

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, December 1, 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. City Manager Scott Wells and City Engineer Chris Breinholt 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 November 29, 2021. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

<u>Others Present:</u>	Jennifer Leishman	Linda Wursten	Glenn Ames
	Ruth Boehme	Paul Freed	Steve Earl
	Kirt Lindley	Paul Cooper	Deb McBride
	Travis McBride	Jenafer Stuart	Kent Dunkley
	Marilyn Maughan	Brok Nelson	Clark Stuart

Opening Ceremony: Austin Wood

The Council reviewed the agenda. City Manager Scott Wells stated that item #9 must go to the Planning Commission first. Chad Poulsen made a motion, seconded by Bob Lindley, to approve the agenda with the change.

<u>YEA 5</u>	<u>NAY 0</u>
Kaylene Ames	
Bob Lindley	
Denise Lindsay	
Chad Poulsen	
Austin Wood	

The Council reviewed the minutes of the November 17, 2021 regular City Council meeting. Kaylene Ames made a motion, seconded by Denise Lindsay, to approve the minutes of the November 17, 2021 regular City Council meeting as presented.

<u>YEA 5</u>	<u>NAY 0</u>
Kaylene Ames	
Bob Lindley	
Denise Lindsay	
Chad Poulsen	
Austin Wood	

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, Bob Lindley made a motion, seconded by Kaylene Ames, to approve the City's account payables bills for payment, represented by check number 26437 through 26470.

<u>YEA 5</u>	<u>NAY 0</u>
Kaylene Ames	
Bob Lindley	
Denise Lindsay	
Chad Poulsen	
Austin Wood	

Linda Wursten thanked the Mayor, City Council, and City Manager for the Christmas lights along Main Street and in the City Square.

Glenn Ames asked the City Council to vote no on the Sherwood Hills plan. There are several red flags concerning this project, including water, sewer, City Spring recharge area, cost projects are underestimated and storm water runoff. Mr. Ames stated that this project is in no one's best interest.

Ruth Boehme stated that she heard that the Murray Farm property was under contract. She would like to stay ahead so it is not too late. She does not want a subdivision behind her home. Mayor Thomas G. Bailey stated that he had no idea that the property was under contract, let alone up for sale again. Mayor Bailey stated that Ms. Boehme needs to call City Manager Scott Wells to be added to a future agenda. Mayor Bailey stated that if there is a development on the property, there will be public hearings concerning the project.

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

The City Council shall receive public input, then along with the recommendation from the Planning Commission consider for possible approval of the Preliminary Plan for the Creekside Meadows Subdivision consisting of 18 lots total, located at approximately 1100 South 200 East, Tax ID #10-043-0007. Paul Freed stated that he is requesting Preliminary Plat approval for the Creekside Meadows Subdivision consisting of 18 lots. The smallest lot is $\frac{3}{4}$ acre with the largest lot being $2\frac{1}{2}$ acres. The plat was submitted to City Engineer Chris Breinholt who returned it with several yellow box requirements. Mr. Freed stated that he and his engineer will meet all of the requirements that have been requested. Mayor Thomas G. Bailey stated that this is a public hearing and asked if there was any comment from the public. Kent Dunkley stated that he owns property to the east and south of the proposed 400 East. This project incorporated access to his property, which he gave up in order to use the main road. Mr. Dunkley is concerned that he will not have access from the hammerhead to his property. City Manager Scott Wells stated that it is a city right-of-way, so there is no need for an easement. Mr. Dunkley asked if the access to his property would be restricted. Mr. Wells stated no. Mayor Thomas G. Bailey stated that the road will not be oil, but more of a farm access.

At 6:18 p.m., the public hearing was closed.

