

MINUTES of the regular **City Council** meeting of Wellsville City held **January 21, 2026**, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Chad B. Lindley; Councilwoman Angie Olsen; Councilmen Carl Leatham, Bob Lindley and Tom Maughan. City Manager/Recorder Scott E. Wells was also present. A copy of the Notice and Agenda was mailed to the Mayor and Council members and emailed and faxed to the Herald Journal on January 16, 2026. The meeting was called to order at 6:00 p.m. by Mayor Chad B. Lindley.

Councilwoman Denise Lindsay was excused from this meeting.

Others Present:	Tracy Bodrero	Daicen Branz	Shane Branz
	Fred Brasfield	Brian Kwant	Quinn Murray
	Megan Petersen	Diane Roundy	Gina Thompson
	Mark Thompson	Chad Wright	Fred Woodward
	Linda Wursten		

Opening Ceremony: Mayor Chad Lindley

The Council reviewed the agenda. Item 10.a. *'The Council shall receive public input, then consider for possible approval of the annexation petition filed by Jason and Sharla Blackham, 50.709 acres more or less of real property, located at approximately 500 North 200 West (Tax ID #11-078-0001)'* and Item 10.b. *'The Council shall receive public input, then consider for possible approval of the annexation petition filed by Ricky R. and Stephanie L. Lindley, 10.97 acres more or less of real property, located at approximately 400 West 1600 South (Tax ID #10-048-0007),'* were removed from the agenda. **Councilman Carl Leatham made a motion, seconded by Councilman Bob Lindley to approve the agenda as corrected.**

<u>YEA 4</u>	<u>NAY 0</u>	<u>ABSTAIN 0</u>	<u>ABSENT 1</u>
Carl Leatham			Denise Lindsay
Bob Lindley			
Tom Maughan			
Angie Olsen			

The Council reviewed the minutes of the January 07, 2026, regular City Council meeting. **Councilman Bob Lindley made a motion, seconded by Councilwoman Angie Olsen, to approve the minutes of the January 07, 2026, regular City Council meeting.**

<u>YEA 4</u>	<u>NAY 0</u>	<u>ABSTAIN 0</u>	<u>ABSENT 1</u>
Carl Leatham			Denise Lindsay
Bob Lindley			
Tom Maughan			
Angie Olsen			

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 Council reviewed the current accounts payable, during which several specific expenditures were discussed for clarification. It was noted that Forsgren Associates Inc. was compensated for professional services rendered by Marianne Reiner, City Planner; her work includes the technical review of subdivisions and various municipal development plans. Additionally, payments to Logan City were clarified as being for ongoing 911 dispatch services. TM Tree Care performed several projects, including the removal of fallen trees from the river adjacent to the sewer ponds and city-wide tree trimming to ensure clearance for snowplow operations. Regarding the invoice for Twin D, Manager Wells confirmed this expenditure covers the annual sewer maintenance program. He explained that the city is divided into five geographical sections, with one-fifth of the total infrastructure cleaned each year. Twin D provides annual service for high-priority lines and assists with the maintenance of the Heritage Southwest lift station. In response to inquiries from Councilman Leatham regarding "trouble spots," Manager Wells noted that certain sections near the business district require more frequent cleaning due to residual grease buildup. The Payment Approval Reports are dated 01/21/2026. After review and

discussion, **Councilman Bob Lindley made a motion, seconded by Councilman Carl Leatham, to approve the city's accounts payable bills for payment, represented by check number 31664 through 31696.**

YEA 4

Carl Leatham
Bob Lindley
Tom Maughan
Angie Olsen

NAY 0

ABSTAIN 0

ABSENT 1

Denise Lindsay

At 6:10 p.m., Mayor Chad Lindley opened the meeting for citizen input.

