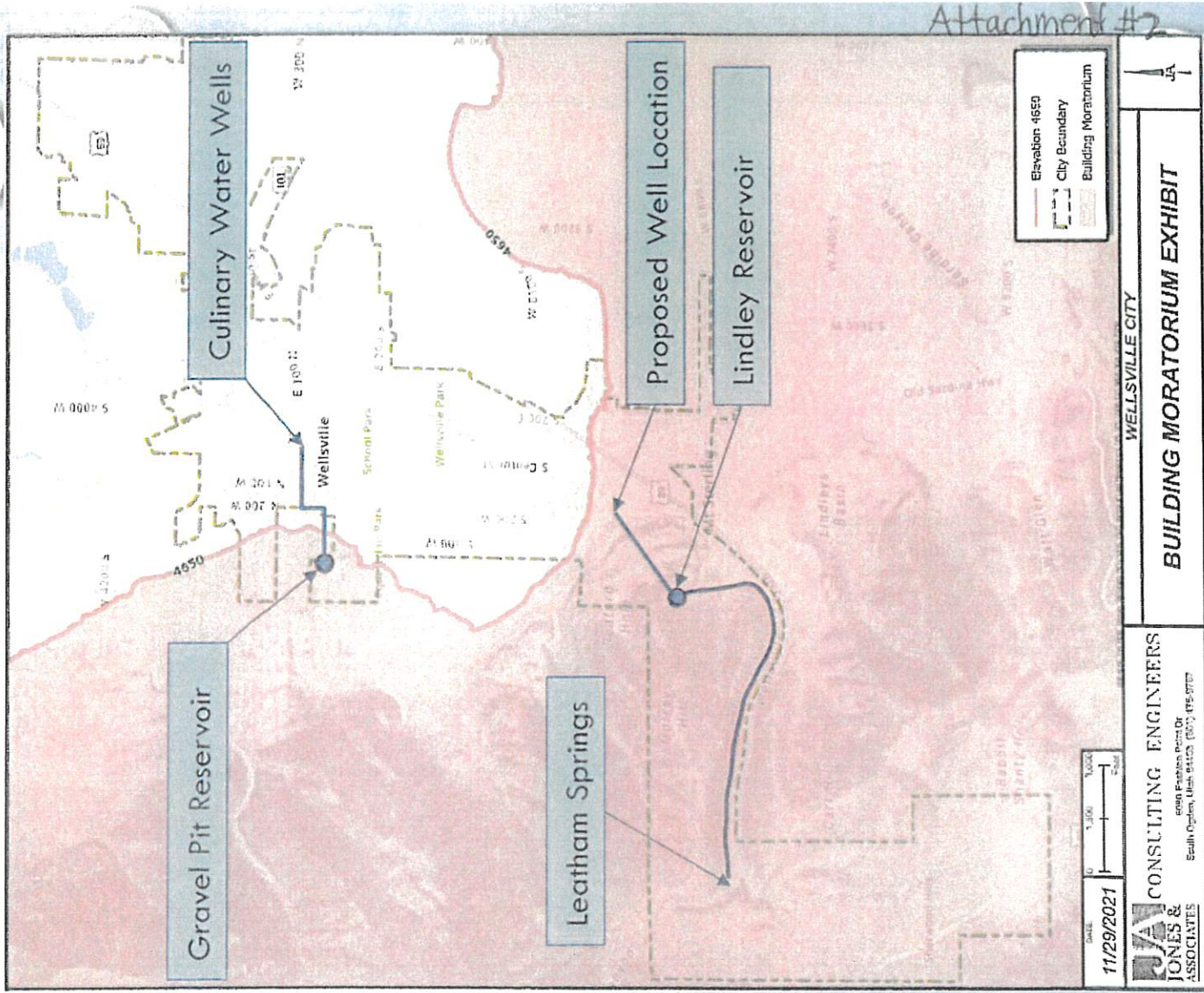
25 YEAR PROJECT PLAN MAP



SOLUTIONS (25-YEAR PLAN)

