

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, September 4, 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 Scott Wells 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 August 31, 2019. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present:

Jennifer Leishman
Zac Higbee
Clint Kerr
Kent Larsen
Chad Poulsen

Chris Clark
Andrew Higbee
Kirt Lindley
Zan Murray
Art Smith

Tyler Pierce
Karen Higbee
Quinn Murray
Chad Brown

Opening Ceremony: Andrew Higbee

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

YEA 5

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay
Perry Maughan

The Council reviewed the minutes of the August 7, 2019 regular City Council meeting. After discussion, Perry Maughan made a motion, seconded by Carl Leatham, to approve the minutes of the August 7, 2019 regular City Council meeting as presented.

YEA 5

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay
Perry Maughan

The Council reviewed the minutes of the August 21, 2019 regular City Council meeting. After discussion, Carl Leatham made a motion, seconded by Perry Maughan, to approve the minutes of the August 21, 2019 regular City Council meeting as presented.

YEA 5

NAY 0

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, Gary Bates made a motion, seconded by Denise Lindsay, to approve the City's account payables bills for payment, represented by check number 23668 through 23710.

YEA 5

NAY 0

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, Perry Maughan made a motion, seconded by Kaylene Ames, to approve the City's account payables bills for payment, represented by check number 23711 through 23720.

YEA 5

NAY 0

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 Gary Bates, to approve the City's account payables bills for payment, represented by check number 23727 through 23760.

YEA 5

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay
Perry Maughan

There was no one in attendance for citizen input.

At 6:10 p.m., the County shall receive public input, then consider for possible approval the Concept Plan for the Clark Subdivision consisting of 2 lots (1 additional building lot) from 598 South 300 West to 600 South 250 West, Tax ID #10-026-0014. Chris Clark stated that he would like to build a home behind his in-laws. Mayor Thomas G. Bailey stated that this is a public hearing. Mayor Bailey asked if there was any public comment. There was no public comment.

At 6:12 p.m., the public hearing was closed.

Carl Leatham stated that the City Council has had many discussions of septic versus sewer. There is a public utility easement around each property. Mr. Leatham asked if the two neighbors could use the public utility easement along the back property line so that they didn't have to pump the sewer uphill. Perry Maughan stated that it is not the City's problem if a resident has to pump their sewer. The code states that if the home is within 300 feet of the sewer line, you must connect. Mr. Leatham stated that he understands, but it may be in the City's best interest to be patient and let the chips fall. Once the chips have fell, then allow the resident to connect to the sewer. Mr. Maughan stated again, that it is not the City's responsibility. Mr. Leatham stated that the sewer was not in place along 200 East when the Stewarts and the Pierces built. Mr. Maughan stated that is correct. Mr. Leatham stated that the City needs to be consistent and that there may have been a waiver granted and now Wellsville City wants to go back on the waiver even though the circumstances haven't changed. Mr. Leatham stated that if these two residents could use the 10-foot PUE, they could come through the backyard and have a gravity flow sewer with no pumping station. Mr. Maughan stated that each situation that has been brought up would be discussed later and it is happening all over town. Mr. Maughan stated that all it is doing is pushing the problem onto whoever is sitting in the City Council chairs in 5 to 10 years. City Manager Scott Wells stated that Chris Clark doesn't meet the 300-foot requirement, so the sewer discussion is for a different time. Gary Bates stated that Wellsville City will be

sending out letters shortly, which may affect his neighbors and possibly him as well. Chris Clark stated that if he has to run a main line with three manholes, it isn't cheap and would be a game changer for this project. Mayor Thomas G. Bailey stated that Perry Maughan is over roads and asked Mr. Maughan to address the road. Mr. Maughan stated that it needs to be built to City specifications. Mayor Bailey suggested that Mr. Clark plumb a sewer line out the front of his property. Mr. Leatham asked if Mr. Clark had addressed the comments from City Engineer Chris Breinholt. Mr. Clark stated yes, they are complete. After discussion, Carl Leatham made a motion, seconded by Denise Lindsay, to approve the Concept Plan for the Clark Subdivision consisting of 2 lots (1 additional building lot) from 598 South 300 West to 600 South 250 West, Tax ID #10-026-0014.