Ms. Linda Wursten addressed the Council to inquire about the current status of public bus service in Wellsville, noting that a resident has recently expressed interest in the matter. City Manager/Recorder Scott Wells provided an update on past discussions with the Cache Valley Transit Authority (CVTA). He noted that while the City has reached out multiple times to initiate a dialogue, a previous resident survey regarding a formal bus system yielded largely negative results. City Manager/Recorder Wells suggested that a fixed-route system may not be financially viable for the CVTA at this time, as the provider has not actively pursued expansion into Wellsville despite regular service to nearby Hyrum. Councilwoman Angie Olsen clarified that a "Call-A-Ride" or paratransit service is currently available to Wellsville residents. This system operates on an on-demand basis, allowing individuals to schedule pickups by calling the transit authority directly. City Manager/Recorder Wells confirmed that this on-demand service is already functional and likely the most feasible option at present, as a dedicated bus route would require significant ridership to "pencil out" financially. Councilman Leatham recalled previous negotiations with the CVTA where the only offered solution was a single loop in the morning and one in the late afternoon. This proposed route would have functioned similarly to a school activity bus, circling through Mendon and Hyrum before reaching Wellsville; however, there was insufficient public support for that limited schedule at the time. City Manager/Recorder Wells suggested that if residents find the "Call-A-Ride" system insufficient, that feedback could be used to push for further dialogue with the CVTA. Mayor Lindley concluded the discussion by expressing his appreciation for the inquiry and the information provided.

Mr. Fred Woodward addressed the Council to express concerns regarding the condition of city sidewalks, specifically the block from 100 North to Main Street along Center Street. Mr. Woodward noted that due to health challenges, he relies on a walker and finds that particular stretch of sidewalk nearly impassable and hazardous. He observed that while other areas of the city have received repairs, this specific block has remained in poor condition for many years, necessitating difficult maneuvers to avoid falling. City Manager/Recorder Wells acknowledged that sidewalk replacement is a recurring annual discussion. He explained that sidewalks along Center Street (the State Road) cost approximately double the rate of standard municipal sidewalks. While the current plan for the upcoming year was to address the section from 100 North to 200 North along Center at an estimated cost of \$45,000, City Manager/Recorder Wells stated that the Council could choose to prioritize the block mentioned by Mr. Woodward instead. Councilman Leatham agreed that the sidewalk in question is in poor repair and suggested a site comparison to determine which block presents the greater need. City Manager/Recorder Wells further noted that because this area serves as a route to the local school, the City may be able to pursue "Safe Sidewalk" state funding to offset the costs. Mayor Lindley thanked Mr. Woodward for his input and referred the matter to the City Manager for further evaluation of funding and priority.

At 6:18 p.m., **Councilman Tom Maughan made a motion, seconded by Councilman Bob Lindley, to close citizen input.**

YEA 4

Carl Leatham
Bob Lindley
Tom Maughan
Angie Olsen

NAY 0

ABSTAIN 0

ABSENT 1

Denise Lindsay

Mayor Chad Lindley introduced Item #8 regarding the Certification of Annexation Petition for the Jason and Sharla Blackham annexation, consisting of approximately 50.709 acres located at approximately 500 North 200 West (Tax ID #11-078-0001). City Manager/Recorder Scott Wells explained the certification process, noting that once a petition is accepted by the Council via resolution, it must undergo a technical review by the City Manager and the City Attorney. This review ensures the property falls within the city's annexation area, confirms the petition verbiage and signatures are correct, and ensures the proposal does not create prohibited "peninsulas" or "islands" of unincorporated land. City Manager/Recorder Wells noted that while both the Blackham and Lindley petitions met all legal criteria, he was presenting them now to correct a previous procedural omission regarding formal presentation and public noticing. Councilman Carl Leatham asked if a formal motion was required to acknowledge receipt of the certifications. City Manager/Recorder Wells confirmed that while the requirement is to present the certifications to the Council and provide public notice, a motion to acknowledge receipt and accept the certification would allow the process to proceed. Mayor Lindley clarified that separate motions should be made for Item #8 (Blackham) and Item #9 (Lindley). **Councilman Carl Leatham made a motion, seconded by Councilman Bob Lindley, to acknowledge receipt of and accept the Certification of Annexation Petition for the Jason and Sharla Blackham annexation, consisting of approximately 50.709 acres located at approximately 500 North 200 West (Tax ID #11-078-0001).**

<u>YEA 4</u>	<u>NAY 0</u>	<u>ABSTAIN 0</u>	<u>ABSENT 1</u>
Carl Leatham			Denise Lindsay
Bob Lindley			
Tom Maughan			
Angie Olsen			

