

MINUTES of the regular **City Council** meeting of Wellsville City held **November 06, 2024**, at the Wellsville City Offices at 75 East Main. City officials present were Councilwomen Kaylene Ames and Denise Lindsay; Councilmen Carl Leatham, Bob Lindley and Austin Wood. City Manager/Recorder Scott E. Wells was 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 November 01, 2024. The meeting was called to order at 6:00 p.m. by Mayor pro tempore Austin Wood.

Mayor Thomas G. Bailey was excused from this meeting.

Others Present:	Deputy M. Allen	Tracy Bodrero	Ron Christensen
	David Cook	Elizabeth Fallentine	Mark Fallentine
	Earl Glenn	Evan Glenn	Mike Haynie
	Penny Haynie	Kristy Lauritzen	Brooklyn Lindley
	Rick Lindley	Cassie McBride	Karen Nielson
	Tony Nielson	Megan Petersen	Linda Wursten
	Dan Youse	Susan Youse	

Opening Ceremony: Councilman Carl Leatham

The Council reviewed the agenda. **Councilwoman Denise Lindsay 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 October 16, 2024, regular City Council meeting. **Councilman Carl Leatham made a motion, seconded by Councilwoman Denise Lindsay, to approve the minutes of the October 16, 2024, regular City Council meeting.**

<u>YEA 3</u>	<u>NAY 0</u>	<u>ABSTAIN 2</u>	<u>ABSENT 0</u>
Carl Leatham		Kaylene Ames	
Bob Lindley		Austin Wood	
Denise Lindsay			

The minutes from the October 02, 2024 City Council meeting will be reviewed at the following meeting.

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. Cache County Corporation was paid for the 200 East chipseal along Wellsville Dam. Cascade Water Resources was paid for engineering services for Well #4. Kilgore Companies were paid for repairing the 200 North water leak. Traffic Services, Inc. was paid for road signs to comply with traffic control plans. SeaWestern Fire Fighting Equipment was paid for new firefighting suits and equipment. The Payment Approval Report is dated 11/06/2024. After review and discussion, **Councilman Bob Lindley made a motion, seconded by Councilwoman Denise Lindsay, to approve the city's accounts payable bills for payment, represented by check number 30125 through 30180.**

<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 6:10 p.m., Mayor pro tempore Austin Wood opened the meeting for citizen input.

Deputy M. Allen of the Cache County Sheriff's Office (CCSO) introduced himself as Wellsville City's newest star deputy. Deputy Allen will serve as the City's liaison with the CCSO. He has worked with the CCSO for six years and previously spent five years in Logan City's public works department. The Council welcomed Deputy Allen and thanked him for his service.

Tracy Bodrero asked the Council if they considered the questions and concerns brought before them well acknowledged and addressed. Each council member answered affirmatively. Councilmen Bob Lindley and Austin Wood recognized that addressing citizen complaints must be done by adhering to code regulations rather than individual preferences. Councilman Carl Leatham mentioned that each council member's phone number and email are available on the City letterhead to facilitate citizen communication.

At 6:14 p.m., citizen input was closed.

The Council shall consider **Resolution 2024-12**, accepting further consideration of an annexation petition from Tony & Karen Nielson for 62.86 acres, located on the south end of Wellsville (Tax Id. #10-045-0017 & #10-055-0001) be annexed into the corporate limits of Wellsville City. Tony and Karen Nielson informed the Council that they wish to annex and develop 62.86 acres of their 380-acre property. City Manager/Recorder Scott Wells displayed the property on the overhead screens, and maps of the proposed annexation were presented to the public in attendance (see Attachments #1 and #2). City Manager/Recorder Wells clarified that Resolution 2024-12 does *not* approve the annexation but rather initiates a review process to determine if the proposed annexation meets code requirements and constitutes a legal lot within Wellsville City. If the resolution meets code requirements, the Nielsons and Wellsville City will create an annexation agreement, which will then be presented to the Planning Commission and City Council as a code amendment, accompanied by public hearings. Additionally, City Manager/Recorder Wells mentioned that discussions have taken place regarding the Nielsons' installation of water and sewer lines as part of a proposed agreement, ensuring aquifer protection and accommodating future growth. Councilwoman Kaylene Ames inquired about the Nielsons' plans for developing a 20-lot subdivision on the property. Mr. Nielson responded that lot numbers will be determined after the annexation process.

