

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, October 16, 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 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 October 11, 2019. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present:

Jennifer Leishman
Dave Cable
Natalie Winqvist

Dylin Bowen
Denise Cable

Mamie Hammer
Cameron Winqvist

Opening Ceremony: Perry Maughan

The Council reviewed the agenda. Denise Lindsay made a motion, seconded by Perry Maughan, 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 October 2, 2019 regular City Council meeting. After discussion, Perry Maughan made a motion, seconded by Gary Bates, to approve the minutes of the October 2, 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, Kaylene Ames made a motion, seconded by Denise Lindsay, to approve the City's account payables bills for payment, represented by check number 23888 through 23929.

YEA 5

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay
Perry Maughan

There was no one in attendance for citizen input.

Beginning at 6:10 p.m., conduct the following public hearings:

First, the City Council shall receive public input, then consider the recommendation from the Planning Commission to adopt the City Code Title 10 entitled "Land Use Regulations" and to repeal Title 10 as it currently reads and adopt a new Title 10. City Manager Scott Wells stated that Wellsville City has been working on Title 10 "Land Use Regulations" for a couple of years. Mr. Wells stated that it needs to be adopted and as it is used, it can be fine-tuned. Mr. Wells stated that the Planning Commission has reviewed

it. The City Council has reviewed it. Title 10 "Land Use Regulations" needs to be adopted and move forward. Mayor Thomas G. Bailey stated that this was a public hearing. There was no comment.

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

Kaylene Ames asked if the new code Title 10 was on the website and in PDF form. City Manager Scott Wells stated that it will be in PDF from once it goes to Sterling Codifiers. City Planner Jay Nielson stated that the adopted version is on the website now. Mr. Wells stated that he will push it to Sterling Codifiers as soon as possible. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to **ADOPT CODE AMENDMENT 2019-04 adopting AN AMENDMENT REPEALING TITLE 10 IN ITS ENTIRITY AND ADOPTING THE NEW WELSLVILLE CITY CODE TITLE 10 "LAND USE REGULATIONS"**.

YEA 4

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay

NAY 1

Perry Maughan

Second, the City Council shall receive public input, then consider for possible adoption a resolution requesting the recertification of the Wellsville City Justice Court. City Manager Scott Wells stated that every four years, the Wellsville City Justice Court must be recertified. Mr. Wells stated that there is a punch list that must be completed and an affidavit from the Judge. Mr. Wells stated that a security plan must be submitted, and the City Attorney must approve that it is a viable court system. Mr. Wells stated that he did submit a security plan because the last security plan was submitted in 1999. A new security plan must be submitted if it has changed. Mayor Thomas G. Bailey stated that this is a public hearing. There was no comment.

At 6:19 p.m., the public hearing was closed.

Denise Lindsay stated that at one time there was talk that Mendon was going to combine with Wellsville City. Ms. Lindsay asked where Wellsville City was in this process. City Manager Scott Wells stated that Mendon opted to combine with Nibley, and Nibley and Hyrum just combined. Mr. Wells stated that if the Justice Court doesn't make money, then Wellsville City will need to review it. Mr. Wells stated that until then, he feels that Wellsville City should keep the Justice Court. Mr. Wells stated that the Justice Court will be going through an audit soon and it may tell other things. After discussion, Gary Bates made a motion, seconded by Carl Leatham, to approve **RESOLUTION 2019-11 A RESOLUTION REQUESTING THE RECERTIFICTION OF THE WELLSVILLE CITY JUSTICE COURT**.

