

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, March 6, 2019, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilwomen Kaylene Ames and Denise Lindsay, Councilmen Gary Bates, Carl Leatham, and Perry Maughan. City Manager/Recorder Scott Wells and City Planner Jay Nielson 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 March 1, 2019. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

<u>Others Present:</u>	Jennifer Leishman	James Grover	Dakoda Smith
	Justine Frodsham	April Worley	Paul Freed
	Steven Griffin		

Opening Ceremony: Carl Leatham

City Councilman Perry Maughan was excused from this meeting.

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

<u>YEA 4</u>	<u>NAY 0</u>
Kaylene Ames	
Gary Bates	
Carl Leatham	
Denise Lindsay	

The Council reviewed the minutes of the February 20, 2019 regular City Council meeting. After discussion, Gary Bates made a motion, seconded by Denise Lindsay, to approve the minutes of the February 20, 2019 regular City Council meeting as presented.

<u>YEA 4</u>	<u>NAY 0</u>
Kaylene Ames	
Gary Bates	
Carl Leatham	
Denise Lindsay	

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 Carl Leatham, to approve the City's account payables bills for payment, represented by check number 23103, 23104, and 23124 through 23156.

<u>YEA 4</u>	<u>NAY 0</u>
Kaylene Ames	
Gary Bates	
Carl Leatham	
Denise Lindsay	

There was no one in attendance for citizen input.

James Grover met with the City Council for a business license. Mr. Grover stated that he owns a masonry construction company. Mr. Grover stated that he has an office in his home and will be parking equipment at his home when it is not at a job site. Carl Leatham stated that the Planning Commission did approve the conditional use permit with the conditions that all materials and equipment are stored behind the home. Mr. Leatham stated that there is also a concern with an irrigation ditch that was filled in when the homes were built. The irrigation ditch runs along the property line between Mr. Grover and Marty Thompson. Mr. Grover stated that he would like to install a fence between him and Marty Thompson, but if there is an

irrigation ditch that needs to be built, he doesn't want to build a fence and then have it fall over because the ground is soft and wet. Mayor Thomas G. Bailey stated that Marty Thompson is on the irrigation board, so this issue should be brought before the irrigation board and discussed. Mr. Leatham stated that another condition was a hard-surface driveway should be installed. After discussion, Carl Leatham made a motion, seconded by Kaylene Ames, to approve the business license for James Grover located at 130 East 200 North with the same conditions that were recommended by the Planning Commission.

YEA 4

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay

Dakoda Smith met with the City Council for a business license. Mr. Smith stated that he does online sales for health supplements. Mr. Smith stated that in the future, he would like to set up a greenhouse, but understands that he would need to apply for it when the time comes. Carl Leatham stated that the Planning Commission approved the conditional use permit. Mr. Leatham stated that Mr. Smith will be storing the health supplements in the garage. The business hours will be from 8:00 a.m. to 7:00 p.m. Denise Lindsay asked what type of health supplements. Mr. Smith explained what health supplements he sells and stated that they are manufactured in Salt Lake City. Ms. Lindsay asked if Mr. Smith plans to grow ingredients for the health supplements. Mr. Smith stated that he would like to grow produce to sell at local farmer's markets, but that will take place in the future. After discussion, Carl Leatham made a motion, seconded by Kaylene Ames, to approve the business license for Dakota Smith located at 213 North Center.

YEA 4

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay

Justina Frodsham and April Worley representing CAPSA met with the City Council to discuss declaring April Sexual Assault Awareness month and to seek approval from the City Council to add a flyer to the City's April utility billing. Ms. Frodsham stated that she brought a proclamation for Mayor Thomas G. Bailey to sign. Ms. Worley read the proclamation. Ms. Frodsham stated that she would ask that people become aware of what services CAPSA offers. Ms. Frodsham stated that Wellsville City has supported CAPSA in the past, and she thanked Wellsville City for that. Ms. Frodsham stated that CAPSA offers a 40-hour volunteer training. Ms. Frodsham asked that Wellsville City review the events that CAPSA hosts and share them on social media. Ms. Frodsham stated that CAPSA is hosting a safe date night next week for all high-school aged teens. Ms. Frodsham introduced a flyer to the City Council and asked that it be added to the utility billing for April. After discussion, Denise Lindsay made a motion, seconded by Gary Bates, to declare April Sexual Assault Awareness month and to approve the addition of a CAPSA flyer to the April utility billing.

YEA 4

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay

Paul Freed met with the City Council to discuss if Wellsville City would require water rights to be transferred for 22 acres being proposed for annexation or would water rights be transferred as property was developed. The property is located at 3909 West 6400 South, Tax ID#10-043-0007. Mayor Thomas G. Bailey stated that this property is owned by McKay Leishman, and it is located around his home. Mr. Freed stated that he has the property under contract. He would like to purchase the property and annex it into Wellsville City. Mr. Freed stated that he lives in the home owned by Suzanne Mitton. Mr. Freed would like to rezone the property, subdivide the front property into 4 1-acre lots, and zone the property in the back