Mayor pro tempore Austin Wood added to the record that the City Council received two letters regarding the annexation proposal. The first letter, addressed to the Cache County Director of Development and dated March 26, 2024, was signed by 76 residents (see Attachment #3). The second letter came from neighboring property owner Mark Thompson (see Attachment #4). Mr. Nielson explained that initially, they planned to develop the property outside Wellsville City limits, which would require 20 approved wells and septic tanks. Ms. Nielson shared that 20 wells and septic tanks were approved. However, neighboring property owners expressed concerns during the Cache County public hearing chiefly regarding potential aquifer contamination and water source pollution from these wells and septic tanks. Annexing into Wellsville City would alleviate these primary concerns by eliminating the need for wells and septic tanks, instead providing access to city water and sewer services.

City Manager/Recorder Wells explained that Cache County is evaluating the annexation request and determining whether to relinquish the property. Councilman Carl Leatham noted that the proposed annexation is adjacent to 160 acres of dedicated conservation easement to the east, owned by Earl Glenn (Tax ID #10-047-0026 and #10-056-0001), and Mark Thompson's property to the north (Tax Id. # 10-048-0014 & #10-048-0015). Despite being within Wellsville City's **General Plan** expansion area, the property's non-contiguous nature would create an incorporated island or peninsula, requiring evaluation by the city attorney and planner if the resolution is accepted. Councilman Bob Lindley asked whether this was the first island or peninsula annexation request in Wellsville City, to which City Manager/Recorder Wells replied affirmatively. Mayor pro tempore Wood emphasized that public input will be solicited after staff verifies the annexation's legality and is presented as a Code Amendment request. City Manager/Recorder Wells declared that Wellsville City doesn't force annexation on unwilling parties.

Earl Glenn, owner of the 160 acres of dedicated conservation easement to the east (Tax Id. #10-047-0026 & #10-056-0001), explained that his conservation easement prevents non-agricultural uses in perpetuity,

protecting the land from development while retaining private property rights, including living on, selling, or inheriting the land. Annual inspections by the Utah Department of Agriculture and Food enforce the easement. Councilman Leatham asked if the conservation would exclude annexation into Wellsville City. Mr. Glenn stated he believes the easement could be annexed into Wellsville City. He pointed out Clair Cooper is currently in the process of dedicating a conservation easement within city limits. The Council thanked Mr. Glenn for his insight.

City Manager/Recorder Wells reported that the Nielson property spans both the Residential Conservation Area (RCA) and Rural Open Space 1 (ROS1) zones on the **General Plan** map. Level ground is designated for one-acre density in the ROS1 zone. The RCA zone is two-acre density however 20 percent slopes or greater within the RCA zone cannot be developed. If annexed, the property would adhere to the densities outlined in the **General Plan**. **Councilman Carl Leatham made a motion, seconded by Councilman Bob Lindley, to approve Resolution 2024-12, accepting further consideration of an annexation petition from Tony & Karen Nielson for 62.86 acres, located on the south end of Wellsville (Tax Id. #10-045-0017 & #10-055-0001) be annexed into the corporate limits of Wellsville City.**

YEA 4

Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

NAY 1

Kaylene Ames

ABSTAIN 0

ABSENT 0

Department Reports:

Councilwoman Denise Lindsay-

1) No business or concerns at this time.

Councilman Carl Leatham-

1) No business or concerns at this time.

Councilwoman Kaylene Ames-

1) No business or concerns at this time.

Councilman Bob Lindley-

1) December 14, 2024 is National Wreaths Across America Day. Residents of Wellsville City have a meaningful opportunity to pay tribute to over 360 veterans laid to rest in the Wellsville City Cemetery. The City's goal is to adorn each veteran's grave with a wreath this Christmas season. Sponsoring a wreath costs \$17.00. A short program will be held at the cemetery at 10:00 a.m. on December 14, 2024. Donations can be made online at www.wreathscrossamerica.org/UTWELL or in person at the city office.