YEA 5

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay
Perry Maughan

NAY 0

Dylin Bowen met with the City Council to discuss his Eagle Scout project of spreading bark chips at city parks. Dylin Bowen stated that he would like to refill the bark chips at 4 city parks. City Manager Scott Wells asked about materials and cost. Mr. Bowen stated that he would need 180 yards of playground bark chips at \$23 a yard. The total cost is \$4,140. Gary Bates stated that playground bark chips were spread at the city parks 3 years ago. The playground bark chips must be certified, hence the reason they are so expensive. Mr. Bates stated that most of the playground bark chips are gone. Kaylene Ames asked about weeding before spreading the playground bark chips. Mr. Bowen stated that he could work on it. Ms. Ames asked if Mr. Bowen has anyone helping him. Mr. Bowen stated that he wanted to have the project approved first. Denise Lindsay asked where Mr. Bowen was getting the playground bark chips from. Mr. Bowen stated he would be getting them from Miller's. Ms. Lindsay stated to let her know before he orders

them. Mr. Bates stated that local kids will be spreading the playground bark chips, but if it gets to be too much, the work-release inmates can help. Carl Leatham asked if delivery will be to one site. Ms. Lindsay stated that sometimes they deliver to multiple sites. Mr. Bates stated that in the past, they have used the City's backhoe to move the playground bark chips. Mr. Bates suggested having Mr. Bowen work through and set this project up through City Manager Scott Wells. After discussion, Gary Bates made a motion, seconded by Perry Maughan, to approve the Eagle Scout project for Dylin Bowen with the conditions that Wellsville City will authorize up to \$4,200 for the project, Mr. Bowen will coordinate the best price, and Mr. Bowen will arrange delivery and spreading of the playground bark chips.

YEA 5

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay
Perry Maughan

Mamie Hammer met with the City Council to discuss holding Youth Council elections at the City Offices on November 5, 2019 at 7:00 p.m. Mamie Hammer stated that she would like to hold Youth Council elections on November 5, 2019 at 7:00 p.m. so that the youth can get a feel for how elections work. Ms. Hammer stated that City Manager Scott Wells has offered to set up a couple of polling booths. Ms. Hammer stated that they have sent letters to each Junior at Mountain Crest and trying to send letters to each Junior at Ridgeline. The Wellsville City Youth Council will consist of a Mayor and 5 Councilmembers. Each candidate should come prepared with a 1-minute speech. Ms. Hammer stated that in the past, this has been held in June. However, Ms. Hammer read the charter and elections should be held in November. Ms. Hammer stated that she is anxious to get this up and going. Gary Bates stated that the past mayor usually conducts the meeting. Ms. Hammer stated that the past mayor is down at Dixie going to school. Ms. Hammer stated that they do have a temporary mayor, Julia Park, that will be there to conduct the meeting. Denise Lindsay stated that she also plans to attend. After discussion, Denise Lindsay made a motion, seconded by Carl Leatham, to allow the Wellsville City Youth Council to hold mock elections on November 5, 2019 at 7:00 p.m. at the Wellsville City Offices.

YEA 5

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay
Perry Maughan

Dave Cable and Cameron Winquist met with the City Council to discuss options of annexation for Tax ID #10-043-0001 and Tax ID #10-043-0025 located in southeast Wellsville. Cameron Winquist stated that he is acting as the relator. Mr. Winquist asked if there are ideas for these pieces of land and what would be allowed. Mr. Winquist stated that this is more of an informational meeting than anything. City Manager Scott Wells stated that he spoke with City Planner Jay Nielson concerning this issue. Mr. Wells stated that it creates a peninsula, which is not allowed. Mr. Wells stated that parcels 10-041-0017 and 10-041-0018 are needed. Carl Leatham stated that he doesn't understand why it would be considered a peninsula because it is contiguous. Mr. Wells stated that it has to do with the peninsula being less than 25% and this is between 18 and 19%. Several discussions were taking place. Mr. Wells stated that if these parcels are annexed, they will be required to connect to the sewer. Mr. Wells stated that due to the elevation, it may require pumping stations. Mayor Thomas G. Bailey stated that Wellsville City needs 99-foot right-of-way for a road. Mayor Bailey asked if there would be enough frontage. Mr. Leatham suggested a lot line adjustment to eliminate one tax identification number and the property would be all in one lot. Mr. Wells stated that the peninsula percentage has to deal with the square footage. There was more discussion held concerning the peninsula. Mr. Leatham stated that the advantages to Wellsville City would be to include the property in the road system, close loop, sewer system, and tie in the rest of the properties. Mr. Leatham stated that this is a plus for Wellsville City in so many ways. Many options were discussed. Mr. Wells asked City Planner Jay Nielson to explain the peninsula and how it was determined that it is not allowed.

