

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, April 3, 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, and Perry Maughan. City Treasurer Leesa Cooper 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 March 29, 2019. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

<u>Others Present:</u>	Jennifer Leishman	Ryan Higbee	Karen Higbee
	Wendi Coombs	Terry Boharsik	Brandon Boharsik
	Nancy Boharsik	Devin Fabricius	Dale Sorensen
	Mattie Mortensen	Art Smith	Elizabeth Pelatorre

Opening Ceremony: Denise Lindsay

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

<u>YEA 4</u>	<u>NAY 0</u>
Kaylene Ames	
Gary Bates	
Carl Leatham	
Perry Maughan	

Councilman Carl Leatham arrived at the meeting at 6:04 p.m.

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

<u>YEA 5</u>	<u>NAY 0</u>
Kaylene Ames	
Gary Bates	
Carl Leatham	
Denise Lindsay	
Perry Maughan	

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, Carl Leatham made a motion, seconded by Denise Lindsay, to approve the City's account payables bills for payment, represented by check number 23203 through 23236.

<u>YEA 5</u>	<u>NAY 0</u>
Kaylene Ames	
Gary Bates	
Carl Leatham	
Denise Lindsay	
Perry Maughan	

There was no one in attendance for citizen input.

Ryan Higbee met with the City Council for a business license. Ryan Higbee stated that he is applying for a Level 2 "Home Occupation" business license because he has 1 vehicle, sometimes 2 vehicles parked in his driveway. Mr. Higbee stated that he needs a Level 2 "Home Occupation" for 2 vehicles. Carl Leatham stated that the Planning Commission approved a Level 2 "Home Occupation" with the conditions that there is no street parking, all parking is on Mr. Higbee's property, and an improved parking area. Mr. Leatham

stated that Mr. Higbee can have a maximum of 2 vehicles in his driveway. Gary Bates stated that in the past, there have been more than 2 vehicles. Mr. Higbee stated that when they held classes at their home, there were more vehicles. However, they will be conducting classes someplace else. City Treasurer Leesa Cooper asked if the Level 2 "Home Occupation" is for a different business. Mr. Higbee stated no, it is still for the foot zoning business and to allow 2 vehicles. After discussion, Carl Leatham made a motion, seconded by Kaylene Ames, to approve the business license for Ryan Higbee.

YEA 5

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay
Perry Maughan

Amberlee Burrows, representing "The Family Place" was to meet with the City Council to discuss making April "Be Kind in Utah" month. Amberlee Burrows was unable to attend this meeting. Wendi Coombs, Director of Advancement with "The Family Place" met with the City Council. Ms. Coombs stated that "The Family Place" has been in operation for 15 years. Representatives from "The Family Place" attend all City Council meetings in the valley during March to have each city sign a proclamation supporting Child Abuse Prevention Month. Ms. Coombs stated that they wanted to do something different this year. They have created Utah Family Month. "The Family Place" would like to offer free and low-cost services to all members of the community. Ms. Coombs stated that last year, "The Family Place" served over 14,000 citizens. Ms. Coombs stated that 95% of the services are preventative and 5% of the services are intervention. Ms. Coombs stated that between Mother's Day, May 7 and Father's Day, June 16, the focus will be on the family. There is a "Be Kind Utah" campaign to have 1,000,000 acts of kindness. Ms. Coombs is asking Wellsville City to participate in this campaign. There will be a webpage on their website that will go live the first part of May. Ms. Coombs is asking people to use social media with the hashtag #bekindUtah2019 and tag "The Family Place". There is a luncheon on May 15, 2019 to educate City Council members. There is also an event on April 8, 2019 at 12:00 p.m. called Steppin' Up for Kids. On the Cache County Courthouse steps, there will be 420 pairs of shoes for the 420 substantiated cases of child abuse in Cache and Rich Counties last year. Ms. Coombs asked that Wellsville City Council members attend this short event. Ms. Coombs thanked the City Council for their time. Mayor Thomas G. Bailey thanked Ms. Coombs for attending the City Council meeting. After discussion, Denise Lindsay made a motion, seconded by Perry Maughan, declaring the time between Mother's Day, May 7 and Father's Day, June 16 Utah Family Month.