Denise Lindsay asked about the sewer issue, when was it changed, and what was the final decision. City Manager Scott Wells stated that there has been a discussion with the canal company, but an application or a permit has not been approved yet. The sewer will be installed as it shows on the Preliminary Plat. Paul Freed stated that the sewer is a big known right now. He was hoping to have the sleeve under Highway 89/91 dug up and measured for the correct depth, but it has not happened yet. Mr. Freed stated that right now the Preliminary Plat shows the sewer line going through Dave Cable's property. Mr. Freed stated that he would bring the sewer line in on the Final Plat. Mayor Thomas G. Bailey stated that it has been his experience with the canal company to stay far enough away so that no harm is done to the canal. Steve Earl stated that there is a 50-foot strip that will include a 20-foot maintenance road. Mr. Earl stated that the sewer line will be located approximately 30 feet from the canal. Mayor Bailey stated that the sewer line will be on the Cable's property and not on the canal company's property. Mr. Earl stated correct. Chad Poulsen asked what the purpose of the sewer line is in the middle of the property instead of along 200 East. Mr. Earl stated that having in the middle of the property gives it a more gravity-fed sewer line. Mr. Poulsen asked when maintenance is required on the sewer line, will it be private property. Mr. Earl stated that along 200 East and 320 East, there will be a 12-foot maintenance easement. Mr. Poulsen stated that per Wellsville City code, the developer is required to run the sewer line to the farthest corner of the property. Mr. Wells stated that farthest corner of the property is up for interpretation. Mr. Earl stated that there are so many utilities along 200 East and the west side of 200 East would be the best location for the sewer line. Paul Cooper stated that he is concerned because he will be within 300 feet of the sewer line. Mr. Poulsen stated that stubbing the sewer line on 1050 South 200 East will cause other citizens to connect to the sewer and he is wondering where they will connect. Mr. Breinholt stated that both the Wellsville City code and State of Utah code stated that if you are within 300 feet of the sewer line, you must connect with a lateral line. There is no wording concerning extending the main sewer line. Mr. Breinholt stated that it will be up to Wellsville City to run the main sewer line along 200 East. Mr. Earl stated that it is proposed that this subdivision will connect to the lower zone for water until another well is drilled. Mayor Bailey asked if it is the opinion of City Engineer Chris Breinholt that routing the sewer line this way meets the code. Mr. Breinholt stated yes. Ms. Lindsay asked where Wellsville City will continue to run the sewer line. Mr. Breinholt stated on the west side of 200 East. Mr. Wells stated that Wellsville City has no right-of-ways now so they would need to work out some easements. Marilyn Maughan stated that 10 plus years ago, she paid the sewer impact fee and it now wondering when Wellsville City will have the sewer taken care of.

Mr. Wells stated that Wellsville City will get the sewer taken care of as soon as possible. Mr. Wells stated that Wellsville City will need to get creative on how to pay for it. Austin Wood asked if the 300-foot stipulation has any time limit. Mr. Breinholt stated that there is nothing in the code concerning a time limit. After discussion, Kaylene Ames made a motion, seconded by Austin Wood, to approve the Preliminary Plan for the Creekside Meadows Subdivision consisting of 18 lots total, located at approximately 1100 South 200 East, Tax ID #10-043-0007 contingent upon the canal company's approval of the sewer line.

YEA 3

Kaylene Ames
Bob Lindley
Austin Wood

NAY 2

Denise Lindsay
Chad Poulsen

The City Council reviewed for possible acceptance Resolution 2021-16 accepting an annexation petition for further consideration from Daniel McClendon that 20.74 acres be annexed into the corporate limits of Wellsville City. Steve Earl stated that Mr. McClendon would like to annex the entire property into Wellsville City in order to get services. Mr. Earl stated that Mr. McClendon is planning to develop a 2-lot subdivision on the property. City Manager Scott Wells stated that a portion of the property is already within the city limits and Mr. McClendon is requesting that the rest of the property be annexed. Bob Lindley asked how the infrastructure is in this area. Mr. Wells stated that he does know that there are some water pressure problems in the area. Because of the 6-inch water line, there is an issue with fire flow. Mr. Wells stated that Wellsville City could put an annexation agreement in place to help with that infrastructure. Chad Poulsen asked if there was sewer in the area. Mr. Wells stated yes. After discussion, Austin Wood made a motion, seconded by Bob Lindley, to approve **RESOLUTION 2021-16 A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION OF CERTAIN REAL PROPERTY UNDER THE PROVISIONS OF SECTION 10-2-405, UTAH CODE ANNOTATED, 1953, AS AMENDED (DAD MCCLENDON ANNEXION – 20.74 ACRES).**

YEA 5

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

NAY 0

The City Council discussed for approval a temporary Land Use Regulation 2021-17, which is an ordinance establishing a moratorium on residential and commercial building permits and subdivision applications within certain areas of Wellsville City. City Engineer Chris Breinholt reviewed with the City Council the memorandum dated November 29, 2021 concerning a building moratorium for upper pressure zone areas. After reviewing the memorandum, Mr. Breinholt stated based on the numbers, he recommends adopting this resolution. Bob Lindley asked where the elevation mark is. City Manager Scott Wells stated that it is just south of 900 South. It is the pressure zone that flows from the Lindley Reservoir. Austin Wood stated that with the notes that were sent out, it discusses a 6-month hold and then the issue would be revisited. Mr. Wood asked what had to be done during the 6-month timeframe. Mr. Breinholt stated that Wellsville City must be moving forward finding an additional water source. City Manager Scott Wells stated that there is some surface water that Wellsville City is trying to capture. Wellsville City will also be conducting leak detection in the Lindley Reservoir. Mr. Wood asked if the water allotment to Mark Thompson is metered. Mr. Wells stated that a new meter was installed this year. The air bubbles are causing some trouble. Mr. Wells read item #2 from the resolution. It states that there will be no final approval or building permits issued in this zone. Denise Lindsay stated that with the year Wellsville City has had concerning water, and the projections for next year, this is very wise. After discussion, Austin Wood made a motion, seconded by Kaylene Ames, to approve **RESOLUTION 2021-17 AN ORDINANCE ESTABLISHING A TEMPORARY LAND USE REGULATION (MORATORIUM) ON RESIDENTIAL AND COMMERCIAL BUILDING PERMITS AND SUBDIVISION APPLICATIONS WITHIN CERTAIN AREAS OF WELLSVILLE CITY**, and that the memorandum and map become part of these minutes.

