

MINUTES of the special **City Council** meeting of Wellsville City held **September 02, 2026**, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Chad B. Lindley; Councilwomen Angie Olsen and Jami Van Huss; Councilmen Carl Leatham, Bob Lindley, and Tom Maughan. City Planner Marianne Reiner and City Manager/Recorder Scott E. Wells were 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 August 07, 2026. The meeting was called to order at 6:00 p.m. by Mayor Chad B. Lindley.

Others Present: Tracy Bodrero Monica Gowens Kelly Neilson
 Megan Petersen Linda Wursten Jake Young

Opening Ceremony: Councilman Bob Lindley

The Council reviewed the meeting agenda. **Councilwoman Angie Olsen 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>
Carl Leatham			
Bob Lindley			
Tom Maughan			
Angie Olsen			
Jami Van Huss			

The Council reviewed the minutes of the August 05, 2026, regular City Council meeting. **Councilman Carl Leatham made a motion, seconded by Councilman Tom Maughan, to approve the minutes of the August 05, 2026, regular City Council meeting.**

<u>YEA 3</u>	<u>NAY 0</u>	<u>ABSTAIN 1</u>	<u>ABSENT 1</u>
Carl Leatham		Jami Van Huss	Angie Olsen
Bob Lindley			
Tom Maughan			

The Council reviewed the minutes of the August 10, 2026, special City Council meeting. **Councilwoman Angie Olsen made a motion, seconded by Councilman Bob Lindley, to approve the minutes of the August 10, 2026, special City Council meeting.**

<u>YEA 5</u>	<u>NAY 0</u>	<u>ABSTAIN 0</u>	<u>ABSENT 0</u>
Carl Leatham			
Bob Lindley			
Tom Maughan			
Angie Olsen			
Jami Van Huss			

The Council reviewed the minutes of the August 19, 2026, special Truth in Taxation meeting. **Councilwoman Angie Olsen made a motion, seconded by Councilman Bob Lindley, to approve the minutes of the August 19, 2026, special Truth in Taxation meeting.**

<u>YEA 3</u>	<u>NAY 0</u>	<u>ABSTAIN 2</u>	<u>ABSENT 0</u>
Carl Leatham		Tom Maughan	
Bob Lindley		Jami Van Huss	
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. During the discussion, City Manager/Recorder Scott Wells reviewed several notable expenses, including payments to Robertson Utility Products LLC and Oldcastle

Infrastructure for sewer pond manhole work; Northend Builders for cemetery ground planks, and Chanshare Farms for cemetery sod. When Mayor Chad Lindley inquired about the payment to TEC Electric, City Manager/Recorder Wells explained that it covered breaker work on the square and \$5,700 to replace stolen wiring at the park and ride. He noted that while he processed the payment, he is currently negotiating with the state to determine financial responsibility and expressed strong frustration with the state's handling of the contract. Councilman Carl Leatham then raised a concern regarding state road construction, pointing out a dim streetlight at the corner of 200 West. He suggested asking the state to fund full-time electrical power for the light, given its proximity to the highway. Mayor Lindley agreed, noting that the light provides poor visibility until drivers are right at the intersection. City Manager/Recorder Wells agreed to add the streetlight to his ongoing list with the state, which already includes street painting on Main and Center Streets and crosswalks on 200 East. The Payment Approval Report was dated 09/02/2026. After review and discussion, **Councilman Carl Leatham made a motion, seconded by Councilman Tom Maughan, to approve the city's accounts payable bills for payment, represented by check number 32436 through 32465.**

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Carl Leatham
Bob Lindley
Tom Maughan
Angie Olsen
Jami Van Huss

At 6:11 p.m., Mayor Chad Lindley called for citizen input.