YEA 5

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay
Perry Maughan

The City Council discussed the water shut-off fee of \$25 for the first offense and \$200 for all other offenses. City Treasurer Leesa Cooper stated that she has reviewed the shut-off list back to 2003. Ms. Cooper stated that as a courtesy, the first-time offense is \$25. Ms. Cooper stated that for current residents, 168 have had a first-time fee of \$25, 68 have had a second-time fee of \$200, 36 residents have had a third-time fee of \$200, 20 residents have had a fourth-time fee of \$200, 13 residents have had a fifth-time fee of \$200, 8 residents have had a sixth-time fee of \$200, 3 residents have had a seventh-time fee of \$200, and 1 resident has had an eighth-time fee of \$200. Ms. Cooper stated that the fee needs to be stiff enough to encourage people to pay their water bill. It wastes a lot of time having the Public Works department go to the home, shut off the water, and then when the bill is paid, having the Public Works department go back to the home to turn the water on. Ms. Cooper stated that some people feel this fee is too high, and to forgive offenders every year. Ms. Cooper stated that in her opinion, lowering the fee or forgiving offenders will increase the number of shut-offs. Gary Bates asked if Wellsville City has done a study as to what it costs Wellsville City to shut off and turn on water. Mr. Bates stated that the City Council can't impose fines, but

they can recoup their costs. Denise Lindsay stated that the fee needs to be an amount that will detour residents from becoming an 8-time repeat offender. Ms. Lindsay stated that Wellsville City does have the right to charge the fee because it is in the code. Ms. Lindsay stated that if a check bounces, there should be a time frame for the citizen to make good on the check before the water is shut off. As a common courtesy, the resident should have time to make good on the check before Wellsville City imposes another fee. Ms. Cooper stated that it is hard to gauge. Ms. Cooper stated that Wellsville City doesn't do any shutoffs between November and March. Ms. Cooper stated that residents play the game. Ms. Cooper stated that if a resident calls the front office, Wellsville City will work with them. However, the resident makes promises, breaks those promises, then if forces Wellsville City to take action. Perry Maughan suggested that if the resident violates once, Wellsville City should accept only cash or credit card. Mr. Maughan stated that Wellsville City know who the habitual people are. Ms. Lindsay asked how long a resident must be past due before their water is shut off. Ms. Cooper stated that a resident must be 3 months delinquent. Mr. Bates stated a section of the list was shared with the City Council. Mr. Bates suggested that the clock be started over after so many regular payments. Mr. Maughan stated that would create more work for the front office and City Manager Scott Wells. Mr. Maughan stated that shut-off day is not the best day in the office. Ms. Cooper stated that she is hesitant to start the clock over because it opens up room for arguments. Mr. Bates stated that he would like to have more data to see if \$25 covers Wellsville City's costs. Ms. Lindsay stated that she doesn't think \$25 covers Wellsville City's cost. Mr. Bates stated that he thinks it does. Mr. Bates stated that he would feel more comfortable with an amount that is defendable. Mr. Bates stated that he likes the idea of a forgiveness period, maybe 5 years. Mr. Maughan explained the procedure for shut-off day, and how residents have approximately 4 hours to have a payment into the office, or they may have to wait until the next day. Mr. Bates stated that Wellsville City needs to account for all costs. Mr. Maughan stated that it is better to have 2 people when shutting off water. Mr. Maughan stated that the front office staff is treated badly on shut-off day. Carl Leatham stated that he agrees with the actual cost of the shut-off for a first-time offense. Mr. Leatham stated that he has no problem with the \$200 fee for every offense after. Mr. Leatham likes the reset process and suggested between 2 and 5 years. Mr. Leatham stated that when a resident doesn't pay their water bill, it is not just for water. There are other services, such as sewer and garbage. The citizens that are paying their bill are floating those citizens that are not. The rest of Wellsville City is covering for these people and it isn't fair. Ms. Cooper stated that Wellsville City will work with anyone on their utility bill. Ms. Cooper stated that when actual costs are discussed, it may take the Public Works department 2 or 3 tries to shut off the water because the resident will park their car over the meter. There is time for each department involved for shutting off water. Ms. Cooper stated that it is a pain. Mr. Maughan stated that all it takes is a phone call to the front office in order to avoid having the water shut off. Mayor Thomas G. Bailey stated that he has been in the office when people come in to pay their water bill. Wellsville City will take a partial payment. If there is any hardship, Wellsville City will work with these people. Mr. Bates stated that Wellsville City needs to be careful that they are treating all citizens the same. Ms. Cooper stated that in some cases, the people that are wealthy are the residents that are being shut off. Art Smith asked what other cities are doing concerning this issue. Ms. Cooper stated that she brought this issue up at a state-side treasurer's meeting. The way each city handles water shut-offs is as different as night and day because each city is different. Mr. Bates would like to see a reasonable time span given to allow someone a restart. Mr. Maughan asked if changing the delinquency time from 3 months to 2 months would be better or worse. Ms. Cooper stated that it is something to think about. After discussion, Gary Bates made a motion, seconded by Perry Maughan, to continue this discussion at City Manager Scott Wells' will and try to access the true cost.