Councilman Austin Wood-

1) Expressed gratitude for the Wellsville City Appreciation Dinner held on October 28, 2024

City Manager/Recorder Report:

- 1) Bear River Association of Governments presents 10th Annual Cache Summit 2024 - Wednesday, November 13, 2024 at Riverwoods Conference Center
- 2) Resident Cade Huskinson has generously volunteered to light the large pine tree on the city square. A tree lighting ceremony will be held on November 30, 2024. Wellsville City will provide hot chocolate served by the City Council. Financial contributions from the city were considered.
- 3) New bleachers have been installed at the rodeo arena.
- 4) A new snowplow truck has been ordered and will be equipped with a sander and plow.

At 6:42 p.m., Councilman Bob Lindley made a motion, seconded by Councilwoman Denise Lindsay, to adjourn the meeting.

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

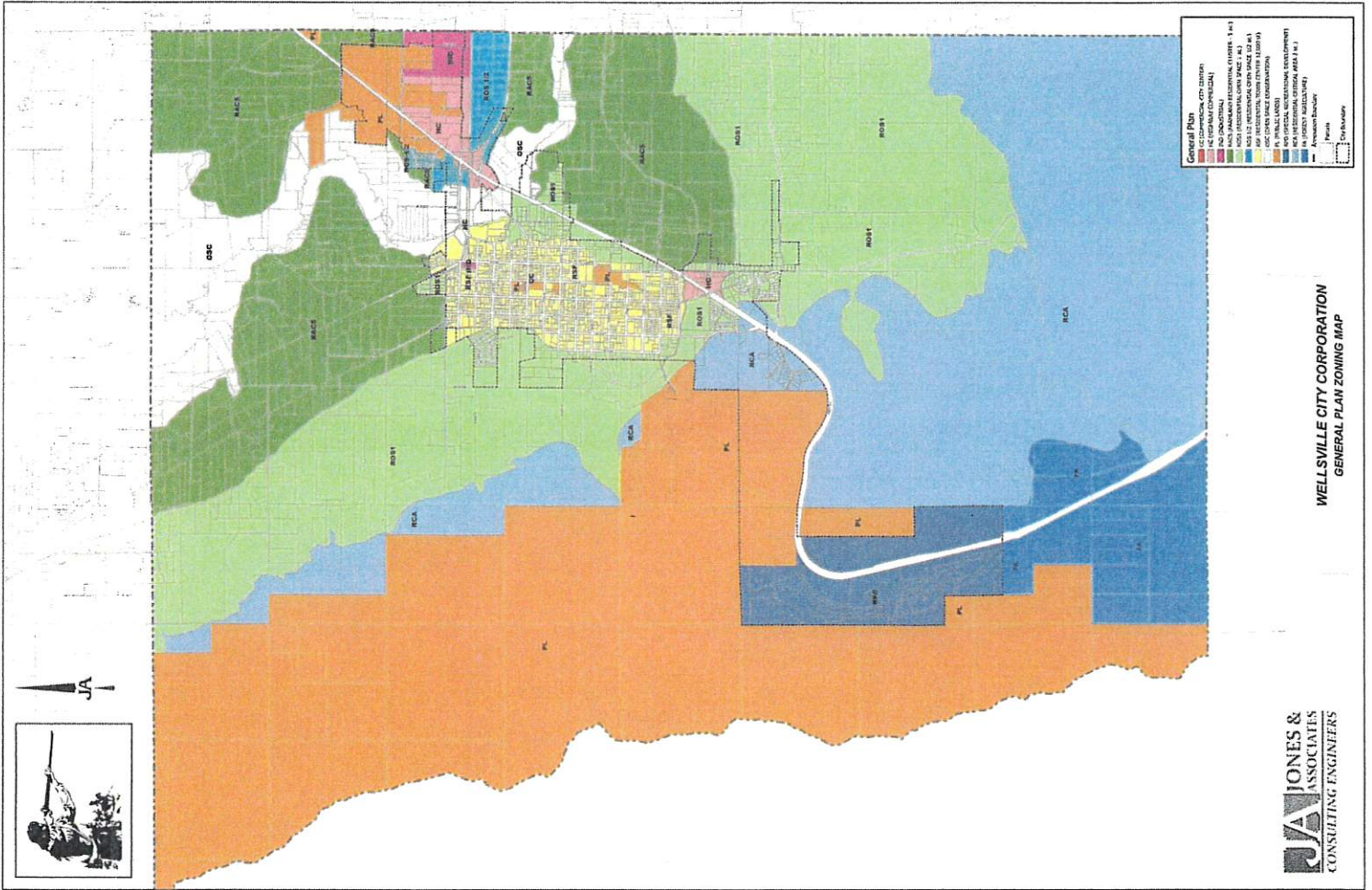
Kaylene Ames
Carl Leatham
Bob Lindley
Denise Lindsay
Austin Wood

