

MINUTES of the regular **City Council** meeting of Wellsville City held **Wednesday, June 16, 2021**, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilwomen Kaylene Ames and Denise Lindsay, Councilmen Bob Lindley, Chad Poulsen and Austin Wood. Also present was City Manager Scott Wells. A copy of the Notice and Agenda was mailed to the Mayor and Council members and emailed and faxed to the Herald Journal on June 11, 2021. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present:

Tracy Bodrero
Chase Griffin

Chris Brady
Megan Petersen

Ashland Griffin

Opening Ceremony: Chad Poulsen

City Planner Jay Nielson was excused from this meeting.

The Council reviewed the agenda. **Chad Poulsen made a motion, seconded by Austin Wood, to approve the agenda as presented.**

YEA 5

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

NAY 0

The Council reviewed the minutes of the June 02, 2021 regular City Council meeting. **Chad Poulsen made a motion, seconded by Bob Lindley, to approve the minutes of the June 02, 2021 regular City Council meeting as presented.**

YEA 5

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

NAY 0

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, **Denise Lindsay made a motion, seconded by Kaylene Ames, to approve the City's account payables bills for payment, represented by check number 25891 through 25923.**

YEA 5

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

NAY 0

Mayor Thomas G. Bailey opened the meeting for citizen input. Chris Brady met with the City Council to discuss his city utility bill. Mr. Brady stated he had a stop/waste valve break last month. His city water bill is \$502.00. Mr. Brady asked if the City was willing to work with him on that overage. City Manager Scott Wells stated that after verifying the repair has been made, the City's standard is to cut the overage fee in half. Mr. Brady will email pictures of the repair to Mr. Wells and visit the City Office to follow up on his bill.

Beginning at 6:10 p.m., a public hearing was held for the City Council to receive public input, then consider for possible adoption Resolution 2021-09, a resolution opening the 2020/2021 fiscal year General Fund, Capital Projects Fund, Water Fund, Sewer Fund, and Storm Water Fund, both Operating and Capital budgets previously adopted, to make transfers and adjustments and authorize certain interdepartmental transfers within. Mayor Thomas G. Bailey stated that this was a public hearing and asked if there were any comments. There were none. **Bob Lindley made a motion, seconded by Chad Poulsen, to close the public hearing.** At 6:07 p.m., the public hearing was closed.

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

Mayor Bailey then asked the City Council if they had any questions or comments. There were none. **Chad Poulsen made a motion, seconded by Austin Wood, to adopt Resolution 2021-09 to open the 2020/2021 fiscal year General Fund, Capital Projects Fund, Water Fund, Sewer Fund, and Storm Water Fund, both Operating and Capital budgets previously adopted, to make transfers and adjustments and authorize certain interdepartmental transfers within.**

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

Second, the City Council shall receive public input, then consider for possible adoption Resolution 2021-10, a resolution establishing the salary and salary ranges and benefits for the employees of Wellsville City, covering the fiscal budget year July 1, 2021 through June 30, 2022. Mayor Thomas G. Bailey stated that this was a public hearing and asked if there were any comments. There were none. **Austin Wood made a motion, seconded by Bob Lindley, to close the public hearing.** At 6:10 p.m., the public hearing was closed.

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

Mayor Bailey then asked the City Council if they had any questions or comments. Austin Wood asked if there were any changes from last year. City Manager Scott Wells stated that the four percent (4%) increase in employee salaries was a one percent (1%) increase from last year. Medical and dental insurance for employees has changed. The City will now cover ninety five percent (95%) of the premium, with employees paying five percent (5%). In the past, life insurance has only been offered to employee; it will now also be available to qualifying dependents. There were no other questions. **Bob Lindley made a motion, seconded by Austin Wood, to adopt Resolution 2021-10, to establish the salary and salary ranges and benefits for the employees of Wellsville City, covering the fiscal budget year July 01, 2021 through June 30, 2022.**

YEA 4

Kaylene Ames
Bob Lindley
Chad Poulsen
Austin Wood

NAY 0

ABSTAIN 1

Denise Lindsay

Third, the City Council shall receive public input, then consider for possible adoption Resolution 2021-06, an amendment of the Wellsville City Code for the purpose of setting salaries and benefits for the elected and statutory officers for fiscal year July 01, 2021 through June 30, 2022. Mayor Thomas G. Bailey stated this is a public hearing and asked if there was any comment. There were none. **Chad Poulsen made a motion, seconded by Bob Lindley, to close the public hearing.** At 6:15 p.m., the public hearing was closed.

YEA 5

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

NAY 0

Mayor Bailey then asked the City Council if they had any questions or comments. There were no questions. **Austin Wood made a motion, seconded by Bob Lindley, to adopt Resolution 2021-06, an amendment of the Wellsville City Code, for the purpose of setting salaries and benefits for the elected and statutory officers for fiscal year July 01, 2021 through June 30, 2022.**

YEA 5

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

NAY 0

Fourth, the City Council shall receive public input, then consider for possible adoption Resolution 2021-11, a resolution approving and adopting the fiscal 2021/2022 Operating and Capital budgets for Wellsville City's General Fund, Capital Projects Fund, Water Fund, Sewer Fund, and Storm Water Fund. Mayor Thomas G. Bailey stated this was a public hearing and asked if there were any comments. There were none. **Denise Lindsay made a motion, seconded by Chad Poulsen, to close the public hearing.** At 6:19 p.m., the public hearing was closed.