Monica Gowens stepped forward to raise concerns about noise control, specifically referencing **Chapter 5, Section 4** of the city code regarding noise ordinances and quiet hours from 10:00 p.m. to 7:00 a.m. Ms. Gowens requested a noise ordinance banning engine brakes (Jake brakes) for a one-mile stretch on US 89/91 coming out of the canyon near the Mount Sterling area and Center Street. She noted that early-morning semi-truck noise has worsened following recent construction and the installation of the Restricted Crossing U-Turn (RCUT) wall. She asked about the proper process for addressing the issue, including whether a petition or outreach to the Utah Department of Transportation (UDOT) would be necessary.

City Manager/Recorder Scott Wells noted that while Wellsville has its own noise ordinance and is currently paying to replace three "No Engine Brakes" signs in town, the city lacks direct jurisdiction over US 89/91. Mayor Chad Lindley concurred that US 89/91 is a state and federal highway outside municipal control. Councilman Carl Leatham explained that the excess noise is primarily caused by modified exhaust systems on specific vehicles, particularly cattle and gravel haulers, rather than standard engine brake usage alone. He shared that he had already reached out to Utah Highway Patrol Officer Travis Mouritsen regarding noise enforcement on city roadways. Councilman Leatham emphasized that engine brakes are crucial safety devices on steep highway grades, but agreed that illegally modified, overly loud equipment should be ticketed under noise regulations. Mayor Lindley stated he would place the topic on the agenda for an upcoming UDOT regional transportation meeting. City Manager/Recorder Wells recommended that the city and residents first work collaboratively with UDOT and Highway Patrol to understand state regulations and noise enforcement options. Mayor Lindley and Councilman Leatham encouraged Ms. Gowens to continue her research with UDOT and offered to discuss the matter further in a formal agenda slot at a future meeting.

Troy Parkin, a new resident who moved to the area three or four months ago, stepped forward to express safety concerns regarding the 50 mph speed limit on 1600 South (6800 South), particularly around the winding S-turn and blind hill. Mr. Parkin noted that the current speed limit is dangerously high for the road conditions and requested the council consider reducing it to 35 mph to improve safety for drivers and pedestrians. Mayor Chad Lindley and City Manager/Recorder Scott Wells clarified that while 6800 South connects with county areas, the specific section in question past the S-turn is a city-owned road under Wellsville jurisdiction. Councilman Carl Leatham agreed that traffic, pedestrian, and bicycle density has increased significantly along that corridor, justifying a speed reduction, and recalled a personal accident on that curve as a teenager. Councilman Bob Lindley also noted that many drivers travel at excess speeds along that stretch. Mayor Lindley instructed that the item be placed on a future City Council agenda for

formal discussion and decision. To gather data beforehand, City Manager/Recorder Wells proposed coordinating with the Cache County Sheriff's Office to place a speed monitoring trailer along the road for a week to evaluate actual traffic speeds before finalizing any changes.

At 6:29 p.m., **Councilman Carl Leatham made a motion, seconded by Tom Maughan, to close citizen input.**

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Carl Leatham
Bob Lindley
Tom Maughan
Angie Olsen
Jami Van Huss

Mayor Chad Lindley transitioned the meeting to a public hearing to receive public input and, along with a recommendation from the Planning Commission, consider for approval **Code Amendment 2026-09, amending Title 4 Health and Sanitation, Chapter 7 Health Regulations, adding "Section 6 Smoking Prohibited in City Parks, Recreational Areas, Cemeteries, and near Mass Gatherings."** Before opening the hearing to the public, Mayor Lindley called on City Manager/Recorder Scott Wells to provide an update. City Manager/Recorder Wells explained that the Planning Commission reviewed the proposed ordinance and raised concerns about the ambiguity surrounding the term "mass gatherings"—specifically questioning whether defining it as an outdoor assembly of 50 or more people was clear or necessary. Consequently, the Planning Commission recommended removing the phrase "50 or more people" from the ordinance to focus the rule straightforwardly on banning smoking across all city parks and city-owned public properties. Following the update, Mayor Lindley called for a motion to formally open the public hearing. **At 6:31 p.m., Councilman Carl Leatham moved to open the hearing, Councilman Bob Lindley seconded the motion, and the motion passed unanimously.**