to agriculture. Mr. Freed stated that there is irrigation water on the property. Mr. Freed asked about the 3-acre feet of water per acre and open space. Mayor Bailey asked if the Planning Commission would approve the homes on a septic system. Carl Leatham stated that the sewer line is located on Center Street. The lots would have to have a septic system, otherwise, there would have to be a lift station or bore under Highway 89/91. City Planner Jay Nielson stated that the sewer is ultimately the City Council's decision, not a decision for the Planning Commission. Mr. Freed asked about the contribution of water. Mr. Leatham stated that 3-acre feet of water will still be required. Mr. Nielson stated that the code says that if the developer chooses to annex the property in phases, Wellsville City can require the water in phases. City Manager Scott Wells stated that Wellsville City has allowed pressurized secondary water systems in lieu of culinary water in other developments. Mayor Bailey stated that Wellsville City doesn't accept water from Wellsville Mendon Irrigation other than in a pressurized system. Mr. Freed asked if he installs the pressurized water system, would no other water be required. Mr. Leatham stated that no other water would be required provided he has enough water to cover the requirement. Mr. Freed would like to build a road, and asked where it should be located. A discussion was held between Mr. Freed and the City Council. Mr. Nielson stated that it makes the most sense to keep the road to the south. Mayor Bailey stated that the current home was built too close to the property line. Mr. Freed stated that the road could be built north of the home, come around the home, and pick up at the property line. Mr. Nielson stated that the property will be annexed into Wellsville City as agriculture property, then a portion could be rezoned to 1-acre lots, which is adjacent to other properties. Mr. Wells stated that a pressurized secondary water system is by far the most effective way to use the irrigation water. The irrigation company is trying to develop a plan for a pressurized secondary system for Wellsville City. Mr. Wells stated that Wellsville City and the irrigation company should put their heads together to come up with a plan to use in the neighborhood, not just these new lots. Mr. Freed thanked Wellsville City for their time. Mayor Bailey stated that Mr. Freed should work with City Manager Scott Wells concerning the annexation.

Eric Johnston was to meet with the City Council to discuss if there can be any leniency on his past due water bill. Mr. Johnston didn't attend the meeting. City Manager Scott Wells stated that Michael Johnston is the name on the bill, but Eric Johnston, his son, is the resident. Mr. Wells stated that Eric Johnston made a payment in February of \$875. The water was turned off in October. Somehow, the water was turned back on. The water was then turned off again in November and a lock was placed on it. There is a \$200 charge for each time the water is shut off. Mr. Wells stated that he came into the office and asked for leniency. Mr. Wells stated that he is a repeat offender. Mr. Wells stated that Mr. Johnston paid his bill in full, the water has been turned on, and he is current today. The City Council reviewed the spreadsheet created by Mr. Wells. Mr. Wells stated that the City Council can see that he is a repeat offender versus a slip-up. Mayor Thomas G. Bailey asked the City Council what they wanted to do. Denise Lindsay stated that if Mr. Johnston wanted something, he would have been here. Mr. Wells stated that he did credit Mr. Johnston \$61 for 2 months of water that he didn't have. Gary Bates asked what the front office believes the City Council should do. Ms. Lindsay stated that if Mr. Johnston is really concerned, he would have been here. Ms. Lindsay stated that Mr. Johnston has a history and she is almost hesitant to do anything. Ms. Lindsay stated that this is a bill that all residents have to pay. Mr. Bates stated that he doesn't like the idea that if someone gets in trouble once, they are hit with a \$200 fee every time after that. Mr. Bates stated that the process should be restarted. Mr. Bates stated that he would like to add this issue to a future agenda to discuss it further. Mr. Bates stated that he would be inclined to waive one of the \$200 fees. After discussion, Gary Bates made a motion, seconded by Kaylene Ames, that Wellsville City take Eric Johnston at his word that he didn't turn the water back on and waive the \$200 fee associated with the incident.

YEA 4
Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay

NAY 0

City Planner Jay Nielson met with the City Council to discuss the changes to the (LUR) Land Use Regulation code. Mr. Nielson stated that the LUR code is very close to being completed. Mr. Nielson stated that he made all the changes that were discussed as a group. Mr. Nielson stated that he took the LUR code back to the Planning Commission, and they made just a few changes. Mr. Nielson stated that the way to perfect a code is by using it. Mr. Nielson stated that he had 17 items to review with the City Council. Mr. Nielson reviewed those items with the City Council. The City Council believes that the LUR code is ready to be sent back to the Planning Commission and begin public hearings.

Department Reports:

Gary Bates – 1) Friday is International Women's Day. There are many women that contribute their time and talents to Wellsville City.

2) Asked that updating the City symbol be added to the agenda to discuss – Garrett Johnson is in the process of updating the Wellsville City flag, discussed waiting for him to see what he proposes. Jay Nielson suggested that Wellsville City hire a professional graphic artist.

3) Approved a pre-school a month ago, haven't heard back from the fire marshal. Scott Wells stated that the first marshal does an inspection before the business license is issued and a yearly inspection when the business license is renewed. Mr. Wells stated that the inspection is part of the business file.

4) Added that light manufacturing in a residential zone be added to a future agenda.

Kaylene Ames – 1) Received requests for public health surveys – hesitate to answer.

2) Miss Wellsville City Scholarship – asked if she could use Wellsville City's post office box – yes, P.O. Box 6.

City Manager/Recorder's Report:

Scott Wells – 1) RAPZ tax application was submitted on Friday.

2) Development at 300 South 300 East – home will be built on the island – will be discussing connecting to the sewer – preparing the City Council because this will be discussed at the next City Council meeting.

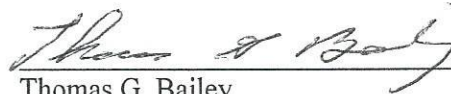
3) Oil spill at 160 South 200 East – garbage truck had a hydraulic leak – put sawdust down to absorb it.

At 8:37 p.m., Carl Leatham made a motion, seconded by Denise Lindsay, to adjourn the meeting.

YEA 4

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay

NAY 0



Thomas G. Bailey
Mayor



Scott E. Wells
City Manager/Recorder