Following the action taken on the previous item, Mayor Chad Lindley introduced Item #9 regarding the Certification of Annexation Petition for the Ricky R. and Stephanie L. Lindley annexation, consisting of approximately 10.97 acres located at 400 West 1600 South (Tax ID #10-048-0007). City Manager/Recorder Scott Wells confirmed that this petition similarly met all legal criteria regarding annexation boundaries and documentation as reviewed by himself and the City Attorney. **Councilman Bob Lindley made a motion, seconded by Councilwoman Angie Olsen, to acknowledge receipt of and accept the Certification of Annexation Petition for the Ricky R. and Stephanie L. Lindley annexation, consisting of approximately 10.97 acres located at 400 West 1600 South (Tax ID #10-048-0007).**

<u>YEA 4</u>	<u>NAY 0</u>	<u>ABSTAIN 0</u>	<u>ABSENT 1</u>
Carl Leatham			Denise Lindsay
Bob Lindley			
Tom Maughan			
Angie Olsen			

Mayor Chad Lindley introduced a business license application for Jordan Burningham to operate Supportive Living LLC (Diamond Detox), a substance abuse treatment facility located at 7877 South Hwy 89/91 (Tax ID #10-053-0014). City Manager/Recorder Scott Wells clarified for the record that while the facility was publicly noticed as Diamond Detox, the legal entity name is Supportive Living LLC. Mr. Shane Branz, a partner in the project, appeared before the Council to represent the applicant. Councilman Carl Leatham provided a summary of the Planning Commission's recent review, noting that the Commission recommended unanimous approval. He described the facility as a "Phase II" recovery environment—a highly controlled residential setting designed to help individuals transition back into society. The program is voluntary, serving non-high-risk clientele with no court-mandated patients. The facility will initially open with 30 beds, with a maximum capacity of 78. Medical staff and advisors will be on-site, and rules—including random drug and alcohol testing—will be strictly enforced. Mayor Lindley and City Manager/Recorder Scott Wells noted that the previous operator of the facility, Rising Ridge Recovery, had maintained a positive relationship with the city and did not overextend municipal emergency resources.

The Council further discussed the logistical impacts of the facility on the surrounding area. To address transportation needs and mitigate traffic, Mr. Branz explained that the facility will operate a private shuttle service to transport residents to employment opportunities in Hyrum and Brigham City. He also expressed a

desire to continue a dialogue with the Cache Valley Transit Authority (CVTA) to establish a bus route near the site. Regarding infrastructure, City Manager/Recorder Scott Wells confirmed that the access road would remain private, leaving the responsibility for snow removal and maintenance to the developer and the facility owners.

A significant portion of the discussion centered on site access via Highway 89/91. Councilwoman Agnie Olsen and Councilman Carl Leatham expressed concerns regarding the Utah Department of Transportation's (UDOT) current "right-in, right-out" access proposal. Councilman Leatham highlighted the danger this poses to emergency response times, noting that fire and medical services would be forced to travel to the canyon summit to turn around for northbound access. Mayor Lindley informed the Council that the City has already begun advocating to UDOT for a safer alternative, such as a median break or underpass, emphasizing that the severe winter conditions and wind drifting at Dry Lake make the current UDOT proposal a significant safety risk. Following the discussion, **Councilwoman Angie Olsen made a motion, seconded by Councilman Bob Lindley to approve the Business License for Supportive Living LLC, a substance abuse treatment facility located at 7877 South Hwy 89/91 (Tax ID #10-053-0014).**

