

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, November 4, 2020, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilmen Bob Lindley, Perry Maughan, and Chad Poulsen. City Manager/Recorder 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 October 30, 2020. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

<u>Others Present:</u>	Jennifer Leishman	Brian Tarbert	Daniel Tarbert
	Patrick McCormick	Sterling Bone	Grayson Bone
	Alison Fannesbeck	Benjamin Fannesbeck	Davis Cooper
	Hyrum Hammer	Joseph Hammer	Amy Putnam
	Tatum Putnam		

Opening Ceremony: Joseph Hammer & Daniel Tarbert

Councilwoman Denise Lindsay was excused from this meeting.

The Council reviewed the agenda. Bob Lindley made a motion, seconded by Chad Poulsen, to approve the agenda as presented.

<u>YEA 3</u>	<u>NAY 0</u>
Bob Lindley	
Perry Maughan	
Chad Poulsen	

The Council reviewed the minutes of the October 21, 2020 regular City Council meeting. Perry Maughan made a motion, seconded by Bob Lindley, to approve the minutes of the October 21, 2020 regular City Council meeting as presented.

<u>YEA 3</u>	<u>NAY 0</u>
Bob Lindley	
Perry Maughan	
Chad Poulsen	

City Councilwoman Kaylene Ames arrived at the meeting at 6:06 p.m.

Payroll is approved through the budget, therefore, the checks approved in the City Council minutes are not 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, Chad Poulsen made a motion, seconded by Bob Lindley, to approve the City's account payables bills for payment, represented by check number 25129 through 25150.

<u>YEA 4</u>	<u>NAY 0</u>
Kaylene Ames	
Bob Lindley	
Perry Maughan	
Chad Poulsen	

City Councilwoman Kaylene Ames stated that Troop 21 from the Boy Scouts of America is attending this meeting tonight and working on their citizenship merit badge. Ms. Ames asked if the City Councilmembers would take a few minutes and introduce themselves and what areas they help Wellsville City with. City Manager Scott Wells, City Councilman Chad Poulsen, Mayor Thomas G. Bailey, City Councilwoman Kaylene Ames, City Councilman Bob Lindley, and City Councilman Perry Maughan introduced themselves and reviewed the areas that they are responsible for within Wellsville City.

Amy Putnam met with the City Council for a business license. Amy Putnam stated that she has a microblading business in her home. Ms. Putnam stated that she paid for a Level 2 "Home Occupation", but the business is really a Level 1 "Home Occupation". Mayor Thomas G. Bailey asked if the Planning Commission had any comments. Chad Poulsen stated that he arrived late to the Planning Commission meeting and asked City Manager Scott Wells to address this issue. City Manager Scott Wells stated that this business is a semi-permanent make-up and eyebrow business. Mr. Wells stated that the Planning Commission had no issues with the business. Bob Lindley asked what the differences were between the Level 1 "Home Occupation" and the Level 2 "Home Occupation". Mr. Wells stated that the Level 1 "Home Occupation" allows for 1 vehicle in the driveway and 25% of the lot can be used for the business. The Level 2 "Home Occupation" allows for 2 cars, which have to be parked off of the City's right-of-way. Mr. Wells stated that a Level 1 "Home Occupation" doesn't require a public hearing. With the Level 2 "Home Occupation", there is a \$100 application fee plus \$5 for every letter that is sent to a residence within 300 feet of the home where the business will occur. The purpose of the home occupation is to fit in with the neighborhood without any disruption. Chad Poulsen asked where Ms. Putnam is conducting her business now. Ms. Putnam stated that she has a room in her home where she will conduct the business. After discussion, Chad Poulsen made a motion, seconded by Kaylene Ames, to approve the business license for Amy Putnam.

YEA 4

NAY 0

Kaylene Ames
Bob Lindley
Perry Maughan
Chad Poulsen

The City Council, with a recommendation from the Planning Commission, consider for possible approval of the annexation petition files by Paul L. & Kindra J. Freed, and Kent Dunkley, 23.06 acres more or less of real property, located at approximately 1000 South 200 East. City Manager Scott Wells stated that Wellsville City asked Paul Freed, Kindra Freed, and Kent Dunkley to sign an annexation petition. Mr. Wells stated that the annexation petition has three main parts. They are: transfer the water to Wellsville City, run the sewer to the far end of their property, and run the water to the far end of their property. Mr. Wells stated that the annexation petition has been signed. Mr. Wells stated that there is no more discussion because Wellsville City already agreed to it. Mr. Wells stated that Wellsville City asked that these three parts be added to the annexation petition instead of the subdivision agreement. Perry Maughan stated that Mr. Freed is going to run the main sewer line. Mr. Maughan stated that there are eight lots. Mr. Maughan asked if Mr. Freed will be responsible to run the sewer to all 8 lots or will the people that purchase the lots be required to run the sewer. Mr. Wells stated that Mr. Freed will stub the sewer to all 8 lots. Mr. Maughan asked if Wellsville City will be reimbursed for the casing. Mr. Wells stated no. Bob Lindley asked if Wellsville City will charge Mr. Freed for the casing. Mr. Wells stated no because the casing is being used for what it was installed for. Mr. Lindley asked if the casing is large enough to accommodate the sewer line. Mr. Wells stated yes. Mayor Thomas G. Bailey asked if the Planning Commission had any issues. Mr. Wells stated that he had to explain the annexation petition to the Planning Commission and they had no issues with it. After discussion, Bob Lindley made a motion, seconded by Kaylene Ames, to approve the annexation petition files by Paul L. & Kindra J. Freed, and Kent Dunkley, 23.06 acres more or less of real property, located at approximately 1000 South 200 East.

