

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, November 20, 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 November 15, 2019. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present:

Jennifer Leishman
Chris Breinholt

Brent Parker
Bob Lindley

Brian Carver
Chad Poulsen

Opening Ceremony: Mayor Thomas G. Bailey

The Council reviewed the agenda. City Manager Scott Wells stated that the public hearing will begin at 6:10 p.m., not 6:05 p.m. City Manager Scott Wells stated that Brian Carver is in attendance to discuss the Bear River Heritage Area. Lisa Duskin'Goede was unable to attend. Denise Lindsay made a motion, seconded by Perry Maughan, to approve the agenda with the changes.

YEA 5

NAY 0

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay
Perry Maughan

The Council reviewed the minutes of the November 6, 2019 regular City Council meeting. After discussion, Perry Maughan made a motion, seconded by Carl Leatham, to approve the minutes of the November 6, 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, Carl Leatham made a motion, seconded by Gary Bates, to approve the City's account payables bills for payment, represented by check number 24001 through 24030.

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 City Council shall receive public input with a recommendation from the Planning Commission, then consider for approval a request from Brent Parker to reduce the setback from 150 feet to 20 feet on parcel #11-091-0013 due to the size of the parcel as allowed by code. Brent Parker stated that this is a triangle-shaped parcel. Mr. Parker stated that businesses are going down the road because of the 150-foot setback. Mark Thompson is the purchaser of this property. Mayor Thomas G. Bailey stated that this is a public hearing. Mayor Bailey asked if there was any comment. There was none.

At 6:25 p.m., the public hearing was closed.

Carl Leatham stated that City Planner Jay Nielson issued a Staff Report to the Planning Commission concerning this issue. Mr. Leatham stated that he didn't know if anyone had read it yet. Mr. Leatham stated that one of the findings on the Staff Report was that the code allows the setback to be no less than 40 feet if the parcel is accessed from a lighted intersection. Mr. Leatham stated that the 150-foot setback consumes most of this parcel. Mr. Leatham read from Mr. Nielson's Staff Report. This parcel is approximately 4.2 acres. Mr. Leatham stated that if the setback is 40 feet, it leaves over 3 acres of property that is developable. This property is adjacent to the other properties owned by Mark Thompson that will be accessed from a light intersection. Mr. Leatham stated that this property qualifies for a reduction in the setback from 150 feet to 40 feet. Mr. Leatham stated that the 150-foot setback on this property is excessive. Mr. Leatham recommends reducing the setback to 40 feet. Mayor Thomas G. Bailey stated that a 40-foot setback is .82 acres. The requirement for open space on this parcel is .84 acres. Mayor Bailey asked if the setback could be open space. Mr. Leatham stated that he doesn't know if commercial area has an open space requirement. Mr. Leatham stated that there is a landscape requirement. Gary Bates stated that the Planning Commission recommended a 40-foot setback. However, tonight's discussion is concerning the difference between a 40-foot setback and a 20-foot setback. Bob Lindley stated that the Planning Commission denied the request from Mr. Parker because they didn't want to leave an open-ended 20-foot setback. Mr. Parker stated that the business that would like to occupy this property is a portable shed business. The owner is anxious to get here and needs highway frontage. Mayor Bailey stated that a 40-foot setback would still be visual on the highway. Mr. Parker stated that the owner will not come if he is stuck with a 40-foot setback. Kaylene Ames asked based on the previous conversations concerning the adjacent property, is Mr. Thompson comfortable with double landscaping. Mr. Parker stated yes. Perry Maughan stated that his concern is that there is no plan. Mr. Maughan stated that he would like to see what Mr. Thompson plans to do with the property. Mr. Parker stated that it is the City Council's call. Mr. Bates asked if this is approved as a 20-foot setback, does the setback follow the property or the business. Mr. Leatham stated that the setback goes with the property. Mr. Bates asked what conditions the Planning Commission set on the building. Mr. Leatham stated that the conditions are set by the City Council. Mr. Bates stated that he would hate to see streamers, colored flags, and car hoods opened, but fears that this is what Wellsville City is headed for. Mr. Leatham stated that there is a portable shed company in North Logan and Brigham City. Ms. Ames stated that there is no landscaping at either location. Mr. Leatham stated that it is the job of the City Council to protect the corridor of Cache Valley. Mr. Bates stated that he is still unclear concerning the 20-foot setback. Mr. Bates asked if it is approved, what conditions will be set. Mr. Bates asked if the project will go back to the Planning Commission for landscaping requirements and building location. Mayor Bailey stated that all commercial is by conditional use. Mr. Bates stated that the permanent structure must be set back so far as well as double landscaping. Mr. Leatham stated that the property is adjacent to property already owned by Mark Thompson. It is landlocked. Mr. Leatham stated that the exact conditions could be placed on this property that was placed on the other property owned by Mark Thompson. Mr. Maughan stated that he agrees with Mr. Leatham, but he would like to see a more detailed plan. Mr. Bates stated that if the City Council approves the 20-foot setback, it will never satisfy the Planning Commission. Mayor Bailey stated that reasonable conditions will be placed on the business. Mr. Leatham stated that the City Council sets the code and the Planning Commission enforces the code. Mr. Bates stated that he would like to see a nice, permanent office for this business. Mr. Leatham stated that at other portable shed businesses, the owner uses one of the sheds as an office. After discussion, Carl Leatham made a motion, seconded by Perry Maughan, to continue this discussion at a future City Council meeting, to review the minutes concerning the adjacent property before this issue is returned to the Planning Commission by the next City Council meeting.