YEA 5

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay
Perry Maughan

The City Council discussed action for non-compliance for City and State Code for a business in Wellsville City. City Treasurer Leesa Cooper stated that she sent copies of the letter from the Cache County Sheriff's Office to each City Council member. Ms. Cooper asked if the City Council would like the business owner to attend a future City Council meeting and to stress that he needs to up his game when training his

employees. Ms. Cooper stated that Wellsville City could take away their Class A liquor license and issue a \$250 fine per civil code. Carl Leatham asked if there are a certain number of times the business must be caught before the license is revoked. Ms. Cooper stated that it is at Wellsville City's discretion. Mayor Thomas G. Bailey stated that it seems that the business owner is not taking this issue serious. Mayor Bailey stated that it is not the desire of Wellsville City to hurt the business, but they can't sell liquor to minors. Perry Maughan stated that the business has new employee all the time. After discussion, Gary Bates made a motion, seconded by Denise Lindsay, to have the business owner attend a future City Council meeting to discuss this issue.

YEA 5

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay
Perry Maughan

The City Council discussed options of putting stop signs up along 100 West from 100 South to 400 South. Terry Boharsik stated that he lives at 340 South 200 West. His son was involved in an accident on October 18, 2018. Mr. Boharsik stated that the intersections are bad. His concern is that people are not obeying the yield signs. Mr. Boharsik stated that other intersections have stop signs. Mr. Boharsik stated that he can only speak from experience and has neighbors and residents attending tonight to support him. Gary Bates stated that there is a stop sign at 200 West and people are blowing through it. Mayor Thomas G. Bailey stated that there are gravel trucks that go up and down 200 West. Denise Lindsay stated that the concern is vehicles traveling north and south. Carl Leatham stated that the advantage of installing stop signs is to disincentivize people using the surface streets and to force them to use the highway. Perry Maughan stated that Wellsville City could put up all the stop signs they wanted, but it won't solve the problem. The vehicle operator is responsible to obey the signs. Mr. Maughan stated that Wellsville City has more stop signs than any city deserves. People will either obey the signs or they won't. Mr. Maughan believes that Wellsville City has plenty of stop signs. The speed limit is posted at 25 MPH. Mr. Maughan doesn't think stop signs is the answer. Mr. Maughan stated that this problem exists all through Wellsville City. Mr. Boharsik stated that he reached out to Cache County Sheriff's Department for statistics on intersections. Devin Fabricius stated that his wife and newborn was in an accident about 2 months ago at 400 South. Mr. Fabricius stated that there is no sign at this intersection. Nancy Boharsik stated that she was offended by Mr. Maughan's statement that Wellsville City doesn't deserve more signs. Ms. Boharsik stated that she hopes he never has to say that to a family who has lost a child due to an accident at one of these intersections. Ms. Boharsik stated that there needs to be some traffic control at these intersections. Ms. Boharsik stated that she has lived in Wellsville City since 1991. Ms. Boharsik stated that Wellsville City does deserve traffic control signs because the residents pay taxes and deserve to be protected. Ms. Boharsik stated that she has seen horrible accidents at these intersections. Ms. Boharsik stated that a stop sign does hold more than a yield sign. Dale Sorensen stated that he lives on 300 South. Mr. Sorensen