

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, February 3, 2016, at the temporary Wellsville City Offices at 25 North 100 East. City officials present were Mayor Thomas G. Bailey, Councilwomen Karen Higley, and Mary Ann Degn, Councilmen Gary Bates, Carl Leatham, and Perry Maughan. City Manager/Recorder Don Hartle 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 29, 2016. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present:

Jennifer Leishman	Jamie Pugmire	Nate Pugmire
Marty Thompson	Monica Thompson	Wells Thompson
Cassie DeKorver	Ella DeKorver	William DeKorver
Audrey DeKorver	Marci Larsen	Laci Larsen
Wyatt Larsen	Garret Larsen	Kyle Larsen
Zac Larsen	Jake Israelsen	Kenna Israelsen
Allie Israelsen	Steve Hall	Landon Bassett
Jeremie Poppleton	Dan Thatcher	Mel Olsen
Cody Pate	Mike Waysgrad	Zack Bates
Becky Bates	Marshall Lindsey	

Opening Ceremony: Cody Pate

The Council reviewed the agenda. Gary Bates made a motion, seconded by Carl Leatham, to approve the agenda as presented.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Mary Ann Degn	
Karen Higley	
Carl Leatham	
Perry Maughan	

The Council reviewed the minutes of the December 16, 2015 regular City Council meeting. Karen Higley made a motion, seconded by Gary Bates, to approve the minutes of the December 16, 2015 regular City Council meeting as presented.

<u>YEA 4</u>	<u>NAY 0</u>	<u>ABSTAIN 1</u>
Gary Bates		Mary Ann Degn
Karen Higley		
Carl Leatham		
Perry Maughan		

The Council reviewed the minutes of the January 6, 2016 regular City Council meeting. Mary Ann Degn made a motion, seconded by Karen Higley, to approve the minutes of the January 6, 2016 regular City Council meeting as presented.

<u>YEA 5</u>	<u>NAY 0</u>
Gary Bates	
Mary Ann Degn	
Karen Higley	
Carl Leatham	
Perry Maughan	

The Council reviewed the minutes of the January 20, 2016 regular City Council meeting. Gary Bates made a motion, seconded by Karen Higley, to approve the minutes of the January 20, 2016 regular City Council meeting as presented.

YEA 4

Gary Bates
Mary Ann Degn
Karen Higley
Perry Maughan

NAY 0

ABSTAIN 1

Carl Leatham

Payroll is approved through the budget, therefore, the checks approved in the City Council minutes aren't in numerical order from City Council meeting to City Council meeting as the City uses the same checking account for payroll and accounts payable. After review and discussion, Gary Bates made a motion, seconded by Mary Ann Degn, to approve the City's account payables bills for payment, represented by check number 19112 through 19142.

YEA 5

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

NAY 0

Marcy Larsen asked about the school safety zone and crosswalks for the new elementary school. Mary Ann Degn stated that she is meeting with the safety committee about this issue. Ms. Degn stated that there is also a SNAP committee that she would like a City Council member to be a part of. Gary Bates stated that former City Council member Glenna Petersen had laid out a plan for sidewalks. If the discussion is very long, there will be no time to react. It only leaves a couple of months for planning and approvals. Perry Maughan suggested a bus courtesy stop along 400 South or 500 South and Center Street when the bus returns from picking up students in the northfield area.

Jamie Pugmire met with the City Council for a business license. Ms. Pugmire would like to have a salon in her home at 444 South Center. Carl Leatham stated that the Planning Commission approved the conditional use permit with no restriction or conditions. Mary Ann Degn asked about parking. Ms. Pugmire stated that the customer could park in her driveway. Karen Higley asked what type of salon. Ms. Pugmire stated that she does hair and nails, but it would be mostly hair. After discussion, Carl Leatham made a motion, seconded by Mary Ann Degn, to approve the business license for Jamie Pugmire.

YEA 5

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

NAY 0

The City Council continued their discussion with Marty Thompson concerning allowing pigs in the City on a temporary basis. Mayor Thomas G. Bailey stated that the City Council had been given a copy of the ordinance from North Ogden. Mayor Bailey stated that the City Council had a chance to read it, and asked the City Council what it is they would like to do. Gary Bates stated that he did do some follow-up from the article that appeared in the Herald Journal. There are some cities in Cache County that allow pigs. Mr. Bates stated that he contacted Richmond and Millville. Richmond City allows pigs as a 4-H or FFA project only, and as a conditional use. There have been no concerns. Richmond City has bigger lots. Millville City is on a septic system. The building lots are 1/3 acre or larger. Millville City has 2 dairy farms, a mink ranch, and several residents feed stock for food. Millville City doesn't know how many pigs they have in the city because they don't have to register them. Steve Hall guessed that 8 families in Millville City have pigs. Mr. Hall stated that there are families in Millville City that also have steers and sheep. Mr. Bates stated that Millville City has had no complaints. Mr. Bates asked if City Attorney Bruce Jorgensen had any comment on this issue. Don Hartle stated that Mr. Jorgensen stated that Wellsville City may get away with this policy as a resolution, but feels that it would be better to amend the code. Mr. Bates stated that he did some research concerning ordinances versus resolutions. A resolution is a non-binding, unenforceable,