City Planner Jay Nielson stated that it has been in affect for 25 days. Mr. Nielson stated that every annexation that has been completed has been done by the code. Mr. Nielson explained the parcel map. Mr. Nielson stated that there is a Utah code for annexations because the state doesn't want municipalities to create unincorporated peninsulas. The code states that it must be 25% of the distance or greater. Mr. Nielson stated that this is 19%, which doesn't meet the 25% requirement. Mr. Nielson stated that the annexation petition can't be certified because it doesn't meet the code. Mr. Leatham stated that it would be creating a county peninsula, not a city peninsula. Mr. Wells stated that if the frontage was wider, it would meet the 25% requirement. Mr. Nielson stated that a lot line adjustment would help this issue. After discussion, Gary Bates made a motion, seconded by Perry Maughan, to continue this discussion at a future City Council meeting.

YEA 5

NAY 0

Kaylene Ames

Gary Bates

Carl Leatham

Denise Lindsay

Perry Maughan

Department Reports:

Carl Leatham – 1) Weeks Fruit Stand – discussed conditions of use. City Manager Scott Wells stated that his folder is still sitting on his desk. Mr. Weeks has not returned to satisfy his end of the deal. Mr. Leatham stated that Mr. Weeks needs to tear down his building or Wellsville City will. Mr. Leatham asked about parking a trailer in that location. Mr. Wells stated he didn't remember. Mr. Leatham stated that there is a trailer parked there and Mr. Weeks is taking advantage like he did in the past. Mr. Wells stated that he will keep working on it.

Gary Bates – 1) Training for "Land Use" – Bob Lindley will become a councilperson, so there will be a new member of the Planning Commission.

2) Young Men are panicking to finish getting their Eagle with projects. The kayak dock was vetoed by the Wellsville Irrigation Company. City Manager Scott Wells stated that the Wellsville Irrigation Company would prefer no more recreation at the Wellsville Dam. Mayor Thomas G. Bailey stated that there needs to be a happy medium. Perry Maughan stated that the Wellsville Irrigation Company needs to be invited in. Gary Bates would like to set it up before he and Carl Leatham complete their terms.

3) Discussed installing a gate across the road at the old Wellsville Elementary school – can walk or ride a bike but can't pull a car in and park – all agreed.

Perry Maughan – 1) GPS – asked that this is put into the budget for water and sewer lines – would like to see Wellsville City move forward with this. Gary Bates suggested a civil engineering student needing an internship.

Denise Lindsay – 1) CVTD discussion – Perry Maughan stated that he let the ball drop but is picking it back up – would like CVTD to attend a Wellsville City Council meeting – will pursue it.

2) Wellsville City Youth Council – would still like to meet with City Councilmembers.

City Manager/Recorder's Report:

Scott Wells – 1) Discussed sewer and connections – feels that he didn't explain himself very well. Read the following codes: 8-3-2-D, 8-3-2, 8-3-7-F, 8-3-8-C-1, 8-3-8-C-2, 11-5-7-C-1, and 11-5-7-D. Asked that these codes be kept handy. Pioneering agreements will be set up and tracked through Wellsville City.

2) Asked that City Councilmembers begin writing down illegal apartments.

3) Hawbush culvert – replacing at 1280 S 200 E – working on it.

4) Replacing storm drains in the Red Slide Subdivision.

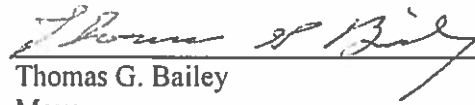
5) Green waste will go away on November 1, 2019.

At 7:46 p.m., Perry Maughan made a motion, seconded by Carl Leatham, to adjourn the meeting.

YEA 5

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay
Perry Maughan

NAY 0



Thomas G. Bailey
Mayor



Scot Wells
City Manager