stated that no one goes 25 MPH. Mr. Sorensen stated that he drives a semi-truck 2 days a week, and he avoids these intersections. Mr. Sorensen suggested having law enforcement in Wellsville City. Mayor Bailey stated that Wellsville City contracts with Cache County Sheriff's Office for so many hours per year. Mayor Bailey stated that a deputy is willing to come and sit at an intersection, but Wellsville City can't have a deputy on every street because it is not feasible. Mr. Leatham stated that every time there is an incident on the 8 mile-stretch of Highway 89/91 that is in Wellsville City, those hours are billed to Wellsville City. Mr. Sorensen stated that Wellsville City used to have their own law enforcement. Mr. Bates stated that having our own law enforcement is a liability. There is also training that must be done and kept up on. Mr. Bates stated that there is revenue from writing tickets. Mr. Bates suggested increasing the hours from the Cache County Sheriff's Office and see if it pays for itself. Mr. Bates thanked the public for their suggestions. Mr. Maughan suggested asking the Cache County Sheriff's Office to watch these intersections and review this issue again in one month. Ms. Lindsay asked if there are any traffic sign along 100 West. Mr. Boharsik stated no. Ms. Lindsay asked how much a stop sign costs. No one answered. Mr. Leatham stated that the road plan needs to be reviewed. Mr. Leatham stated that speed could be regulated better if there was a stop sign at every other block. Mr. Leatham stated that well-placed stop signs can benefit Wellsville City. Mr. Bates stated that he likes stop signs and there are places that stop signs are needed in Wellsville City. The

stop signs need to be placed with a city-wide plan. Mr. Bates stated that Wellsville City needs to take the traffic engineer approach. Mr. Bates suggested asking Wellsville City's star deputy and Sheriff Jensen to attend a City Council meeting and discuss the dangers of these intersections. Mr. Bates suggested a deputy patrol these intersections for a set period of time, pay for the extra hours, and the hours and money goes strictly for enforcement of side streets. Mr. Bates stated that Wellsville City will need to let Judge Terry Moore know what and when it will be happening. At the end of the period, Wellsville City will be able to see if the extra law enforcement is paying for itself. These stop signs that are places will be a benefit to Wellsville City. Mr. Maughan stated that he agrees with Mr. Bates suggestion so that Wellsville City can make a more informed decision. Mr. Leatham stated that with a police presence, they may not write very many tickets. Mr. Boharsik stated that it will be a deterrent until the law enforcement has left. Mayor Bailey believes that there are more accidents on these intersections than any other place in Wellsville City. Mr. Bates stated that he supports the stop signs, but they need to look at the big picture and what to do to train the citizens of Wellsville City. Mr. Leatham stated that he likes Mr. Bates' idea to increase law enforcement. Mr. Leatham stated that he would like to see stop signs installed at these intersections. Mr. Leatham would support a traffic study for the community. Mr. Bates stated that stop signs would be installed on 100 West at 200 South and 300 South going north and south. Mr. Bates stated that years ago, he made a motion to survey all intersections and install yield signs where there was no signage at all. Mr. Boharsik asked that the signs be visible, whether it be stop signs or yield signs. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to install stop signs along 100 West at 200 South, 300 South, and 500 South going north and south, a yield sign at 400 South going east and west, and look into a traffic study for Wellsville City.