statement made by a municipality's legislative body. The City Council is to adopt or amend an administrative code. An adopted ordinance may only be amended by another ordinance. The amending ordinance must follow all legal requirements for a new ordinance. Mr. Bates stated that there is a limit on animals in the current City code. Wellsville City could amend the code to allow pigs by conditional use, such as Richmond City currently does, but it would cost the families between \$150 and \$175 for the process. Mr. Hartle stated that a conditional use application is \$100, and then there is a charge of \$5 per notice that is sent. The notices have to be sent to those neighbors who are within 300 feet of the property line. Mr. Hartle stated that it is a one-time fee. Mr. Bates stated that the conditional use permit is not free, and it involves the neighbors. Mr. Bates stated that he contacted North Ogden City, and spoke with their Assistant City Manager. Mr. Bates stated that he is expecting a return call from the City Manager tomorrow. Mr. Bates stated that their ordinance states that the limit is 2 pigs per 1 acre. North Ogden City has more personnel, so that they can better police the issue. Mr. Bates stated that other requirements of the ordinance seem reasonable, such as, square footage of the inside and outside of the pen, and shade. Mr. Bates stated that there are other cities in Cache Valley that do not allow pigs of any size. Mary Ann Degn stated that she contacted Nibley City, and they use a point system. Ms. Degn stated that with the point system, 4 pigs would be allowed on a 2-acre lot. Marty Thompson handed out copies of ordinances from Hyde Park and Richmond. Mayor Bailey stated that realistically, Wellsville City will have ½-acre lots. Wellsville City doesn't have many homes on 2 acres. Mr. Bates stated that a suggestion from Mr. Hartle was to have a person or group of individuals in Wellsville City that certify a citizen is ready to receive pigs. This person or group of individuals would deal with any disputes. Mr. Hartle stated that the current code states that a pen has to be 50 feet from any dwelling. Mayor Bailey stated that an individual from the 4-H or FFA should be in charge to inspect the facilities. Steve Hall stated that he would be happy to help Wellsville City and be in charge of the pigs. Mr. Hall stated that it would help him get to know the kids and families for 4-H. Mr. Bates asked how many pigs Wellsville City would like to allow. Mr. Thompson stated that a 4-H member usually has a pig to show and a spare. Perry Maughan asked what size the pens were. Mr. Thompson stated that their pens are 8 X 10 or 6 X 12, per pig. Mr. Bates stated that there should be a time limit in place as to how long the pigs can be kept. Mr. Bates stated that the animal ordinance could be amended to allow pigs for 4-H and FFA as a conditional use, or amend the code to add language about allowing pigs for 4-H and FFA projects. The City Council likes the idea of an ordinance without a conditional use. Mr. Bates stated that the pig would need to be registered through the 4-H or FFA, coordination with the neighbors, time limit, number of pigs per acre, and follow the requirements of the 4-H or FFA program. Mr. Bates stated that in 2 years, if it is out of control, Wellsville City can no longer allow pigs within the city limits. Mr. Bates stated that it is not a short-term process for an ordinance. Mayor Bailey asked how long it would take to amend the City code. Mr. Hartle stated about 6 weeks. Mr. Bates suggested writing a resolution to identify the requirements, work through the Planning Commission and City Council for approval, and work with Steve Hall to put the resolution wording together. Mr. Hartle stated that if the City Council wants this resolution ready for the next City Council meeting, it is viewed as the issue is being pushed through without an input from the citizens. Mr. Hartle suggested having the resolution ready by the first City Council meeting in March, and that it issue be explained in the next newsletter. Mr. Bates stated that there will be citizens who think that if a 4-H member can have a pig, they can also. Mr. Bates stated that the pigs would need to be gone by no later than August 20. Mr. Bates stated that the citizen would need to work out any issues with neighbors. Carl Leatham stated that he has a concern with the lot size. Mr. Bates suggested ½-acre minimum, with a ¼-acre for each additional pig, with a limit of 4 pigs. Mr. Bates stated that if there are any complaints, Mr. Hall and his committee will deal with any complaints and issues. Mr. Bates asked that if a neighbor won't agree to allow a pig, would that put the 4-H or FFA individual out of a project. Perry Maughan stated that the neighbor should address the City Council about their concerns. Mr. Bates stated that the City Council will listen to the neighbor, and then make a decision. Mr. Leatham stated that Hyde Park allows use of adjacent properties should a citizen not have enough acreage to house a pig. Mr. Leatham suggested that a resolution be written first, and then pursue changing the ordinance. Mr. Bates suggested adopting a resolution because a modification to the code is in the process. Mr. Maughan stated that he is in favor of Mr. Bates' suggestion. After discussion, Gary Bates made a motion, seconded by Perry Maughan, approve a resolution ready to adopt in two weeks to allow 4-H and FFA youth to raise pigs in Wellsville City.

