

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, September 18, 2019, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilwoman Kaylene Ames, 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 September 13, 2019. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

<u>Others Present:</u>	Jennifer Leishman	Jami Van Huss	Carson Rupp
	Jodell Rupp	Marty Thompson	Monica Thompson
	Jayden Gnehm	Chris Clark	Chris Breinholt
	Stefani McMullin	Anna Melo	Abraham Edlund
	Abby DeCarsey	Serena MacDonald	Kohler Ames
	Bob Lindley		

Opening Ceremony: Carson Rupp

City Councilwoman Denise Lindsay was excused from this meeting.

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

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

The Council reviewed the minutes of the September 4, 2019 regular City Council meeting. After discussion, Gary Bates made a motion, seconded by Kaylene Ames, to approve the minutes of the September 4, 2019 regular City Council meeting as presented.

<u>YEA 4</u>	<u>NAY 0</u>
Kaylene Ames	
Gary Bates	
Carl Leatham	
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 Kaylene Ames, to approve the City's account payables bills for payment, represented by check number 23786 through 23835.

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

Jami Van Huss stated that she pays taxes, has lived in Wellsville City for 14 years, and she and her husband have volunteered over 1,000 hours. Ms. Huss stated that she works for Hyrum City. Hyrum City allows the residents of Hyrum City to use city facilities free of charge. Ms. Van Huss encouraged Wellsville City to allow their residents and youth groups to use city facilities free of charge. Perry Maughan asked if the youth of Hyrum City are allowed to use city facilities. Ms. Van Huss stated yes. Mr. Maughan asked if Hyrum City charges for using the space. Ms. Van Huss stated no. Ms. Van Huss thanked the City Council for their time.

Carson Rupp met with the City Council to discuss an Eagle Scout project. Carson Rupp stated that his Eagle Scout project is to improve the duck pond park on 300 North. Mr. Rupp stated that he would like to build a fire pit, mow, trim, and spray the weeds in the lawn, trim trees and bushes, paint the garbage can holder, spread gravel in the parking lot, and realign the large rocks around the parking lot. Mr. Rupp stated that he would use funds from private donations for the paint, spray and new fire pit. Mr. Rupp asked if Wellsville City would provide the gravel. Perry Maughan stated that this is a great project and yes, Wellsville City would provide the gravel. Gary Bates suggested that instead of painting the garbage can holder, to use a translucent stain or sealer. City Manager Scott Wells stated that the fire pit would be hard to maintain without a mow strip and asked if there were any ideas. Kaylene Ames stated that they could kill the grass around the fire pit. Mr. Maughan suggested lowering the fire pit to about 6 inches above ground and add gravel around the fire pit as a weed barrier. Carl Leatham stated that this is a big project and asked if there is another scout that needs a project. Mr. Bates stated that Mr. Rupp scoped out this project and this project and he knows what he is getting into. Mr. Bates also suggested pouring a ring of concrete around the fire pit. Mr. Wells asked if Mr. Rupp would prefer crushed gravel or 1-inch rock. Mr. Rupp asked for crushed gravel. Mr. Wells asked that Mr. Rupp contact Dave Leishman to measure the parking lot so that they know how much gravel will be needed. Mr. Rupp stated that he would contact Dave Leishman. Mayor Thomas G. Bailey stated that this will be a great project. After discussion, Gary Bates made a motion, seconded by Perry Maughan, to approve the Eagle Scout project for Carson Rupp and that Wellsville City will donate the crushed gravel that is needed for the parking lot.

YEA 4

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Perry Maughan

Marty Thompson met with the City Council to discuss installing a flagpole at the rodeo arena in honor of Paul Bailey. Marty Thompson stated that they have raised some money from the rodeo to install a 35-foot flagpole. Mr. Thompson stated that they would need power from another pole so that a LED light can shine on the flag. Mayor Thomas G. Bailey stated that instead of dedicating the flagpole to one person, to dedicate it to all Wellsville City Veterans or Firefighters. Perry Maughan stated that Ralph Parker, who has passed, flew a flag for those missing in action and he would like to see something like that. Mr. Thompson stated that he understands. Mr. Thompson stated that when you start adding names, you may miss someone. Mr. Thompson stated that Paul Bailey stuck out, but there are plenty in the community that deserve it. Kaylene Ames stated that Wellsville City has a new Wellsville City and asked if a flagpole is being installed by the Public Works building for that flag. City Manager Scott Wells stated not at this time. Mr. Wells stated that they are staying with the missing in action flag for now. Mr. Thompson stated that the reason he thought to honor Paul Bailey was because of all he did for the Little Buckaroo Rodeo. Mayor Bailey stated that Mr. Thompson has a good place picked out to place this flagpole and other flagpoles as needed. Mayor Bailey stated that he appreciates Mr. Thompson for his willingness to do this. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to approve installing a flagpole at the rodeo arena.