YEA 5

Kaylene Ames
Gary Bates
Carl Leatham
Denise Lindsay
Perry Maughan

NAY 0

At 6:57 p.m., Councilman Gary Bates left the meeting.

Brian Carver representing the Bear River Heritage Area met with the City Council to discuss the Bear River Heritage Area. Mr. Carver handed out a packet of papers and 3 pamphlets to the City Council, as well as those in the audience. Mr. Carver stated that the Bear River Heritage Area began in 2000. Its purpose is to explore ways to tell stories about the area. It educates people on the culture of the area. They are working with Congressman Rob Bishop. They are also working with the National Heritage Area Program. Mr. Carver stated that as part of the packet, there is an example of a resolution that they are asking the cities to sign to endorse their efforts. Mayor Thomas G. Bailey thanked Mr. Carver for attending this meeting. Mayor Bailey asked that City Manager Scott Wells add this item to a future City Council agenda.

City Engineer Chris Breinholt met with the City Council to discuss utility easements for back and side yards for new development. Mr. Breinholt handed out a sheet of paper. It was information that he found in the Wellsville City code regarding utility easements along lot lines. In the past, Wellsville City has required utility easements along the front, side, and rear property lines. Mr. Breinholt stated that utilities are usually run in the front yards. Mr. Breinholt stated that he has been doing this for 20 years and has never used a utility easement in the side or rear yards. Mr. Breinholt stated that if it is needed, the city would dedicate an easement in the side or rear yard. Mr. Breinholt suggested that Wellsville City remove the requirement for utility easements along the side and rear yards. Perry Maughan stated that he agrees with Mr. Breinholt. Mayor Thomas G. Bailey asked if there was any objection from the City Council. Carl Leatham suggested that City Planner Jay Nielson help write an ordinance. After discussion, Carl Leatham made a motion, seconded by Perry Maughan, to take City Engineer Chris Breinholt's suggestion under advisement, to have City Planner Jay Nielson draw up an ordinance that would stipulate that Wellsville City resend the code requiring side and rear yard utility easements, but reserve the right to have specific easements, such as water and sewer.

YEA 4

NAY 0

Kaylene Ames
Carl Leatham
Denise Lindsay
Perry Maughan

City Manager Scott Wells met with the City Council to discuss Wellsville City first quarter financial statements. Mr. Wells reviewed each month, July, August, and September with the City Council. Mr. Wells stated that Wellsville City is in good financial shape. Mr. Wells stated that he is finishing up the audit and the auditors will tell the City Council that Wellsville City is in good financial shape as well. Mayor Thomas G. Bailey thanked Mr. Wells for his work.

Department Reports:

Kaylene Ames – 1) Removing insulation from the Wellsville Community Center – will begin work reinforcing the beams December 1, 2019.
2) Enjoyed Cache Summit.
3) Replaced 2 dead trees at the Wellsville Dam Park and planted 2 new trees.

Denise Lindsay – 1) Enjoyed Cache Summit – very educational – interesting to see the growth.

City Manager/Record's Report:

Scott Wells – 1) Handed out email concerning new Wellsville City Scout Troup – will be putting this information in the newsletter. Wellsville City allows them to use the Wellsville City Offices free of charge, so he feels that Wellsville City needs to support them where we can.
2) 2020 Elected Officials Training – December 14 in North Salt Lake or January 4 in Logan – this is for newly elected officials, but anyone can attend and participate and be educated.
3) Made last fire truck payment today – fire chief and ems will be attending a future City Council meeting to discuss continuing the \$3 fee – think it is needed.

- 4) Week of November 25 – green waste is going away. Will be moving the metal bin out onto 500 North along the cemetery – it is temporary.
- 5) Getting jackets for City Council/Planning Commission/employees for Christmas – soft shell wit inside fleece – charcoal grey – need to know men's or women's and sizes.
- 6) Christmas Party – December 10, 2019 – Legacy Loft.
- 7) Sidewalks – working on 2 different areas where the sidewalk has been damaged.
- 8) Wants to replace the sidewalk and 2 entrance ramps in front of the old Public Works building.

At 7:51 p.m., Carl Leatham made a motion, seconded by Denise Lindsay, to adjourn the meeting.

YEA 4

Kaylene Ames
Carl Leatham
Denise Lindsay
Perry Maughan

NAY 0



Thomas G. Bailey
Mayor



Scott Wells
City Manager