YEA 4

Gary Bates
Mary Ann Degn
Carl Leatham
Perry Maughan

NAY 1

Karen Higley

The City Council considered for possible approval possible change orders and other related matters to the new City Office building. Karen Higley stated that the cost of the power upgrades is \$2,581.75. The sealer for the grout is mixed in with the grout. The "Wellsville City" sign is included in the price. The speakers for the sound system will be roughed in. The City Council table will be built to the floor. Ms. Higley handed out a picture of the partition. Ms. Higley displayed a sample of the carpet that was picked. The lettering for the "Wellsville City" sign will be in gold. The committee will meet with Raymond Construction tomorrow, Thursday, February 4, 2016. The furnace contractor will finish up this week. The projected finish date is April 19, 2016. Raymond Construction says that they are on schedule. Ms. Higley thanked the City Council for their input.

The City Council discussed and reviewed with possible action on proceeding on the construction of new Public Works facilities. Perry Maughan stated that he has talked with City Engineer Chris Breinholt, and he is reviewing the plans. Mr. Maughan asked that this item be added to the next City Council agenda. Mr. Maughan stated that he asked Mr. Breinholt about the plans being red-stamped, and Mr. Maughan stated that Mr. Breinholt is checking into it.

The City Council discussed the city celebration. Mayor Thomas G. Bailey stated that he met with the historical committee, and they have 3 activities that they would like to have during Founder's Day week. They are as follows: 1) an Indian celebration with teepees, 2) a guided tour of historical homes and barns in Wellsville City, and 3) a cemetery tour. Mayor Bailey stated that Marcene Parker is in charge of the Sunday night program. Mayor Bailey stated that another activity that was mentioned was having the elementary school put on a play. Karen Higley stated that these are all good ideas. Mayor Bailey stated that the historical committee would like to add Jamie Van Huss as another member of the historical committee. Mayor Bailey stated that Wellsville City will host an open house and tours when the new City Building is complete. There will be pictures of the building of Wellsville City in the City Council Chambers.

Department Reports:

Carl Leatham – 1) Asked about implementing online bill pay. Don Hartle stated no.

Gary Bates – 1) Need to purchase a new scoreboard for the softball field. The cost is about \$2,700. Asked for donations through the newsletter, received no interest. Someone said that a member of the community was interested in donating. Mr. Bates will have Sam Winward contact him.

Mayor Thomas G. Bailey – 1) Thanked Perry Maughan and Tom Maughan for the fine job they do of plowing the streets in Wellsville City.

Perry Maughan – 1) Apologized for filling in driveway while pushing snow, but it has to be done in order to keep the water off of the roads.

Mary Ann Degn – 1) Asked about the website – Don Hartle stated that he is still working on it.

2) Sidewalk along 200 West – will ask the neighbors to attend a future City Council meeting. It has been discussed before, and Wellsville City needs to move forward. Asked for permission to survey the neighbors in the area – Mayor Thomas G. Bailey states yes.

3) Youth Council – publicize scholarships from the Beehive Drive or offer to those who helped with it – believe can give it to those who helped.

4) Service project for the Youth Council – suggested painting the pavilion.

Karen Higley – 1) Pageant – April 30, 2016 – getting donations from sponsors.

City Manager/Recorder's Report:

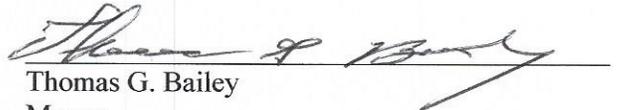
- Don Hartle – 1) Rebuild 600 South from Center Street to 200 West – will be replacing bridge.
2) Water leak at Sherwood Hills – identified January 25, 2016 – leaking 155,000 gallons per minute.

At 7:52 p.m., Carl Leatham made a motion, seconded by Karen Higley, to adjourn the meeting.

YEA 5

Gary Bates
Mary Ann Degn
Karen Higley
Carl Leatham
Perry Maughan

NAY 0


Thomas G. Bailey
Mayor


Don Hartle
City Manager/Recorder