YEA 4

Carl Leatham
Bob Lindley
Tom Maughan
Angie Olsen

NAY 0

ABSTAIN 0

ABSENT 1

Denise Lindsay

Next, the Council shall receive public input, then consider for possible approval Code Amendment 2026-03, an amendment to Title 8, Public Utilities, Chapter 1, Water Use and Service, Article C, Rate and Connection Fees, Section 1B, Selling Water Outside City Limits. City Manager/Recorder Scott Wells summarized the previous discussion from the January 7, 2026, meeting, explaining that the city's current code—which mandates charging double the standard water rate for out-of-city users—is no longer consistent with Utah State Statute. He clarified that while the City is under no legal obligation to sell water to properties outside its municipal boundaries, once it chooses to do so, it must charge those users the same rate as residents unless a specific, cost-based justification exists. Such justifications might include higher infrastructure maintenance or increased pumping costs associated with serving those specific outlying areas. City Manager/Recorder Wells noted that the proposed amendment would update the code to set the default out-of-city water rate equal to the in-city rate, while maintaining the Council's authority to impose higher fees only when mitigating circumstances or documented cost increases are present. This change ensures the City's fee structure remains constitutionally sound and legally defensible.

At 6:28 p.m., Mayor Lindley opened the floor for public comment.

Diane Roundy addressed the Council with inquiries regarding the fees associated with water connections outside city limits. She specifically questioned whether the City could legally charge higher impact or connection fees to non-residents, arguing that since those individuals do not pay property taxes into the municipal infrastructure, they should be expected to pay a premium for initial access to City services. City Manager/Recorder Wells explained that under current constitutional interpretations and state law, geographic location alone is not a sufficient justification for a "blanket" increase in fees. He clarified that impact fees—currently totaling approximately \$5,000 plus an additional \$1,000 for the physical hookup—are designed to offset the specific impact a new user has on the system. To charge more to an out-of-city user, the City would need to demonstrate a higher actual cost of service or infrastructure maintenance for that specific connection. Ms. Roundy maintained that from a public perspective, residents would likely expect a higher cost for non-city users who want "Wellsville City water" without being subject to the City's jurisdiction or tax base. Councilwoman Angie Olsen and Councilman Tom Maughan inquired about the current number of out-of-city connections. City Manager/Recorder Wells estimated there are only five or six such users, and Councilman Bob Lindley noted that these are long-standing "grandfathered" connections rather than new additions. The discussion shifted to future requests, with Councilman Maughan suggesting that the City should require annexation as a condition for receiving water services. City Manager/Recorder Wells confirmed that the Council has the absolute discretion to refuse the sale of water to anyone outside city limits, effectively allowing them to use water access as an incentive for annexation. City Manager/

Recorder Scott Wells committed to consulting with legal counsel to see if there is any flexibility regarding higher *impact fees* specifically, though the current amendment focuses on the *monthly usage rates*.

Tracy Bodrero inquired whether the Council could identify specific "mitigating circumstances" that would legally allow for higher water rates. City Manager/Recorder Wells stated that the primary defensible justification would be increased operational costs, such as the electricity and maintenance required for pumping water to higher elevations or distant locations outside the city's natural gravity-fed zones. Councilwoman Angie Olsen expanded on potential justifications, suggesting that out-of-city users typically reside on larger lots, which may result in higher water consumption and increased wear on infrastructure compared to smaller municipal lots. She further noted that the logistical costs of maintaining and cleaning lines extend further when serving properties outside city limits. However, City Manager/Recorder Scott Wells cautioned that while these are logical points, any fee discrepancy must be backed by data to remain legally sound. He reiterated that the immediate purpose of **Code Amendment 2026-03** is to rectify the current billing for the six or seven existing out-of-city customers who are currently being charged double without a documented cost-based justification. Councilman Carl Leatham reaffirmed his stance that the City should generally prioritize municipal residents and use water availability to encourage annexation. He recalled a previous decision regarding a proposed subdivision in the Mount Sterling area where the Council declined to provide water services partly due to the high costs of new Well #4 and pumping infrastructure—expenses that had been funded by Wellsville citizens and should not primarily benefit outside developers. City Manager/Recorder Wells concluded that while the new code will equalize rates for current users to ensure legal compliance, the Council retains the full authority to evaluate future out-of-city requests on a case-by-case basis. In such cases, if the City determines that supplying water would create a financial burden, such as increased pumping during dry years, it could then legally establish a higher rate for those specific users.