YEA 4

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay

NAY 1

Perry Maughan

After discussion, Gary Bates made a motion, seconded by Carl Leatham, to assess all uncontrolled intersections, make a list, and install yield signs where needed. At a future meeting with a Star Deputy and Sheriff Jensen, discuss logistics and cost to increase law enforcement presence, address speeding and other traffic issues on side streets, and to add to a future agenda.

YEA 5

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay
Perry Maughan

NAY 0

Department Reports:

Carl Leatham – 1) Wellsville 3rd Ward will be doing a clean-up on May 18 – Wellsville Stake is getting involved and wondering if Wellsville City would like to be involved. Mayor Thomas G. Bailey stated that a Wellsville City clean-up day has happened in the past. Gary Bates stated that this is a burden on the Wellsville City staff. Mr. Leatham believes this is a benefit to Wellsville City and to support the Church's effort. Art Smith stated that there could be a limited number of dumpsters available. Mr. Leatham stated that this may have to be spread out over a couple of weeks. The City Council believes that this is a good idea.

2) Ryan Higbee – reason that he requested a Level 2 "Home Occupation" is because he was in violation of the Level 1 "Home Occupation" that he was already approved for. Mr. Leatham stated that at the Planning Commission meeting, it was suggested that a parking lot be built, but it was shot down because the home business can't take over 25% of the property. Mr. Leatham stated that a parking lot be built on Wellsville City's right-of-way to be used for trail and dam parking. There would be no exclusive use for Mr. Higbee and no overnight parking, but it also got shot down because Wellsville City doesn't provide parking lots for home-based businesses.

Gary Bates – 1) Many people have discussed with him a community pavilion structure on the property obtained by the Cache County School District. Amalga City built one and it is rented out most weeks. Mr. Bates stated that he doesn't want to compete with the Tabernacle but is trying to listen to the citizens of Wellsville City. Perry Maughan stated that some citizens want a bike park. Mr. Bates will ask Amalga City if they would be willing to share their construction costs.

2) Art Smith will be working with the Parks & Recreation Committee as the Chairman.

Perry Maughan – 1) Would like an update on bonding for the water infrastructure for the Highway Commercial zone.

2) Would like an update on the report requested from City Engineer Chris Breinholt.

3) Del Olson – street light – follow up.

Denise Lindsay – 1) Sidewalk committee – any suggestions – Dale & Sandy Sorensen – looking for the 'Wellsville Walkers' – will be doing a sidewalk evaluation around the Wellsville City Square.

2) Youth Council – new adult advisors – add to Facebook – and encourage any youth who would like to participate.

City Manager/Recorder's Report:

Leesa Cooper – 1) Will let City Manager Scott Wells know that the Neighborhood Clean Up will take place on May 18th – get all the dumpsters he can, usually 2 or 3 green waste to 1 garbage dumpster. Perry Maughan asked that all debris find its way into a dumpster.

2) Jed Willits has purchased the old train depot. He owns a train car with wheels and tracks that he would like to display. He is wondering if Wellsville City would allow him to display this on the corner of the Wellsville City Square by the LDS Church parking lot. He would like to make it into a small historical place. The City Council is concerned about maintenance and if someone gets hurt, Wellsville City will be held liable. The City Council would like Mr. Willits to attend a future City Council to hear his proposal.

At 8:10 p.m., Carl Leatham made a motion, seconded by Denise Lindsay, to adjourn the meeting.

YEA 5

Kaylene Ames

Gary Bates

Carl Leatham

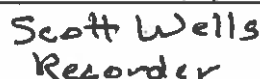
Denise Lindsay

Perry Maughan

NAY 0


Thomas G. Bailey
Mayor


Leesa Cooper
City Treasurer


Scott Wells
Recorder