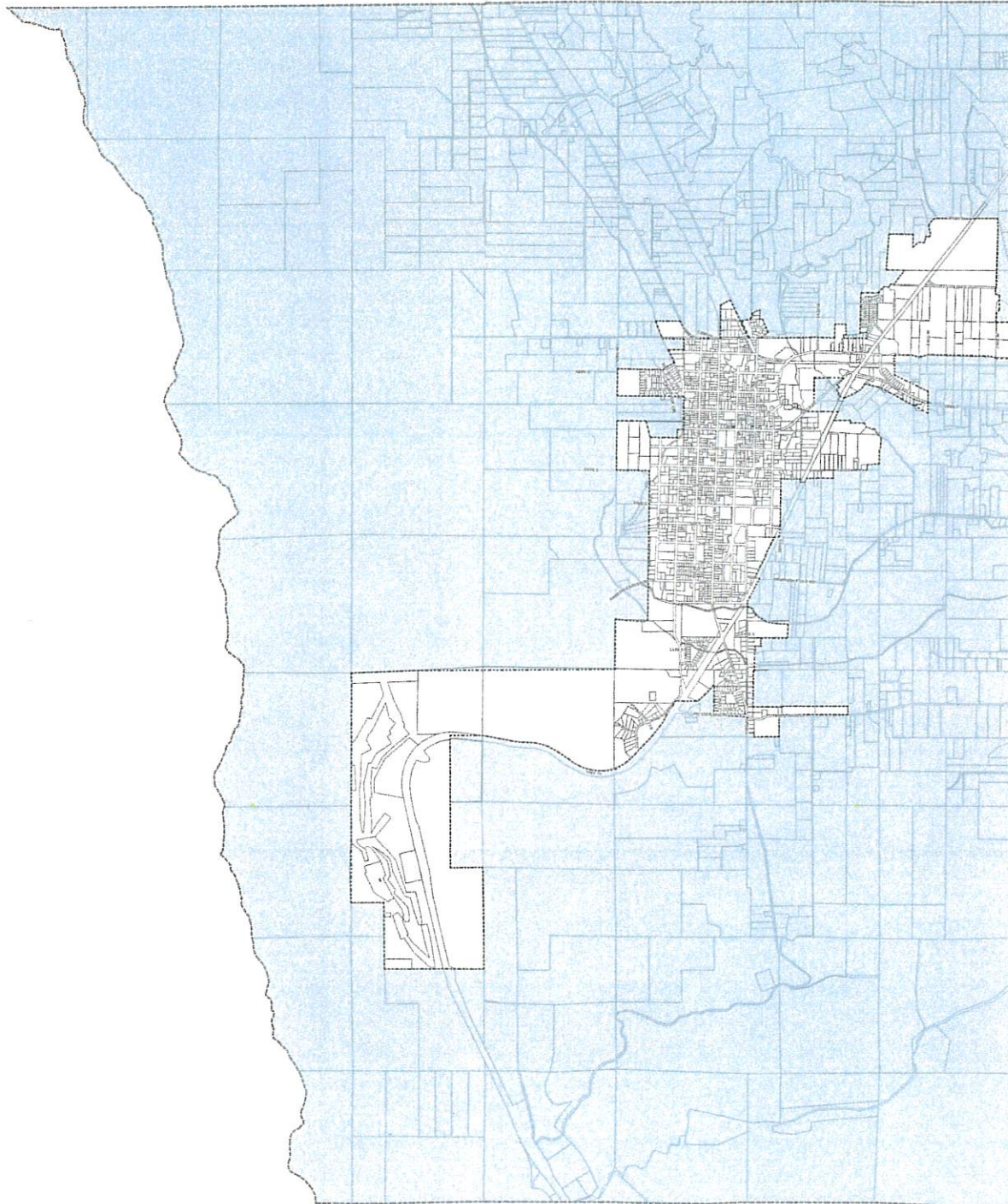


Austin Wood
Mayor pro tempore



Scott E. Wells
City Manager/Recorder





March 26, 2024

To: Stephen Nelson, Director of Development,
Cache County Planning Commission Secretary
Cache County Planning Commission
Cache County Council
cc: Bear River Health Department

