Wellington City Council Minutes
Meeting held Wednesday, September 20, 2017
at the Wellington City Hall
Located at 150 West Main Street, Wellington, Utah
at 7:00 P.M.

City Council Present:
Mayor Powell, Councilmember Tatton, Councilmember Sanslow, Councilmember Willson,
Councilmember Wells, Councilmember Noyes

City Staff Present:
Glenna Etzel – City Recorder                              Ed Ericson – Public Works Operator
John Schindler – City Attorney

Attendees:
Jesse Ralphs – Sunrise Engineering                      Bruce Fowels – Castle Gate Engineering PC
Kerry Jensen – Service Master                           Laci Rasmussen

Agenda Item 1. Public Comment Period

Mayor Powell opened the meeting by inviting any individuals not listed on the agenda to come before the City Council for the Public Comment Period.

Jesse Ralphs of Sunrise Engineering came before the Council to provide an update on meetings attended during the prior week. Ralphs, along with Mayor Powell, and the Public Works Supervisor met with the Division of Drinking Water (DDW), the Division of Water Quality (DWQ), and the Community Impact Board (CIB) to discuss funding options for both the Water and Sewer Improvement Projects. Each entity discussed the scarcity of grants. Wellington City was encouraged to submit a funding application to CIB for the projects in January 2018. Additionally, the DDW representatives felt that additional Grant Resources would be available after the first of the year. Ralphs stated that funding scenarios were also discussed at the meeting.

Jesse Ralphs also updated councilmembers on the meeting between Commissioner Winterton of Duchesne County and Mayor Powell and Councilmember Tatton. Commissioner Winterton discussed the possibility of postponing loan payments until the Wellington City Irrigation Bonds have been paid off. The City Recorder explained that this may not work for Wellington City as a portion of the bond payment is covered by Wellington Canal Company. During the meeting Winterton also advised the City to remain proactive, be humble about the City’s location, and to have a complete application. Jesse Ralphs ended with discussing a proposed contract between Wellington City and Sunrise Engineering for providing engineering services for both proposed projects.

Agenda Item 2. Pledge of Allegiance, Roll Call, and Approval of Previous City Council Minutes

Mayor Powell noted that all councilmembers were present and asked everyone in attendance to join her for the Pledge of Allegiance.
Councilmember Noyes moved to table the City Council Minutes from August 16, 2017 to allow the Council additional time for review. Councilmember Tatton seconded the motion, and the motion carried with Tatton, Sanslow, Willson, Wells, and Noyes in favor.

Councilmember Sanslow moved to approve the Work Meeting Minutes from August 29, 2017. Councilmember Noyes seconded the motion and the motion carried with Tatton, Sanslow, Willson, Wells, and Noyes in favor.

Councilmember Tatton moved to approve the City Council Minutes from September 6, 2017. Councilmember Sanslow seconded the motion, and the motion carried with Tatton, Sanslow, Willson, Wells, and Noyes in favor.

**Agenda Item 3. Castle Gate Engineering PC – Business License at 2309 N Hillside Drive. R-1-43 Zoned**

Councilmember Tatton introduced Bryce Fowles of Castle Gate Engineering PC. Fowles came before the Planning and Zoning Commission the prior week to present his request for a business license at 2309 N Hillside Drive. Tatton explained that the business is a Home Occupation and the majority of meetings and equipment will be held or stored offsite.

Councilmember Sanslow moved to approve a Business License (Home Occupation) for Castle Gate Engineering PC at 2309 N Hillside Dr, R-1-43 Zoned. Councilmember Tatton seconded the motion, and the motion carried with Tatton, Sanslow, Willson, Wells, and Noyes in favor.

**Agenda Item 4. Joan and Gary Powell – Annexation Request 02-2169-0000 and 02-2169-0011**

Councilmember Tatton began discussions regarding the Annexation Request of 02-2169-0000 and 02-2169-0011 made to the City by Gary and Joan Powell. Tatton referenced a map provided to councilmembers and explained that one advantage of this request is additional tax revenue. Tatton acknowledged that the water line at the property already belongs to Price River Water Improvement District. In addition to the two parcels presented, Tatton noted that former Councilmember Yakovich planned to annex his half an acre which sits next to the Powell’s properties.

Councilmember Tatton continued in discussing the irregular shape of the property resulting from the driveway location. The State of Utah allows for road access into a property and Tatton reminded councilmembers that the Highway which runs perpendicular to the nearby properties does not act as a natural barrier.

Councilmember Noyes questioned whether or not the City will gain the responsibility of maintaining the roadway to the property. Councilmember Tatton explained that as the driveway starts at the Highway, Wellington City is not responsible for snow removal or other road care associated with the parcel.

Councilmember Willson requested clarification from Gary and Joan Powell as to why the couple did not wish to annex the property in its entirety. Mayor Powell explained that she did not see any need to
annex it as the couple did not plan to subdivide it. Willson continued with asking the Powell’s to describe the benefit their property would bring to Wellington City.

Councilmember Noyes presented her concerns with approving the proposed annexation. Noyes referred to Wellington City’s Land Use Code Section 15-7(3).

*Wellington City will not proceed with the expansion/annexation of any area for the express and sole purpose of municipal revenue generation.*

Councilmember Noyes continued by referring to Section 15-6, Annexation Guided by Principals, of the Wellington Land Use Code and asked the council if this is what they hoped to set a precedent for future annexation. Noyes questioned the feasibility and interest of annexing a single home into a property, one at a time. Noyes addressed the overlapping of services and the importance of working with local governments to eliminate the unnecessary duplication of homes serviced in the same area. Noyes questioned the water rights to this property and referred to the City Council’s prior debate (November 16, 2016) of allowing outside water providers (Price River Water Improvement District) to service Wellington Residents (Anna Barrett at 802 North 600 West). Councilmember Tatton reminded the council that the property referenced was granted one water connection purchased from an outside Culinary Water Provider.