Tracy Bodrero addressed the council with several questions regarding the proposed code amendment. Citing the ordinance text on secondhand smoke and Class A carcinogens, Mr. Bodrero referenced data from cancer.gov showing that secondhand smoke and small-engine exhaust (like lawn mowers) contain the same harmful chemicals—such as benzene, formaldehyde, 1,3-butadiene, and benzopyrenes. He questioned whether the city would also ban gas-powered lawn care equipment if health protection was the standard. He further inquired whether the restriction includes chewing tobacco, who would enforce the rule besides sheriff's deputies, and whether smoking would be banned on city sidewalks, state-owned highway right-of-ways, or grassy parkways between curbs and sidewalks. Councilman Carl Leatham responded that while carcinogens exist from other sources, regulating smoking is a reasonable step toward cleaner air around public gatherings. He noted that city authority does not extend to state property or private vehicles and property, emphasizing that cigarettes remain a legal product and personal property rights must be respected within reason. Councilman Tom Maughan expressed opposition to the proposed ordinance, stating that while he personally dislikes smoking and cigarette litter, he feels the code amendment represents overreach that unnecessarily curtails personal rights. He noted that in outdoor settings, individuals can simply move away from smoke, and questioned the practical enforceability of the rule during large city events like Founders' Day. City Manager/Recorder Wells reminded the council that they were still in the formal public hearing phase.

Monica Gowens spoke against the proposed smoking ban, sharing that her mother-in-law is a smoker who tries to be courteous and stay away from others. Ms. Gowens agreed with Councilman Tom Maughan that a total ban was overstepping city boundaries, suggesting instead that the city create designated smoking areas rather than banning smoking entirely.

City Planner Marianne Reiner noted that neighboring communities—such as Hyrum Gibbons Mounth Logan Park—already display "No Smoking or Vaping" signs in public parks without distinguishing between tobacco and marijuana products or regulating adjacent sidewalks. She pointed out that such signs encourage people to be more mindful of surrounding children and neighbors. She also highlighted the fire hazard potential in city-owned wildland areas near Sherwood Hills, where an ignited cigarette or instrument could

easily spark a wildfire.

With no further comments from the public, Mayor Chad Lindley requested a motion to exit the public hearing. **At 6:43 p.m., Councilman Carl Leatham moved to close the public hearing, Councilman Bob Lindley seconded the motion, and it passed unanimously, bringing the discussion back to the council.**

Councilwoman Angie Olsen stated that in dense public gatherings, nonsmokers—especially those with respiratory health issues—cannot simply walk away, emphasizing that public parks should offer smoke-free environments. Mayor Lindley, Councilwoman Olsen, and Councilwoman Jami Van Huss discussed balancing individual freedoms with public health, raising questions about whether to permit designated smoking areas or allow smoking in public street right-of-ways. Councilwoman Van Huss noted that while most smokers are considerate, public safety and health rules exist to ensure one person's choice does not infringe on others' rights. Councilman Bob Lindley pointed out that similar ordinances have been passed across Cache County primarily to address the small percentage of inconsiderate smokers in crowds.

Jake Young (AICP Planner/Landscape Architect, *Citi Design*) shared a recent personal experience at a concert in Helper, Utah, where someone began smoking directly in the crowd, illustrating that such situations do occur. He pointed out that the proposed ordinance carries a minor penalty—a \$25 fine—and suggested adding specific language to permit smoking in public street right-of-ways or designated locations, while excluding those areas during mass gatherings of 50 or more people lasting over one hour. City Manager/Recorder Wells noted that the initiative was originally brought forward by the Bear River Health Department as part of a valley-wide effort. Councilman Leatham supported adding the proposed exception clause to accommodate both smokers and nonsmokers. In response to public questions, Councilwoman Olsen and Mayor Lindley confirmed that enforcement would be handled by the Cache County Sheriff's Department on a call-in basis. **Councilman Bob Lindley moved to adopt Code Amendment 2026-09, amending Title 4 Health and Sanitation, Chapter 7 Health Regulations, adding "Section 6 Smoking Prohibited in City Parks, Recreational Areas, Cemeteries, and near Mass Gatherings," with exceptions for public street right-of-ways or designated areas, provided it is not during a mass gathering of 50 or more people lasting more than one hour. Councilman Carl Leatham seconded the motion, and it was approved with a recommendation from the Planning Commission.**