As residents and concerned citizens of South Cache County (Mt. Sterling area), it has been brought to our attention of a proposed 20 lot subdivision planned on 32 areas owned by T&K Nielsen LLC at approximately 7350 South 4000 West.

We understand that growth of this beautiful valley is inevitable and should be done with careful planning and consideration. A Cache County General Plan was developed through key selection of professional consulting firms, input from municipalities, private citizens, and local businesses. The County spent nearly \$300,000.00 for outside help and several thousand dollars in local community help. This Plan was a couple years in the making and adopted February 28, 2023 - its intended use for the future of the County development.

Some general consensus and highlights from this plan are as follows:

- "There is a local desire to preserve the agricultural heritage and rural feel in balance with urban and small-town areas." Page 5
- "To promote the public interest, the interest of the community at large, rather than the interest of individuals of special interest groups within the community." Page 6
- "The open and rural nature of the County's unincorporated areas is an important component of the community's character that should be preserved." Page 10 and Page 15
- "Apply appropriate land use zoning to limit residential development in sensitive land areas such as floodplains, riparian corridors, groundwater recharge areas, wildlife corridors, wildfire risks areas, hillsides, and other environmentally sensitive features." Page 16 and Page 31
- "Collaborate with local communities to guide new growth and developments toward urban areas with available services and minimize urban-style growth in the unincorporated County outside of annexation and growth areas. Balance growth, property rights, rural character preservation, and fiscally efficient delivery of public services. Guide location, intensity, and pattern of desired development through the Future Land Use Map." Page 20

- “Separating agricultural and rangeland from dense residential developments is advantageous.” Page 26

The above highlights of the Cache County General Plan represent many concerns that this project of concentrated development in this sensitive area would be in violation of the General Plan. This proposal of approximately 32 acres of residential development uses the most valuable and productive farm land of the 125 farmable acres owned by T&K Nielson, and leaves the less desirable, roughly 95 acres of farm land, less accessible and less desirable to farm. The City of Wellsville, the closest incorporated municipality, does not show this area as a future expansion of the city's projected growth.

Septic tanks and drain fields would be concentrated on top of what a hydrologist has told us in his report that “groundwater travel times in the limestone aquifer from septic seepage to nearby could be relatively fast and should be of concern.” The municipal utilities of clean treated water and a sewage removal system are not available in this area.

An important wildlife travel corridor is regularly used by a significant number of elk and deer in the winter months that travel directly out of Lindley Basin through the middle of this proposed development to forage on dormant farmland to the east, north and south, including the 160 acres of dedicated conservation easement property directly across the county road to the east. The identified area is also a significant feeding area for protected avian species, including raptors, songbirds, resident and migratory birds.

Directly across the road from this “open space farm conservation easement”, the proposed development would be contrary to the purpose of the dedication of the land by the neighboring family.

Approving this project in this area would set precedence for other developers and obligate those decision makers to continue in a direction contrary to the General Plan. This goes against the extensive history of farming, ranching, and open-space lifestyle referenced in the Cache County General Plan.

These types of developments should be reserved for planned growth areas near existing municipalities where services are provided, meaning building from municipalities out and not from the county in. Current density in this location using a $\frac{3}{4}$ mile radius has 13 county home, making an average of 1 home per 87 acres.

In addition, adjacent to the proposed development on the north side is the Dominion Energy Natural Gas Transfer Station. Recently, a larger natural gas pipeline was installed from the transfer station, which runs south – southwest under the length of the property with its accompanying easement. This pipeline supplies natural gas to Cache County. This 30-foot right-of-way removes nearly an additional 1 acre, concentrating septic and sewer even more.