Mark Thompson addressed the Council to seek clarification on the legal basis for the rate change, specifically asking if the city was responding to a state mandate. City Manager/Recorder Scott Wells explained that while the change is not the result of a specific legislative mandate, it is necessitated by judicial precedent. Recent court rulings have established that "blanket" price doubling for out-of-city users—charging a higher rate based solely on geographic location rather than cost—is unconstitutional without a specific, documented cost-of-service justification. Mr. Thompson suggested that the City should specifically examine whether out-of-city water users are also utilizing the municipal sewer system, as providing sewer access without an accompanying fee could represent an unaccounted-for cost to the City. Mr. Thompson, identifying himself as one of the few existing out-of-city water users, noted that his connection was established through a historical agreement with a previous administration. He emphasized that as long as out-of-city users are paying for their water consumption at the same rate as residents, they are contributing to the system's operational costs in the same manner as those within city limits.

Fred Woodward stated his belief that the City should not provide any services to individuals unless they choose to annex into the City, as he does not believe it is right for non-residents to benefit from City resources without becoming part of the municipality.

At 6:50 p.m., Councilman Bob Lindley made a motion, seconded by Councilman Tom Maughan, to close the public hearing.

YEA 4

Carl Leatham
Bob Lindley
Tom Maughan
Angie Olsen

NAY 0

ABSTAIN 0

ABSENT 1

Denise Lindsay

Following the public hearing, the Council engaged in a final deliberation to address concerns regarding the future implications of equalizing water rates for out-of-city users. Councilman Lindley emphasized that the current situation involves only six or seven long-standing connections that were established under historical circumstances by previous administrations. He noted that these "old-time hookups" do not represent a significant burden to the City and supported removing the double-rate charge to ensure legal compliance.

Councilman Maughan raised a question regarding future requests, asking if the City would be forced to allow new out-of-city connections because of the precedence set by the existing ones. City Manager/Recorder Scott Wells clarified that there is no such precedence; the Council maintains 100% discretion on whether to sell water outside city limits. Councilman Maughan further inquired if the City could simply require a new user to "sign off" on a double rate as a condition of service. City Manager/Recorder Scott Wells cautioned against this, explaining that while a first owner might agree to it, a subsequent owner could challenge the fee in court as unconstitutional, and the City would likely lose without a specific cost-of-service justification.

Councilman Leatham suggested that while the City may not be able to justify higher water rates without documented costs, there is a broader argument that out-of-city residents benefit from municipal amenities—such as parks, fire protection, and other public facilities—without paying city taxes. He noted that while an additional fee for such services might be theoretically justifiable, it would need to be legally distinct from the water usage rate. Mayor Lindley concurred, noting that for any future developments, the City could justify higher costs based on specific infrastructure needs like pump houses or stations. Councilwoman Olsen expressed concern that this amendment might set a permanent precedent for all future connections. City Manager/Recorder Wells clarified that while the code change applies to both current and future users, it does not strip the Council of its power to deny out-of-city service requests. He reaffirmed that the City Council has 100% discretion on whether to sell water outside city limits and can make those decisions on a case-by-case basis. Councilman Lindley shared a recent example where the City denied a developer's request for water because the developer refused to annex and connect to the municipal sewer system. City Manager/Recorder Wells emphasized any rate discrepancy must be backed by cost-of-service data. Providing historical context, Councilman Leatham explained that the existing out-of-city hookups were largely the result of agreements made when the main water line was first brought down the canyon. These connections were part of the negotiated arrangements to secure the necessary right-of-way for the City's infrastructure. **Councilman Maughan made a motion, seconded by Councilman Bob Lindley, to approve Code Amendment 2026-03, amending Title 8, Public Utilities, Chapter 1, Water Use and Service, Article C, Rate and Connection Fees, Section 1B, Selling Water Outside City Limits of the Wellsville City Code regarding water rates for users outside city limits.**