YEA 4

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay

NAY 1

Perry Maughan

Zac Higbee and Andrew Higbee met with the City Council to discuss an Eagle Scout project to plant trees along the path at the Wellsville Dam. Andrew Higbee stated that they would like to plant three trees each. This would be along the path from 700 South to the bridge. Andrew Higbee stated that they have met with Gary Bates and Kaylene Ames. Andrew Higbee stated that the trees will be donated, as well as the poles and fencing to brace them. Denise Lindsay asked what kind of trees would be planted. Zac Higbee stated shade trees. Mayor Thomas G. Bailey asked Mr. Bates if the roots of these trees will lift the path. Mr. Bates stated that they discussed planting them 10 feet from the path. Mr. Bates stated that part of this project is that Zac Higbee and Andrew Higbee will water the trees next summer as part of the hours for the project. Mr. Bates stated that he suggested they contact Jay Dee Gunnell about the kind of tree to plant. Mr. Bates stated that after they have contacted Mr. Gunnell, Zac Higbee and Andrew Higbee return to City Council and let them know the kind of tree that was selected. Mayor Bailey stated that approval of this project should be given with the understanding that Zac Higbee and Andrew Higbee report back to Gary Bates and Kaylene Ames so that they know which trees will be planted. After discussion, Kaylene Ames made a motion, seconded by Gary Bates, to approve the Eagle Scout project for Zac Higbee and Andrew Higbee to plant and care for trees along the path at the Wellsville Dam.

YEA 5

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay
Perry Maughan

NAY 0

The Irrigation Board met with the City Council to present a pressurized irrigation system to Wellsville City Council for support. Clint Kerr stated that 3 months ago, a study was conducted on a pressurized irrigation system. Mr. Kerr stated that the report is all but complete. Mr. Kerr stated that irrigation water is rented water. The pump position will be in the roadway on 300 South between 100 East and 200 East. Mr. Kerr stated that the pressurized irrigation system will not happen with the support of Wellsville City. Mr. Kerr asked the City Council what their thoughts were concerning the pump positioning, roads, and support of the project. Chad Brown stated that the Wellsville Irrigation Company will need to have someone on staff to operate and maintain the system. Mr. Brown discussed the feasibility and those currently in the service area. Gary Bates asked about the timeframe of the project. Mr. Brown stated that there is a Water Smart funding. The application is due October 3, 2019 and it takes 4 to 5 months to hear back. An environment assessment will need to be completed. The grant is an 'up to 50/50' match. There is 1.5 million dollars available in the grant. Kaylene Ames asked if this system will increase the price per share for the shareholders. Mr. Brown stated that they haven't gotten into how to divide the costs. Perry Maughan asked if Mr. Brown is here to see if Wellsville City thinks this is a good idea or not. Mr. Brown stated yes and then discuss any concerns. Mr. Maughan asked if they have looked at gravity flow. Mr. Brown stated yes. Mr. Brown stated that the irrigation water right below the canal has no pressure. Mr. Maughan stated that some subdivisions already have pressurized irrigation systems. Kirt Lindley stated that those subdivisions

would not be affected. Mr. Brown stated that every connection will have a meter. Mayor Thomas G. Bailey asked about the collection of fees. Mayor Bailey stated that Wellsville City somehow has to help the irrigation company to put teeth into collection money. Mayor Bailey stated that the water bill is \$30.50 per month and in the summer there are overage fees. Mayor Bailey stated that Wellsville City makes money on the overages. City Manager Scott Wells reviewed the overage chart with those in attendance. Mayor Bailey stated that Wellsville City pays \$50,000 to South Cache Water Users for water out of Hyrum Dam. Mayor Bailey stated that they need to figure out a way to use all of the water out of the system so that it is pretty close to a wash. Mayor Bailey stated that his biggest question is how Wellsville City and the Irrigation Company will work together to collect money. Mr. Lindley asked if Wellsville City could create an ordinance that states it is illegal to use culinary water from April 1 to October 1. Mr. Maughan asked how would anyone enforce it. Mayor Bailey asked how citizens will be charged if they don't connect. The questions are; will Wellsville City and the City Council support this project moving forward knowing that there are some details that still need to be worked out. If Wellsville City and the City Council will support the project, then they will move ahead. The City Council was unanimous in supporting the project. After discussion, Gary Bates made a motion, seconded by Denise Lindsay, that the City Council will support the desire to provide a pressurized irrigation system to Wellsville City.

YEA 5

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay
Perry Maughan

City Manager Scott Wells presented Open and Public Meeting training to the City Council. The City Council reviewed a training video presented by David Church.