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

The City Council discussed for approval the Wellsville City Municipal Fees for 2021. City Manager Scott Wells stated that part of the audit is understanding the fees that Wellsville City charges, and then applying the fees like Wellsville City. The auditors asked about the fee for a burial lot, a dog kennel license, and rental property for the City Council Chambers. Mr. Wells stated that the auditors asked when these fees were approved. Mr. Wells stated that the fees have been approved over multiple years. Mr. Wells stated that the auditors said that if the fees could be approved during a City Council meeting, it would count. After discussion, Bob Lindley made a motion, seconded by Chad Poulsen, to approve the Wellsville City Municipal Fees for 2021 as of July 1, 2021.

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

City Manager Scott Wells discussed with the City Council the Fraud Risk Assessment 2021 for Wellsville City. City Manager Scott Wells stated that the Fraud Risk Assessment is the checks and balances in the financial side of Wellsville City. Mr. Wells reviewed the Fraud Risk Assessment worksheet. Mr. Wells reviewed the questions that received zero points. Mr. Wells stated that there is some work that Wellsville City can do, but for the most part, and because Wellsville City is so small with few employees, it is what it is. After discussion, Chad Poulsen made a motion, seconded by Austin Wood, to accept the Fraud Risk Assessment 2021 for Wellsville City.

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

At 7:32 p.m., Councilwoman Denise Lindsay left the meeting.

City Manager Scott Wells discussed with the City Council the Wellsville City first quarter financial statements for July 2021. City Manager Scott Wells reviewed the revenues and expenses. After discussion, Austin Wood made a motion, seconded by Bob Lindley, to approve the Wellsville City first quarter financial statements for July 2021.

YEA 4

NAY 0

Kaylene Ames
Bob Lindley
Chad Poulsen
Austin Wood

City Manager Scott Wells conducted Open Meetings Training for City Councilmembers Kaylene Ames, Bob Lindley, Chad Poulsen, and Austin Wood. After discussion, Chad Poulsen made a motion, seconded by Bob Lindley, to accept the Open Meetings Training.

YEA 4

Kaylene Ames
Bob Lindley
Chad Poulsen
Austin Wood

NAY 0

Department Reports:

Mayor Thomas G. Bailey – 1) Appreciation Dinner – change anything – earlier time and donate photos. Add verbiage to website asking for donation of photos.

Kaylene Ames – 1) Shredder at the City Office – yes.

Austin Wood – 1) 100 West – hole by the side of the road in front of Gary Hendry – will be worked on within the week.

City Manager/Recorder's Report:

Scott Wells – 1) Wellsville Dam property west of baseball field – one individual wanting to trade property, one individual wanting to purchase it outright – wanting to build a 55 or older community – feelings or thoughts. Chad Poulsen not in favor of selling property – better off to trade. Bob Lindley agrees, not wise to sell for cash but may benefit as a trade. Austin Wood would like to see the elderly stay in Wellsville that would like to. Mr. Wells will tell the individual wanting to trade property that Wellsville City is interested and tell the individual that is wanting to purchase it that Wellsville City is not interested.

2) Green waste fee - \$1.00 – add to agenda – no longer needed – think it through – stay tuned for more information.

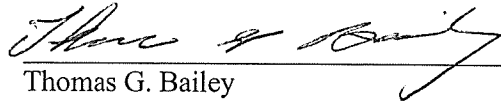
3) South well location by Lindley Reservoir – if pumping water into winter months, nervous about getting to Lindley Reservoir. Proposed building the well in the open space of the Mount Sterling Estates because it will give Wellsville City the ability to access it during the winter months. If it is built by the Lindley Reservoir, Wellsville City will have to improve the road and then plow it after every storm. Wellsville City will need to review the costs.

At 8:31 p.m., Bob Lindley made a motion, seconded by Chad Poulsen, to adjourn the meeting.

YEA 4

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen

NAY 0



Thomas G. Bailey
Mayor



Scott Wells
City Manager