YEA 5

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

NAY 0

Mayor Bailey then asked the City Council if they had any questions or comments. Denise Lindsay asked about the budget for road construction. City Manager Scott Wells answered that the amount the City is anticipating receiving for road construction is approximately three million dollars, which includes a grant for the 400 North road project. Normally the road construction budget is closer to one million dollars. Austin Wood asked about the *fee in lieu* section under Tax Revenue. Denise Lindsay explained that money is allotted back to Wellsville City from the County Assessor for vehicle registrations. Bob Lindley asked concerning the *sales tax* section under Tax Revenue. Mr. Wells answered that money comes from local businesses as well as state sales tax on online purchases. **Denise Lindsay made a motion, seconded by Chad Poulsen, to adopt Resolution 2021-11, approving and adopting the fiscal 2021/2022 Operating Capital budgets for Wellsville City's General Fund, Capital Projects Fund, Water Fund, Sewer Fund, and Storm Water Fund.**

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

Fifth, the City Council shall receive public input, then consider for possible adoption Resolution 2021-12, a resolution setting the fee in lieu for water dedication transferred to the city upon annexation, development and/or subdividing at \$4,500 per acre foot for the City's fiscal 2021/2022 year. Mayor Thomas G. Bailey stated this was a public hearing and asked if there were any comments. There were none. **Denise Lindsay made a motion, seconded by Kaylene Ames, to close the public hearing.** At 6:26 p.m., the public hearing was closed.

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

Mayor Bailey then asked if the City Council had any questions or comments. City Manager Scott Wells stated \$4,500 has been the amount charged per acre-foot of water for several years now. Mayor Bailey stated that Wellsville City requires three acre-feet of water per buildable acre. He also mentioned that shares from the Wellsville/Mendon Canal Company cannot be used towards this payment because that water cannot be used as culinary water. However, canal water can count towards secondary water required for subdivisions. Mr. Wells stated that irrigation companies should be included in conversations regarding plans for future development. **Bob Lindley made a motion, seconded by Chad Poulsen, to adopt Resolution 2021-12, setting the fee in lieu for water dedication transferred to the City upon annexation, development and/or subdividing at \$4,500.00 per acre foot for the City's fiscal 2021/2022 year.**

Sixth, the City Council shall receive public input, then consider for approval Resolution 2021-13, an amendment to the Wellsville City Employee Handbook and Guideline. Mayor Thomas G. Bailey stated this was a public hearing and asked if there were any comments. There were none. **Austin Wood made a motion, seconded by Chad Poulsen, to close the public hearing.** At 6:35 p.m., the public hearing was closed.

Mayor Bailey then asked if the City Council had any questions or comments. City Manager Scott Wells stated that this amendment places a monthly insurance cap for medical and dental insurance premiums to be paid by the City at a maximum of 95% of the monthly insurance premium. **Austin Wood made a motion, seconded by Chad Poulsen, to adopt Resolution 2021-13, amending the Wellsville City Employee Handbook and Guideline.**

YEA 4

NAY 0

ABSTAIN 1

Kaylene Ames
Bob Lindley
Chad Poulsen
Austin Wood

Denise Lindsay

Chase Griffin met with the City Council to present the preliminary plat for the Von Mitton Subdivision consisting of two lots, located at approximately 287 South 100 East, Tax Id. #10-028-0001. Mr. Griffin stated that directions given by the City Engineer have been followed; house and shed structures have been demolished, foundations filled in and graded, with new water and sewer lines installed. Sidewalk

extensions and yellow grates are still needed in the Southeast corner of Lot 4. Chad Poulsen stated that the Planning Commission approved the preliminary plat, with concern regarding the remaining garage on Lot 4. The garage is non-conforming on the south and west property lines. City Manager Scott Wells said that he and City Planner Jay Nielson determined the garage is a "legally existing non-conforming" structure. Lot 2 was subdivided in 2003 and the garage was determined to be "legally existing non-conforming" at that time. Mr. Wells stated that the City Code allows legally existing non-conforming structures as long as the footprint of the structure does not change. The non-conformity cannot be expanded. Mr. Poulsen pointed out that the "*PUE (public utility easement) should only be shown along the front of the lots*" note should be removed from the plat. **Chad Poulsen made a motion, seconded by Austin Wood, to approve the preliminary plat for the Von Mitton Subdivision consisting of two lots, located at approximately 287 South 100 East, Tax Id. #10-028-0001.**