When reviewing the application, we, the undersigned residents, ask that careful consideration be taken of the following:

- Protect the health and well-being of unincorporated county residents by keeping concentrated developments of this magnitude within immediate reach of municipal utility services, thus avoiding possible contamination of vital water sources.
- Protect valuable productive farmland.
- Protect critical wildlife corridors by avoiding development in these corridors that inevitable converts the animals to "nuisance" animals that ends in eradication and/or removal.
- Protect our agricultural heritage, character, and rural feel.
- Keeping the rural feel in a rural area.
- Keeping the city, city and the county, county. (from page 23 of the Cache County General Plan)

We appreciate the Commission's role in developing and following the Cache County General Plan.

Respectfully,

Mt. Sterling residents

Mike, Amy
Debra Hoar
Robert D Hoar
Justin McNeil
Carrie McNeil
Steve Kell
Susan Youse
Dan W. Youse
Carol Glenn
Carol
Wendy
Carolann Glenn
Joanna McNeil

Dana Thompson
Kevin Bankhead
Lela Van
Brenda Haynie
Michael E. Haynie
Megan Wright
R. Guy Smith
Andrew E. Smith
Wendy
Carol
Shay Freeland
Paul Bankhead

Robert D Hoar
Stacey Bankhead
Justin McNeil
Carrie McNeil
Steve Kell
Susan Youse
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Carol
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Respectfully,

Mt. Sterling residents

Brooklyn Similes
Stephanie Lindley
Kandor Lindley
Dany King
Ana Barnes
Taylor King
Caly King
Kyle Sibley
Nathan Sibley
Elizabeth
Julie King
King & King

Lawrence M. Miller
Bert L. Miller
EML
BOK

Ben L. Mather

th

[Signature]

Mark Anderson

Kristy Anderson

Sharon Thompson

~~Sharon Thompson~~

Irene Nelson

Tim Nelson

Tracy Nelson

Bob Kegg

Markum Clapp

~~Paula Clapp~~

~~Paula Clapp~~

Curt Thompson

Wednesday council meeting

1 message

Mon, Nov 4, 2024 at 9:23 PM

T

Mayor Bailey and Wellsville council members,

This morning I received the agenda for city council for this coming Wednesday. Impossible for me to be there so I am in hopes you will take the time to read my concerns about item 8 regarding annexing 62.86 acres.

In March a letter was prepared by several concerned citizens referring to potential concentrated development of this very acreage. 75 signatures were attached to this letter and delivered to the County. I delivered copies of this letter for each of you to Scott Wells. It may not apply to an annexation application to the city but I feel it brings out some very important points that those close by are concerned about. A lot of time and funds were spent on the Cache County General Plan and I hope that the County plan is considered as well as the Wellsville General Plan before any land is considered to be taken out of the county and brought into the city proper.

In the city of Wellsville General plan there is reference to development that is compatible with adjacent properties, compatible with residential neighborhoods, protecting critical productive farm ground, wildlife habitat protection. How community development should occur mainly within the built-up areas of the city. Open space and countryside atmosphere should be kept to the periphery. Lowest residential density should be required in open space conservation zones. Certain areas are sensitive to activities of development and should be protected from loss by development.

These are only a few things that stood out when I quickly read through the Wellsville General plan.

If annexed at over 1/4 mile away from the city boundary, it would create an island outside the current city limits, I would think that allowing an island could set a precedence of future checker boarding all around the city boundary even though they could provide and connect to city utilities. I don't believe this is a common practice by other cities.

Lindley Basin is a major migration route for several hundred elk every winter. They travel out the mouth of the basin and forage on the dormant farm land to the east, including the dedicated Conservation land across the street owned by the Earl Glenn family. If annexed, building applications will follow, and if permitted, homes will be built and these elk will become problem elk and end up being eliminated as nuisance animals similar to what's happened in Hyde Park.

I admonish the Council to protect valuable farm land, listen to surrounding neighbors, keep rural, rural and city, city. Build from the inside out and not the outside in. Avoid annexing island properties and keep a contiguous city boundary. Protect the wildlife resources we still have. Consider the commitment of the Earl Glen family that has dedicated their land to conservation. Research what obligation the city might acquire regarding the large natural gas Right of Way that runs diagonally through this property.

Thank you for your time and dedication to Wellsville City and its residents!!

Mark Thompson