YEA 4

NAY 0

Kaylene Ames
Bob Lindley
Perry Maughan
Chad Poulsen

The City Council, with a recommendation from the Planning Commission, consider for possible approval code amendment 2020-05, of the annexation petition filed by Paul L. & Kindra J. Freed, and Kent Dunkley, 23.06 acres more or less real property located at approximately 1000 South 200 East. City Manager Scott Wells stated that this code amendment was advertised as 2020-04. However, during that time, Wellsville City has passed code amendment 2020-04, so now this code amendment is 2020-05. Mr. Wells stated that

the annexation agreement has been accepted and the code amendment needs to be approved and signed. Mayor Thomas G. Bailey asked if the Planning Commission had any issues. Mr. Wells stated that the Planning Commission had no issues. Chad Poulsen asked if Mr. Freed had met with the neighbors about the 2 feet of property that has been discussed at previous City Council meetings. Mr. Wells stated that Wellsville City shouldn't get involved with that issue because it has nothing to do with the annexation. Perry Maughan stated that Wellsville City shouldn't get involved with the citizens and two feet of property. Mr. Poulsen stated that Mr. Freed stated that he would take care of the two feet of property and Mr. Poulsen is asking if it has been taken care of. Mr. Wells stated that it isn't any issue for Wellsville City. After discussion, Perry Maughan made a motion, seconded by Kaylene Ames, to adopt **CODE AMENDMENT 2020-05 AN AMENDMENT OF THE ANNEXATION PETITION FILED BY PAUL L. & KINDRA J. FREED, AND KENT DUNKLEY, 23.06 ACRES MORE OR LESS REAL PROPERTY, LOCATED AT APPROXIMATELY 1000 SOUTH 200 EAST.**

YEA 4

NAY 0

Kaylene Ames
Bob Lindley
Perry Maughan
Chad Poulsen

City Manager Scott Wells met with the City Council to discuss Wellsville City first quarter financial statements for August. City Manager Scott Wells reviewed the first quarter financial statements for August 2020. Mr. Wells stated that all of the funds for Wellsville City are in good shape. Mr. Wells reviewed the accounts with the City Council. After discussion, Bob Lindley made a motion, seconded by Chad Poulsen, to approve the first quarter financial statements for August 2020.

YEA 4

NAY 0

Kaylene Ames
Bob Lindley
Perry Maughan
Chad Poulsen

Department Reports:

Chad Poulsen – 1) Question about AirBnB in Wellsville City – people asked in the past, was told no, and did it anyway. The State's position is that it is allowed unless a city passes a code stating that it isn't allowed. City Manager Scott Wells believes there are two AirBnB's in Wellsville. Bob Lindley asked if those citizens operating an AirBnB are required to have a business license, pay fees, and abide by regulation. Mr. Wells stated that the main issue is the disruption to the neighborhood. Chad Poulsen asked if Wellsville City should be getting any revenue for these AirBnB's. Perry Maughan stated that this issue needs to be reviewed very carefully.

Mayor Thomas G. Bailey – 1) Thanked Perry Maughan for his service on the City Council and the past 40 years for Wellsville City.

Kaylene Ames – 1) Thanked Perry Maughan for greeting her when she first moved to Wellsville in such a pleasant way.

2) Thanked Troop 21 for attending tonight – will hold a zoom meeting next week – more information will follow.

Bob Lindley – 1) Asked that Perry Maughan still wave to him as he drives by.

City Manager/Recorder's Report:

Scott Wells -- 1) Wellsville Wit -- use City Offices on Friday nights from 5:30 to 8:00 -- understand can be bumped if necessary -- call the front office to get on the calendar. Must abide by the current rules: 10 people or less, social distance, wear a mask, and sanitize after using the building.

2) Cares Act -- still working on it -- approximately \$300,000 to spend.

3) Metal bin being moved down by the cemetery.

4) Cache Summit -- Thursday, November 12, 2020 -- 100% of it will be on zoom.

At 7:08 p.m., Perry Maughan made a motion, seconded by Bob Lindley, to adjourn the meeting.

YEA 4

Kaylene Ames

Bob Lindley

Perry Maughan

Chad Poulsen

NAY 0


Thomas G. Bailey
Mayor


Scott E. Wells
City Manager/Recorder