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Carl Leatham
Bob Lindley
Tom Maughan
Angie Olsen
Jami Van Huss

Mayor Chad Lindley introduced the next public hearing to receive public input and, along with a recommendation from the Planning Commission, consider for approval proposed **Code Amendment 2026-10 to the Sign Ordinance in Title 10 (Land Use Regulations, Chapter 40 Signs and Chapter 62 Definitions)**. Planner Jake Young (AICP Planner/Landscape Architect, *Citi Design*) presented the Staff Report (see Attachment 1), and along with City Planner Marianne Reiner, presented the background of the proposal, noting that while pole signs are currently prohibited in Wellsville—except for two grandfathered pole signs (the Sinclair and Burger King signs)—updating the ordinance provides a balanced framework along the US 89/91 corridor. Councilman Carl Leatham clarified that he had requested the review rather than a local business.

Planner Young highlighted several key features of the proposed ordinance, explaining that sign approvals will be processed as **Conditional Use Permits** to align with state code, and all signs must remain clear of intersection sight-distance triangles. Additionally, electronic messaging displays remain prohibited on pole signs, with an exception solely for digital gasoline pricing numbers on reader boards. Regarding height and sizing standards, within a 650-foot radius of the US 89/91 and SR 101 intersection, single-tenant pole signs can reach up to 30 feet in height and 100 square feet in area, while multi-tenant or shared quadrant signs can extend up to 40 feet in height and 200 square feet in area (limited to four multi-tenant quadrant signs total) to encourage consolidated signage rather than multiple smaller poles. Outside this 650-foot radius, pole

signs in commercial and industrial zones are capped at 25 feet in height and 100 square feet in size, with all pole signs required to maintain a minimum clearance of 14 feet above ground level to allow vehicles and pedestrians to pass underneath safely. Furthermore, internal illumination for pole signs must be dimmed by 50% during non-daytime hours between 11:00 p.m. and 6:00 a.m.

At 7:14 p.m., Councilman Carl Leatham moved to open the public hearing, seconded by Councilman Bob Lindley, and the motion passed unanimously. With no public comments offered, Councilwoman Angie Olsen moved to close the public hearing, Councilman Bob Lindley seconded, the motion passed unanimously, and the hearing was closed.

During the council discussion, Councilwoman Angie Olsen addressed concerns regarding vacant or abandoned signage. To prevent blighted or empty sign structures along the highway, the council agreed to incorporate two new provisions into **Chapter 10-40-3: Item 10** mandates that sign owners have 60 days to remove business names or representations on signage once a business or organization is no longer on site, while **Item 11** specifies that an obsolete sign must be replaced with a blank neutral or new sign insert within 30 days of sign removal, during which internal lighting must not be exposed except during the transfer period. The council also reviewed **Section 10-40-11** regarding seasonal business signs, confirming that seasonal operations must apply for **Conditional Use Permits**, which the Planning Commission may grant for multi-year periods up to 90 days per season. Mayor Lindley thanked Planner Young and City Planner Reiner for their work on the ordinance. **Councilman Carl Leatham made a motion, along with a recommendation from the Planning Commission, to approve Code Amendment 2026-10 to the Sign Ordinance in Title 10 (Land Use Regulations, Chapter 40 Signs and Chapter 62 Definitions) with the newly added Items 10 and 11 under Section 10-40-3. Councilwoman Olsen seconded the motion.**

<u>YEA</u> <u>5</u>	<u>NAY</u> <u>0</u>	<u>ABSTAIN</u> <u>0</u>	<u>ABSENT</u> <u>0</u>
Carl Leatham			
Bob Lindley			
Tom Maughan			
Angie Olsen			
Jami Van Huss			