YEA 4

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Perry Maughan

Jayden Gnehm met with the City Council to present for possible approval the Final Plat for the "Wide Canyon View Subdivision" consisting of 3 lots located at approximately 215 West 500 South, Tax ID #10-026-0001. Jayden Gnehm stated that he is seeking approval on the Final Plat for the Wide Canyon View Subdivision. Mayor Thomas G. Bailey asked Carl Leatham what the comments from the Planning Commission were. Carl Leatham stated that he was not in attendance to the Planning Commission meeting and would have to refer to City Manager Scott Wells. Mr. Wells stated that he was not in attendance to the Planning Commission either. Mr. Wells stated that the Planning Commission was concerned that the PUE

was not around the perimeter of lot. However, the Final Plat was approved by City Engineer Chris Breinholt. Mr. Wells stated that Wellsville City would need to review the code concerning this issue. City Engineer Chris Breinholt stated that he could find in the code that it was required in the rear and side, but not around the perimeter. Bob Lindley stated that all the other plats that have been approved have the PUE around each lot. Mr. Lindley stated that he believes it keeps people from building outbuildings in the PUE. Carl Leatham stated that it seems like a discussion was held concerning this issue and the PUE was removed from the interior lots because Wellsville City would use the setbacks. Gary Bates stated that this issue should be added to a future agenda. Mayor Thomas G. Bailey asked if Mr. Gnehm will be paying into the sidewalk fund. Mr. Gnehm stated that he was planning on it. Mr. Gnehm stated that he is working with City Manager Scott Wells to come up with numbers. Mr. Wells stated that he has 3 bids and they need 4. Mr. Wells stated that he is waiting for the last contractor. Perry Maughan is concerned about a contractor pricing the sidewalk too low. Mr. Gnehm asked if Wellsville City can use the lowest bid, why can't he. Mr. Maughan stated that the sidewalk must be built to Wellsville City specifications. Mayor Bailey stated that Mr. Gnehm will have the opportunity to review the 4 bids. Mayor Bailey stated that Wellsville City is not trying to take advantage of anyone. Chris Clark stated that this is a fire hydrant that has been bagged. Mr. Clark asked if the fire hydrant is still bagged or if it is in service. Mr. Gnehm stated that the bag has been removed. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to approve the Final Plat for the "Wide Canyon View Subdivision" consisting of 3 lots located at approximately 215 West 500 South, Tax ID #10-026-0001 with the following conditions, 1) continue working with City Manager Scott Wells concerning the cash in lieu of sidewalk and that it is resolved before construction begins, and 2) Wellsville City goes with what City Engineer Chris Breinholt recommends concerning the PUE's and setbacks.

YEA 4

Kaylene Ames
Gary Bates
Carl Leatham
Perry Maughan

NAY 0

Chris Clark met with City Council to present for possible approval the Preliminary Plat 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 is seeking approval of the Preliminary Plat for the Clark Subdivision. City Engineer Chris Breinholt stated that he was reading the code today and found this item. It is under city code 8-3-2-E-2. It states: "no dwelling for human occupancy shall be allowed to be built west of 100 East, unless it is on the municipal sewer system, except with the written approval of the city council and city engineer. Perry Maughan stated that the City Council has approved the Concept Plat with a septic tank. Mr. Maughan stated that code states that if the home is within 300 feet of the sewer line, then they must connect to the sewer. Gary Bates stated that there is a contradiction in the code. Mr. Breinholt stated that the code is more restricting west of 100 East. City Manager Scott Wells stated that if the sewer is within 300 feet of the home, then they must connect with a lateral line. Mr. Clark asked if the hot top requirement is November 1. Mr. Maughan stated yes. Mr. Wells stated that the Planning Commission asked about the sidewalk requirement and the road, which is detail item #7. They are wondering who is responsible to build the rest of the road. Mayor Thomas G. Bailey stated that the road must be built to Wellsville City specifications and that a future development will finish building the road. Mr. Breinholt stated that the code requires this home to have written approval from the City Council and City Engineer. Mr. Clark stated that he submitted his application on July 26, 2019, then the code was changed. Mr. Clark stated that he has no problem installing the sidewalk in front of his home. Bob Lindley stated that this lot is being subdivided, so the sidewalk would only be on one side of one lot. It was discussed that Mr. Clark would have to install the sidewalk along his lot, as well as, the lot that he is subdividing the property from. After discussion, Perry Maughan made a motion, seconded by Kaylene Ames, to approve the Preliminary Plat 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, with the conditions that Mr. Clark will install a septic tank and install the sidewalk in front of his home only.