YEA 3

Carl Leatham
Bob Lindley
Tom Maughan

NAY 1

Angie Olsen

ABSTAIN 0

ABSENT 1

Denise Lindsay

Mayor Chad Lindley then led a discussion regarding Planning Commission appointments. He noted that his recent transition from the Planning Commission to the Mayor's office, along with the departure of another member, has resulted in two immediate vacancies. Mayor Lindley expressed concern regarding the timing of these vacancies, as the Planning Commission has several critical items on the upcoming week's agenda—including annexation petitions—that require a full quorum. With another Commission member scheduled to be out of town, the ability to conduct official business was in concern. Councilman Carl Leatham provided an update on the search for new members, stating that he has approached one individual who is currently discussing the time commitment with his family. He noted that there are several other prospective names under consideration for the second seat. Mayor Lindley inquired if the Council would be comfortable approving these individuals in principle so they could be sworn in prior to the next Planning Commission meeting, provided they accepted the invitation. City Manager/Recorder Scott Wells stated that while this was procedurally possible with Council approval, it was a delicate matter. Councilman Bob Lindley voiced reservations about granting "blanket" approval without knowing the specific names of the candidates, stating he was uncomfortable signing off on a "blank sheet." Councilman Leatham agreed, noting that he did not want to publicly disclose names before the individuals had officially accepted to avoid placing undue pressure on them. The Mayor and Council collectively determined to wait until formal acceptances are received before moving forward with official appointments.

City Manager/Recorder Scott Wells discussed the first quarter financials for September and October 2025. He detailed the revenue accounts and expenditures in the **General Fund**. After review, **Councilman Bob Lindley made a motion, seconded by Councilman Tom Maughan, to approve the first quarter**

financial report for September and October 2025.

YEA 4

Carl Leatham
Bob Lindley
Tom Maughan
Angie Olsen

NAY 0

ABSTAIN 0

ABSENT 1

Denise Lindsay

Department Reports:

Mayor Chad B. Lindley-

1) Mayor Lindley reported that Jeremy and Ruth Ann Ellis have accepted the role of Parade Chairpersons. A former committee member has volunteered to mentor the couple through the extensive planning process, which involves a multi-page list of responsibilities. Additionally, Serra White has agreed to serve as the Youth Council Chairperson. Mayor Lindley indicated he is considering reassigning Council duties to put himself over the Youth Council while moving Councilwoman Denise Lindsay to a committee focused on grant writing to utilize her specific expertise.

Councilman Tom Maughan-

1) Councilman Maughan reported on his participation in emergency response planning with local community and church leadership. He met with Robin Bankhead to discuss communication coordination and the updating of the church's emergency response plan. He expressed appreciation to Councilman Leatham for the invitation to join these collaborative efforts.

Councilwoman Angie Olsen-

1) Councilwoman Olsen confirmed that she has met with the previous float coordinator, Kaylene Ames, to finalize the transfer of the city float. Regarding the city pageant, Councilwoman Olsen proposed a significant reimagining of the program. Rather than a traditional pageant based on appearance, she suggested transitioning toward an "Ambassadorship" model that focuses on character, problem-solving, and skill-based performance, potentially offering scholarships for future education. Mayor Lindley expressed his full support for this more inclusive direction.

Councilman Carl Leatham-

1) Councilman Leatham proposed the creation of an "Adopt-A-Park" or "Adopt-A-Trail" program to foster community involvement and assist with the ongoing maintenance of city playgrounds and trails, such as the path around the dam. Mayor Lindley suggested this would be an excellent service project for the newly formed Youth Council. Councilman Leatham also urged the Council to review the City's Trail Plan to prioritize future grant applications. He identified several high-priority areas for safety improvements and trail expansion, including Center Street toward Mount Sterling, 200 West from the canal, and safe passage from 300 East along Main Street to Sam Patch Co. Grocer & Sundries.

City Manager/Recorder Report:

1) City Manager/Recorder Scott Wells informed the Council that the budget process for the upcoming fiscal year will begin next month. He committed to providing each Council member with their respective department's line-item budget from the previous year to review for necessary adjustments.

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

YEA 4

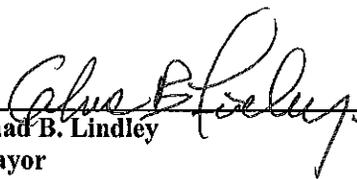
Carl Leatham
Bob Lindley
Tom Maughan
Angie Olsen

NAY 0

ABSTAIN 0

ABSENT 1

Denise Lindsay


Chad B. Lindley
Mayor


Scott E. Wells
City Manager/Recorder