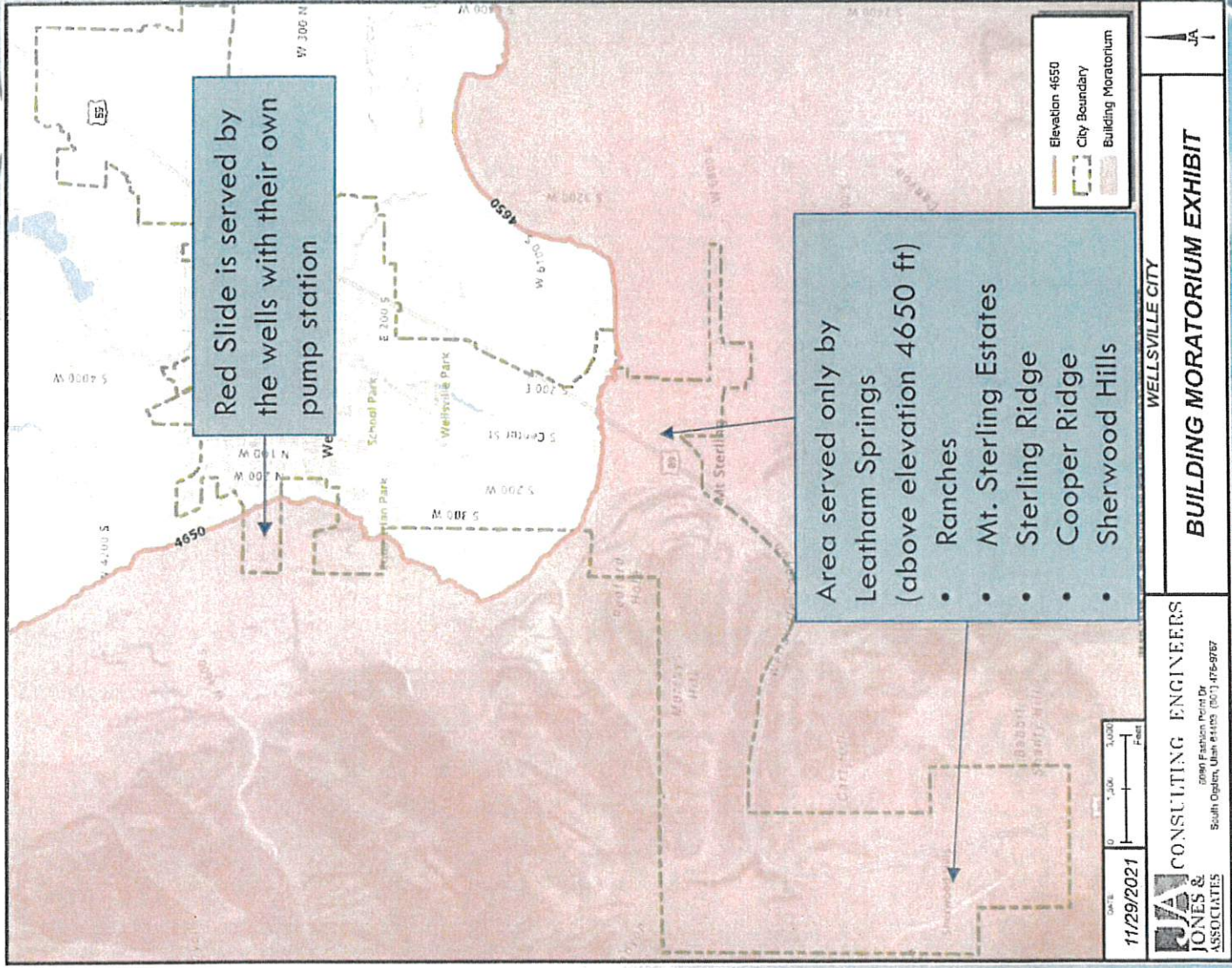
Year	Project	Estimated Cost
2024	Drill new well and associated pump house and pump line	\$3,347,652
2029	Upsize waterline from Gravel Pit tanks to 200 W	\$599,760
2029	Const waterline from Lindley Res to 1600 S	\$246,120
2034	Const new line from 300 E. to Hwy 89	\$652,200
2034	Replace 6" line in 500 S	\$136,200
2039	Replace waterlines in 200 W and Main St.	\$811,800
2044	Upsize distribution line from Lindley Reservoir to PRV	\$600,000
2049	Replace waterline in 200 West from 800 S to PRV	\$554,400
Total Estimated Cost		\$6,948,132

CULINARY WATER SOURCE AND DELIVERY SUMMARY



CULINARY WATER SOURCE AND DELIVERY SUMMARY

Attachment #2



LEATHAM SPRINGS FLOWS

- 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 FLOWS

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
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Average (‘91 – ‘23)	1,284,063 gallons



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

UTAH DIVISION OF DRINKING WATER REQUIREMENTS

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 (DWR), 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.

195 North 1950 West • Salt Lake City, UT
Mailing Address: P.O. Box 144830 • Salt Lake City, UT 84114-4830
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UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
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Attachment #2

UTAH DIVISION OF DRINKING WATER REQUIREMENTS

Upper Pressure Zone

- Peak Day Source Demand – 3,200 gal/day/ERC
- 156 ERC's in the upper pressure zone
- **499,200 gal/day are required on peak day just to serve the existing homes in the upper pressure zones**

UTAH DIVISION OF DRINKING WATER

REQUIREMENTS

- DDW requirements for Upper Pressure Zone
 - Peak Day requirement - **499,200 gal/min** (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 (August 2022)
 - 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
- Prepare and plan to carry out 25-year project plan. Adjust plan as demand dictates