City Manager/Recorder Scott Wells discussed the fourth quarter financials for June 2026. He detailed the revenue accounts and expenditures in the **General Fund**. After review, **Councilwoman Angie Olsen made a motion, seconded by Councilman Bob Lindley, to approve the fourth quarter financials for June 2026.**

<u>YEA</u> <u>5</u>	<u>NAY</u> <u>0</u>	<u>ABSTAIN</u> <u>0</u>	<u>ABSENT</u> <u>0</u>
Carl Leatham			
Bob Lindley			
Tom Maughan			
Angie Olsen			
Jami Van Huss			

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. City Manager/Recorder Scott Wells provided explanations for several notable expenses on the invoice register, explaining that American Legal Publishing was being paid for updating and codifying recently passed city ordinances, while BB Asphalt performed work to resurface and repave the parking lot at the dam. Additionally, Shannon R. Demler provided legal representation services for public defense, and RH Borden & Company LLC conducted a sewer flow study near 200 East to measure Inflow and Infiltration (I&I) and assess water entering the city sewer system from the canal during peak flow. City Manager/Recorder Wells noted that the remaining disbursements represented standard monthly municipal expenses. The Payment Approval Report was dated 08/19/2026. After review and discussion, **Councilman Bob Lindley made a motion, seconded by Councilman Tom Maughan, to approve the city's accounts payable bills for payment, represented by check number 32386 through 32419.**

YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Carl Leatham
Bob Lindley
Tom Maughan
Angie Olsen
Jami Van Huss

Department Reports:

The city council reviewed preparations for the upcoming Founders Day festivities:

- **Vendor Booths & Setup:** City Manager/Recorder Scott Wells confirmed public works will begin morning electrical setup at 8:00 a.m. Councilwoman Angie Olsen and Councilman Tom Maughan will finalize the vendor location map, which will be emailed to vendors and laminated for display on the square.
- **Events & Logistics:** Notifications and lineup for the parade are complete, with public works painting street numbers on Saturday. Jack Francis will drive the fire truck for city officials in the parade. Clint King (King BBQ) will handle concessions and the community breakfast. Watermelon for the flag ceremony and cleanup (coordinated by Councilman Carl Leatham and Scout Troop 21) has been ordered.
- **Activities & Entertainment:** Councilman Bob Lindley reported that the golf tournament reached a record 30 registered groups. Mayor Chad Lindley and Councilman Tom Maughan confirmed preparations for the Sham Battle. Councilwoman Jami Van Huss noted that the quilt for the drawing was pieced by Ruby Riggs and will be noted as such on social media.
- **Facilities & Safety:** Public works assigned two dedicated summer employees to manage trash and restrooms, while 12 porta-potties will be deployed on the square and four at the dam ahead of event activities.
- **Cemetery Stories:** Mayor Lindley reminded attendees that the Cemetery Stories event (formerly the cemetery tour) is scheduled for the following evening at 6:00 p.m.

Following departmental reports, City Manager/Recorder Scott Wells announced that the Utah League of Cities and Towns (ULCT) Convention will take place on October 27–28 at the Salt Palace Convention Center in Salt Lake City, encouraging council members to attend for educational sessions and networking. Councilman Carl Leatham noted he directed local church leaders toward city park maintenance projects for the upcoming Day of Service, specifically identifying weed clearing, trail maintenance, and painting near the dam and secret garden.

At 8:13 p.m., Councilman Bob Lindley made a motion, seconded by Councilman Carl Leatham, to adjourn the meeting.

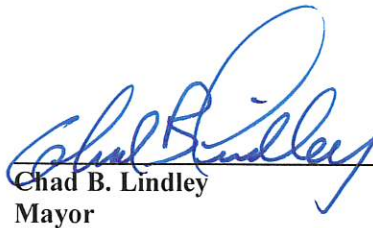
YEA 5

NAY 0

ABSTAIN 0

ABSENT 0

Carl Leatham
Bob Lindley
Tom Maughan
Angie Olsen
Jami Van Huss


Chad B. Lindley
Mayor


Scott E. Wells
City Manager/Recorder