Councilmember Noyes ended with reading Section 15-17, Conclusion, of the Wellington Land Use Code.

*With respect to proposed expansion and annexation of lands contiguous to its boundaries, Wellington City believes that the process must follow property procedure in accordance with Utah Law and common sense.*

Noyes expressed that annexing one home at a time is not what we as a council see as common sense. Instead Noyes argued that this request is not annexation but rather gerrymandering, the occasion when someone in authority changes the borders of an area for political gain. Noyes finished with stating that she did not wish to see the integrity of the Wellington City Annexation procedure compromised.

Councilmember Wells questioned the use of irrigation water at the home. Councilmember Tatton agreed that for the application to move forward an irrigation connection is required at the property, stating again that Wellington City cannot take over the culinary lines that belong to Price River Water Improvement District, but it can take over the irrigation water. The Powell’s agreed to these terms.

Councilmember Noyes and Councilmember Wells expressed frustration that the property would not pay the same water rates as other citizens, both referencing the possible culinary water increase resulting from the proposed Water System Improvements Project.

Councilmember Sanslow commented on the property size of the proposed annexation, and noted that 14.5 acres in his opinion is a decent size of land.
Councilmember Sanslow moved to approve the Annexation Request of parcels 02-2169-0000 and 02-2169-0011 for Joan and Gary Powell. Councilmember Tatton seconded the motion, and the motion failed with Tatton and Sanslow in favor, and Willson, Wells, and Noyes opposed.

Agenda Item 5. Laci Rasmussen – Kennel License Application at 200 N 90 West R-1-7 Zoned.

Councilmember Tatton announced Laci Rasmussen and her request for a Conditional Use Permit to house more than two dogs at her residence. Tatton explained that the Planning and Zoning Commission provided Rasmussen with a favorable recommendation based on the letters provided, and the age of the animals living in the home. Rasmussen explained that the dogs were rescued from “Kill Shelters” and once belonged to her Aunt who passed away in July. Rasmussen acknowledged that once the older dogs passed away they would not be replaced.

Councilmember Wells moved to grant Laci Rasmussen with a Conditional Use Permit to house more than two dogs at her residence of 200 N 90 West. Councilmember Sanslow seconded the motion, and the motion carried with Tatton, Sanslow, Willson, Wells, and Noyes in favor.

Agenda Item 6. Service Master – Contract Approval for Professional Cleaning Services of the Wellington City Maintenance Building

Kerry Jensen of Service Master approached the council to discuss mitigation services available to Wellington City. Service Master would help to clean the damaged building, equipment, and debris which resulted from the fire at the Wellington City Maintenance Building. Jensen met prior with Mayor Powell and the Public Works Supervisor Kory Moosman to discuss the estimate provided by Traveler’s Insurance. Traveler’s estimate allows approximately $23k for mitigation. Jensen explained that Service Master will utilize more than the estimated amount because Service Master takes on additional responsibility that is often set aside for the contractors. In addition to mitigation service master will store some of the usable items still in the building.

Councilmember Tatton moved to approve a contract between Wellington City and Service Master for the professional cleaning services of the Wellington City Maintenance Building in response to the July 2017 fire. Councilmember Sanslow seconded the motion, and the motion carried with Tatton, Sanslow, Willson, Wells, and Noyes in favor.

Agenda Item 7. Open and Public Meetings Annual Presentation

The City Recorder presented the Open and Public Meetings Presentation to the City Council. Every legislative body in Utah is required to review the Open and Public Meetings Act yearly.

Agenda Item 8. City Business

Vouchers and Warrants

Councilmember Wells moved to sign vouchers. Councilmember Tatton seconded the motion, and the motion carried with Tatton, Sanslow, Willson, Wells, and Noyes in favor.
Planning and Zoning

Councilmember Tatton discussed the changes in State Statute for a Municipality’s ability to charge a license fee to Home Occupations. Tatton explained that the business must impact the city in some way for any business license revenue to be gathered. Councilmembers discussed the possibility of charging a yearly administrative fee.

Council Reports

Councilmember Noyes requested that the headstones at the Wellington City from recent burials be set in place.

Agenda Item 10. Executive Session - Discussion of the Character, Professional Competence, or Physical or Mental Health of an Individual(s).

At 7:46 PM Councilmember Wells moved to enter into an Executive Session to discuss the character, professional competence, or physical or mental health of an individual(s). Councilmember Noyes seconded the motion, and the motion carried with Tatton, Sanslow, Willson, Wells, and Noyes in favor.

At 8:10 PM Councilmember Tatton moved to exit the Executive Session to discuss the character, professional competence, or physical or mental health of an individual(s). Councilmember Wells seconded the motion and the motion carried with Tatton, Sanslow, Wilson, Wells, and Noyes in favor.

Agenda Item 11. Adjourn

Councilmember Tatton made a motion to adjourn. Councilmember Willson seconded the motion, and the motion carried with Tatton, Sanslow, Willson, Wells, and Noyes in favor.

Meeting adjourned at 8:15 p.m.

Our next meeting will be October 4, 2017 at 7:00 P.M. at the Wellington City Hall.

Minutes approved by City Council on October 4, 2017

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Joan Powell, Mayor

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Glenna Etzel, City Recorder