YEA 5

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

NAY 0

The City Council then discussed for approval City firework restrictions for 2021. The Council expressed increased concern regarding fireworks this year due to severe drought conditions. Fireworks have been restricted outside of 200 West and 900 South for several years. Residents outside that boundary have been permitted to light fireworks at City parks and on the City Square. Due to water conservation on City parks and the City Square, City Manager Scott Wells stated the grass is dry and dormant enough to present a fire hazard. Mr. Wells suggested restricting fireworks outside of 200 West and 900 South, as well as City parks and the City Square. He would like to list the firework restrictions on the City webpage, City social media, and text messages to residents, as well as generally discouraging fireworks. Residents should be reminded they are personally liable for fireworks they light, and that tickets and financial restitution will be enforced if the fire department must respond to an incident. Austin Wood recommended conducting a risk assessment with the City Fire Chief. Mr. Wells reminded the Council that due to time constraints the decision must be made at this meeting. Chad Poulsen suggested restricting all aerial fireworks. Mayor Thomas G. Bailey indicated restricting all aerial fireworks may lead to enforcement difficulties. Mr. Poulsen also suggested restricting fireworks to a single day, rather than the typical two days before and two days after the holiday. Kaylene Ames stated that would be difficult due to various municipal celebrations held each day of the holiday weekend. After discussion **Austin Wood made a motion, seconded by Kaylene Ames, to restrict fireworks outside of 200 West and 900 South, as well as within City parks and the City Square due to extreme drought conditions.**

YEA 4

Kaylene Ames
Bob Lindley
Denise Lindsay
Austin Wood

NAY 1

Chad Poulsen

Mayor Thomas G. Bailey then opened the discussion on updating or modifying the cemetery rules and regulations. Bob Lindley stated he was working on a write up for cemetery changes and they would need to discuss it at a later meeting. City Manager Scott Wells suggested including any future cemetery rules and regulation changes in the City newsletter. **Bob Lindley made a motion, seconded by Chad Poulsen, to continue discussing updating or modifying the Cemetery rules and regulations at a later meeting.**

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

Next, the City Council discussed culinary and secondary water restrictions and notification processes. City Manager Scott Wells stated that there is a water leak at Mark Thompson's property at the mouth of Wellsville Canyon. 4.2% of the water flow is diverted to Mr. Thompson, allowing him twenty gallons of water per minute. Due to the current leak, fifty to sixty gallons per minute are sent to Mr. Thompson to ensure they get their allotted twenty gallons per minute. Mr. Wells said that leak was scheduled to be fixed the next morning. The City contracted Brad Murray for his expertise to fix this leak. Mr. Wells stated the City water levels are recovering at this time. He suggested that if any other water constraints were implemented that daytime watering (ex. 10 a.m. to 7 p.m.) should be restricted, including irrigation of City property. Local irrigation companies would like to include water conservation information in the City newsletter. Irrigation companies also want to include Wellsville City in a violation book. Irrigation violators receive a warning the first time and are ticketed for subsequent violations. Mayor Thomas G. Bailey suggested a written warning issued to culinary water violators. The Council also discussed the possible future need to call emergency meetings on culinary water shortages. Mayor Bailey mentioned the option to give Mr. Wells temporary authority to make water shortage decisions until the City Council met again. **Chad Poulsen made a motion, seconded by Bob Lindley, to continue the discussion on water restrictions as the drought progresses, continue current water restrictions, allow local irrigation companies to include water conservation information in the City newsletter, and add Wellsville City to the irrigation violation book.**

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

Department Reports:

Denise Lindsay-

- 1) No business or concerns at this time.

Chad Poulsen-

- 1) Gave a positive assessment of the affordable housing seminar.

Kaylene Ames-

- 1) Cache County will be conducting a ribbon cutting ceremony at the Murray trailhead July 01, 2021 at 9 a.m. City Council should be represented.
- 2) The actual number of parades in Cache County is sixteen.
- 3) Offered assistance to those needing help with the Founders' Day celebration.

Bob Lindley-

- 1) Baseball season is coming to an end.
- 2) Youth fishing derby at Wellsville Dam was a success.

Austin Wood-

- 1) Discussion amongst Council regarding interdepartmental budgets.

City Manager/Recorder's Report:

- 1) 'No dogs allowed' sign to be placed in the cemetery per Wellsville City Code 07-03-18.

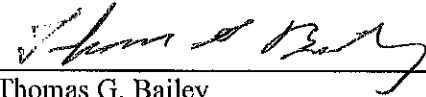
- 2) Truth in Taxation public hearing is scheduled for August 03, 2021 at 6:00 p.m. Tax increase is in response to a new City property evaluation, assessed home values have increased thirty percent (30%). Wellsville City must hold the current rate for the upcoming year. Denise Lindsay will give a short educational presentation at the beginning of the meeting for City residents.
- 3) City Elections- one person applied for Mayor, two applied for City Council. If no one nominates a write-in candidate, the August 31, 2021 election will be canceled.
- 4) Firework restrictions will be determined on a year-to-year basis by moisture content.
- 5) The City Office will be closed Friday, July 02, 2021 through Monday, July 04, 2021.

At 7:52 p.m., **Bob Lindley made a motion, seconded by Denise Lindsay, to adjourn the meeting.**

YEA 5

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

NAY 0



Thomas G. Bailey
Mayor



Scott Wells
City Manager