YEA 2

Kaylene Ames
Perry Maughan

NAY 2

Gary Bates
Carl Leatham

Mayor Thomas G. Bailey stated that the voting as resulted in a tie. Mayor Bailey must vote to break the tie. Mayor Bailey voted to approve the Preliminary Plat 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, with the conditions that Mr. Clark will install a septic tank and install the sidewalk in front of his home only. Mayor Bailey stated that this item passes with a 3-2 vote.

YEA 3

Kaylene Ames
Mayor Thomas G. Bailey
Perry Maughan

NAY 2

Gary Bates
Carl Leatham

Stefani McMullin met with the City Council to introduce Wellsville Wit and ask to use the Wellsville City office for rehearsals and show purposes. Stefani McMullin stated that she is starting a Wellsville improv club. Improv is actors without scripts. Ms. McMullin stated that it is clean and wholesome family fun. Ms. McMullin shared quotes from Wellsville citizens concerning Wellsville Wit. Ms. McMullin asked if Wellsville City would work with Wellsville Wit. Wellsville Wit is willing to pay the cleaning deposit but asked for the rental fees to be waived. Mayor Thomas G. Bailey asked if Wellsville Wit would be using the facility every Friday night. Ms. McMullin stated that they would prefer every Friday night, but is happy to discuss and negotiate. Mayor Bailey stated that there are family parties and other events that may take precedence. Perry Maughan likes the idea of a cleaning deposit and waiving the rental fee. Mr. Maughan stated that this club will get bumped for paying customers. Mr. Maughan asked City Manager Scott Wells how it works and how to reserve the building. City Manager Scott Wells asked that once they have a solid schedule, to let him know when Wellsville Wit absolutely needs the building. Mr. Wells suggested electing to use the honor system concerning the cleaning deposit and waive the rental fee since they are a non-profit club. Mr. Maughan suggested letting the staff know what the dedicated day is with the understanding that they may get bumped, and if they will not be using the building, to please let the office staff know. After discussion, Perry Maughan made a motion, seconded by Kaylene Ames, to approve Wellsville Wit to use the building on a dedicated day with the understanding that they may get bumped, and if they will not be using the building, to please let the office staff know.

YEA 4

Kaylene Ames
Gary Bates
Carl Leatham
Perry Maughan

NAY 0

Carl Leatham met with the City Council to discuss the option of name the Rodeo Arena after the Bailey, Mitton, and Bankhead families for all the work they performed in making the arena project move forward. Carl Leatham stated that he hinted at this last meeting. Mr. Leatham gave a history of the rodeo and those involved for all present. Mr. Leatham stated that these families stepped up. This is what builds a community. Mr. Leatham suggested naming the Rodeo Arena the BMB Arena as a way of saying thank you. Mayor Thomas G. Bailey stated that he has been in touch with Phil Bankhead, Kurt Mitton, and Rex Bailey. Mayor Bailey stated that all three individuals would rather have the arena stay as the Wellsville Arena. Gary Bates suggested that each family hang their brand without renaming the arena. Perry Maughan stated that he has no problem with each family brand hanging at the arena. Mr. Leatham stated that he will withdraw his original suggestion and move in the direction of hanging each family brand at the arena. After discussion, Carl Leatha made a motion, seconded by Perry Maughan, to leave the rodeo arena as the Wellsville Arena and suggest that these family hang their brand at the arena in a designated spot.

YEA 4

Kaylene Ames
Gary Bates
Carl Leatham
Perry Maughan

NAY 0

City Manager Scott Wells met with the City Council to discuss using the Ames family and Tom's Service as contractors for Wellsville City. Mayor Thomas G. Bailey stated that the City Council has reviewed a list of local contractors and Wellsville City needs to add two more names to the list to be approved. Perry Maughan stated that Wellsville City needs to find out if there is a cost threshold and what it is. Mayor Bailey stated that Wellsville City needs to keep and use local contractors. City Manager Scott Wells stated that he would like to add two more names to the list; Amy Wells and Joyce Wells. Gary Bates stated that he would like to add Becky Bates to the list. After discussion, Carl Leatham made a motion, seconded by Perry Maughan, to approve Wellsville City using the following local contractors: Ames family, Tom's Service, Amy Wells, Joyce Wells, and Becky Bates.