City Manager Scott Wells met with the City Council to discuss allowing Wellsville City Troop 21 to use City Council Chambers one time a month for Pack Night and one time a quarter for a Court of Honor. City Manager Scott Wells stated that Meme Hammer is the Cub Scout Master and Don and Geneil Smart are the Boy Scout Masters. They have asked to use the City Council Chambers for Pack Night and Court of Honor. Mr. Wells asked if they should be allowed to use it, the cost to use it, and what to charge for a cleaning deposit. Gary Bates asked if Wellsville City is the chartering organization. Mr. Wells stated no. Mr. Bates asked if the Wellsville Foundation is the chartering organization. Mr. Wells stated yes. Mr. Bates stated that this issue should have been brought before the City Council for discussion because Wellsville City is the parent sponsor of the scout troop. Mr. Bates suggested that Mr. Wells contact the insurance company to ask about liability. Mr. Wells asked what the thoughts were about allowing Troop 21 to use the City Council Chambers. Mayor Thomas G. Bailey stated that they cannot enter without an adult supervisor. Perry Maughan stated that he agrees with Mr. Bates. Mr. Maughan stated that because of the liability, should something happen, Wellsville City could be dragged into it. Mr. Maughan suggested that this issue be discussed with City Attorney Miles Jensen. It was suggested that Troop 21 be asked to clean up the room after they are through, and if it is left a mess, address it then. Mr. Bates stated that the Wellsville Foundation is an extension of Wellsville City and that the Wellsville Foundation should run important decisions past the City Council. Mr. Wells asked if Troop 21 uses the City Council Chambers, should they be charged the same as anyone else, which is \$100 per meeting. Kaylene Ames stated that Troop 21 cannot afford \$100 per meeting. Denise Lindsay stated that part of the motto of the Cub and Boy Scouts is to leave any place cleaner than you found it. Mr. Wells asked if there should be some type of deposit each month as a motivation factor, and then give it back if it is clean. Carl Leatham suggested waiving the fee to begin with and then if a problem arises, requiring a fee then. Mr. Wells stated that he would have more information at the next City Council meeting.

City Manager Scott Wells met with the City Council to discuss letters for connecting onto the sewer and multi-family dwellings. City Manager Scott Wells stated that he was asked to write two letters for people who are in violation of city code. Mr. Wells stated that the first letter addresses multi-family dwellings. Mr. Wells stated that the second letter addresses residents who are within 300 feet of the sewer but are not connected. Mr. Wells stated that the hard part is he doesn't know who has had connections to the sewer

waived in the past. Gary Bates stated that he doesn't remember waiving any sewer connections. Mr. Wells stated that he doesn't know if waiving is the correct word to use. Denise Lindsay stated that historically, when impact fees are going to be raised, a letter was sent to all residents concerning it. Mr. Wells stated yes. Ms. Lindsay stated that she knows of someone who didn't pay, has now sold their home, and the new homeowner has to pay the more expensive fee. Mr. Wells stated that is dishonesty at its finest. Mr. Bates stated that he likes the letters. Perry Maughan stated that each individual will want to discuss the issue and Wellsville City needs to treat everyone the same. Ms. Lindsay stated that Richmond City and Smithfield City changed their code to read if you build in city limits, you must connect to the sewer. After discussion, Perry Maughan made a motion, seconded by Gary Bates, to approve letters dated August 7 and August 15 addressing connecting to the sewer and multi-family dwellings.

YEA 4

Kaylene Ames
Gary Bates
Carl Leatham
Perry Maughan

NAY 1

Denise Lindsay

Department Reports:

Carl Leatham – 1) Would like to recognize people for their labors and efforts – rodeo arena would be nothing without 3 families – Bailey's, Mitton's, and Bankhead's – consider naming the arena – BMB Arena and making it into a brand – add to future agenda for discussion.

Mayor Thomas G. Bailey – 1) Appreciation Dinner – October 21, 2019.
2) Thanked everyone for their work on Founder's Day.

Kaylene Ames – 1) Reviewed Founder's Day – attended every event – many deaths in the community this year and younger families are not attending. Gary Bates stated that there is nothing for the tweens/teenagers to do. Discussed additional activities to incorporate into Founder's Day. Asked about reimbursing some helpers. Add Founder's Day discussion to a future agenda if changes are wanted.

Denise Lindsay – 1) Thanked Kaylene Ames, Perry Maughan, and Tom Maughan for cleaning up Founder's Day.

City Manager/Recorder's Report:

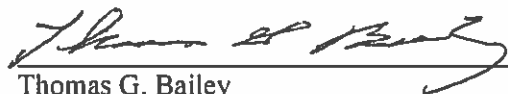
Scott Wells – 1) City flag arrived Tuesday – have 10 of them – Garrett Johnson would like to purchase one.

At 9:00 p.m., Perry Maughan 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



Scott E. Wells
City Manager/Recorder