YEA 4

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Perry Maughan

City Manager Scott Wells met with the City Council to discuss Anna Poppleton's water overage on the bills for June, July, and August. City Manager Scott Wells stated that he included a copy of the bill in the packet. Mr. Wells stated that the overage has been consistent. Mr. Wells stated that there was an overage in June. Mr. Wells stated that Ms. Poppleton came into the office and he cut the bill in half. Mr. Wells stated that Wellsville City has two options. The first option is to write off the overage or to work again to cut the bill in half for Ms. Poppleton to pay it. Mr. Wells stated that Wellsville City has looked at the leak several times and believe that it is fixed. Perry Maughan stated that he has looked at the leak and has dealt with Ms. Poppleton. Mr. Maughan stated that he believes it is in the best interest of Wellsville City to cut the bill in half. Gary Bates stated that it took time to figure out the leak and it took time to fix the leak. Mr. Wells stated that after having several discussions with Ms. Poppleton, it took time to figure out where the leak was located. After discussion, Perry Maughan made a motion, seconded by Carl Leatham, to cut Anna Poppleton's overage bill in half. Ms. Poppleton will pay \$194.10 for the overage and Wellsville City will write off the rest.

YEA 4

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Perry Maughan

Department Reports:

Gary Bates – 1) Listed information on the city's Facebook page concerning the school ground property – received a lot of response for pickleball. City Manager Scott Wells stated that he has asked for a quote at the tennis courts to leave 1 tennis court, install a fence down the middle, and 3 pickleball courts. Mr. Bates stated that other comments were a year-around pavilion and a skate/BMX park. Mr. Bates stated that a committee would need to be formed to start looking for funding and he has received no volunteer and no calls. Mr. Bates recommends staying the course and installing a sprinkling system and grass as well as improving the playground and small garden spot.

2) 3 scouts from the Wellsville 11th Ward will be removing dead trees below Art Smith's property – no cost and will start right away.

3) Sewer – new revelation concerning not requiring resident to run the main sewer line for existing homes. Wellsville City is responsible for running the main sewer line and the resident is responsible for running the sewer lateral from their home. Perry Maughan suggested that the City Council research the sewer ordinance better. Carl Leatham asked that City Planner Jay Nielson review the sewer ordinance.

Perry Maughan – 1) White bottles – fill up and write name, address, and time on it – needs to be first draw of the morning – lead & copper test.

2) Roads are complete, and they look very good.

Mayor Thomas G. Bailey – 1) Secret sidewalk – Lynn Gunnell wanted to remove it to install a driveway, but it is in pretty good shape. The places where it is broken is where it has been driven over. Mayor Bailey thinks that the Gunnell's should have to replace it. Mayor Bailey asked that this item be added to a future City Council agenda.

Kaylene Ames – 1) Asked that the City Council members fill out the Founder's Day evaluation form
2) The Shade Tree & Beautification Committee met – will be pruning the Wellsville City Square along Main Street and 100 East – will then move into the cemetery.

City Manager/Recorder's Report:

Scott Wells – 1) Reviewed email received by Carol Nyman concerning development between 800 South and 900 South on the west side – concerned about weeds, dirt pile, and the sidewalk along 800 South is not level. Had a conversation with the developer concerning the sidewalk and he will be replacing about 70 feet of sidewalk. Now discussing Center Street sidewalk – reviewed design standards – didn't follow elevation of the road, but not in the code – thought it was an understood rule. Mowed weeds back to stop sign – use dirt pile to build up sidewalk along 900 South. Suggested that Mr. Wells write a letter to the developer that citizens have concerns.

2) Asked to check the liability insurance with City Attorney Miles Jensen concerning Wellsville Scout Troop. The name of the scout troop is the Wellsville Community Scout Troop. It is sponsored by the Wellsville Foundation. Mr. Jensen stated that if the 501c3 is active, meetings are held, minutes of the meetings are being taken, elections to the board, and it is functioning, that is the separation between Wellsville City and the Wellsville Foundation. The Wellsville Foundation can sponsor the Wellsville Community Scout Troop and Wellsville City has no liability issues.

3) Tennis courts – not committing, just looking at all the options – concerned with surface now.

4) League of Cities & Towns – seen cities participate as a group – want to commit and make this a priority. It is not budgeted for this year, but it will be in the future.

5) Sewer spill Tuesday morning – made from Maverik to Ike Christensen's property – clogged there and spewing out of the manhole – trying to meet with Maverik – working on it.

6) 400 North – COG money – construction drawings – rebuild bridge and road out to Tom's Service.

7) Storm drains in Red Slide Subdivision – need to be replaced this fall

8) Replace manholes and valve covers in Sterling Ridge Subdivision.

9) Working on the Hawbush – replace 24-inch line, going to a 48-inch line.

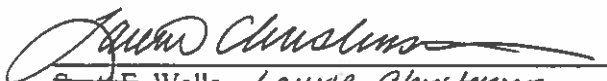
At 8:18 p.m., Carl Leatham made a motion, seconded by Perry Maughan, to adjourn the meeting.

YEA 4

Kaylene Ames
Gary Bates
Carl Leatham
Perry Maughan

NAY 0


Thomas G. Bailey
Mayor


Scott E. Wells
City Manager/Recorder