

MINUTES of the regular **City Council** meeting of Wellsville City held **March 16, 2022**, 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 were City Engineer Chris Breinholt, City Planner Jay Nielson, and 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 March 09, 2022. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present:	Jim Banks	David Bell	Tracy Bodrero
	Kaylene Bolton	Margaret Bosworth	Shirley A. Bradshaw
	Chad Brown	Chad Carlston	Keith Chlarson
	Liz Chlarson	Laurie Christensen	David Cook
	Matthew Corz	Morianne Corz	Nate Daus
	Steve Earl	Jon Edwards	Stacie Gibson
	Russ Glenn	Jacob Gordon	Monica Gowens
	Tim Gowens	Jessie Hathaway	Brenda Hawker
	Joyce Hawker	Gary Hawkins	Neil Hawkins
	Susan Hawkins	Cindy Hill	Gary Jeppson
	Jon Kenworthy	Brian Kwant	Bart Lamont
	Kent Larsen	Terry Larsen	Lamar Leishman
	Kirt Lindley	Matthew Lorz	Bob Mouritsen
	Quinn Murray	Carrie Norr	Roger Norr
	Sid Nyman	Megan Petersen	John Powell
	Dale Smith	John Spence	Jennifer Stuart
	Kennedy Stuart	Brian Tarbert	Jenny Tarbert
	Marty Thompson	Rebekah Wakefield	Mark M. Webster
	Judy White	Terry White	Sam Winward
	Tyler Withers	Linda Wursten	

Opening Ceremony: Councilwoman Denise Lindsay

The Council reviewed the agenda. City Manager Scott Wells stated that agenda items 5. *Approval of the minutes of the previous meeting*, 10. *History Committee – Discuss History Committee progress 2021-2022*, and 14. *Discuss Daniel Coleman sewer line extension along 200 East* will be discussed at a future City Council meeting. **Councilwoman Kaylene Ames made a motion, seconded by Councilman Bob Lindley, to approve the agenda with the corrections.**

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

Minutes for the City Council meeting held March 2, 2022 will be reviewed at the next meeting.

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, **Councilwoman Denise Lindsay made a motion, seconded by Councilman Austin Wood, to approve the City's account payables bills for payment, represented by check number 26821 through 26850.**

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

At 6:07 p.m., Mayor Thomas G. Bailey opened the meeting for citizen input. There was no citizen input. At 6:08 p.m., citizen input was closed.

Beginning at 6:09 p.m., the Council shall receive public input, then along with the recommendation from the Planning Commission consider for possible approval the preliminary plan for the 300 North Subdivision consisting of five lots total, located at approximately 290 North 100 East, Tax Id. #11-083-0009. Jesse Hathaway introduced the preliminary plan as a simple five lot subdivision meeting Code requirements. At 6:10 p.m., Mayor Thomas G. Bailey opened the public hearing. Lamar Leishman stated he is a neighboring property owner to the proposed subdivision and stated he is a proponent of the subdivision and gave his full support. At 6:11 p.m., **Councilman Austin Wood made a motion, seconded by Councilman Chad Poulsen, to close the public hearing.**

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

Councilwoman Kaylene Ames asked what the structure redlined for removal represented. Mr. Hathaway answered an old chicken coop with a cement foundation. The lot sizes range from 0.39-acre to 0.48-acre. Councilwoman Denise Lindsay noted sidewalk requirements still need to be determined. Mr. Hathaway agreed to install sidewalk along the subdivision. The Council agreed to coordinate with the subdivision's contractor and have the sidewalk extended along the remaining block. City Manager Scott Wells noted that as long as Mr. Hathaway is willing to make the corrections redlined by City Engineer Chris Breinholt the preliminary plan is acceptable. Following the discussion, **Councilwoman Denise Lindsay made a motion, seconded by Councilman Bob Lindley, to approve the preliminary plan for the 300 North Subdivision consisting of five lots total, located at approximately 290 North 100 East, Tax Id. #11-083-0009.**

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

The Council shall receive public input and review the proposed pressurized water system for the Wellsville Irrigation Company. Kent Larsen, Vice President of the Wellsville Irrigation Company, shared the history of the Wellsville irrigation system. The Wellsville Irrigation Company was organized in 1918. Mr. Larsen stated there are four water sources for the Wellsville-Mendon System; the upper and lower canals (owned by Wellsville-Mendon Conservation District) flowing from Hyrum Reservoir, Wellsville Reservoir, and Murray Springs. The last time a pressurized irrigation system was proposed for Wellsville City was in 1981. The proposal was rejected at that time. The Wellsville Irrigation Company contracted with Franson Civil Engineers three-years ago to delve into a pressurized system and funding. Mr. Larsen stated that an agriculturally based PL-566 watershed project grant has been received. The PL-566 grant authorizes the USDA Natural Resources Conservation Service (NRCS) to help local organizations and units of government plan and implement watershed projects. A PL-566 grant must primarily benefit agriculture. It is Wellsville's rural nature which enabled the City to qualify for the PL-566 grant. Wellsville City is also working with Wellsville Irrigation Company, Cache County, Mendon City, Wellsville-Mendon

Conservation District, and Cache Water District for the greater Wellsville-Mendon Plan. The proposed pressurized system is estimated to cost between \$15,000,000 and \$20,000,000. Price estimates have a 20-25% contingency as prices continue to rise. The PL-566 watershed project grant will cover 75% of the needed funding. Wellsville City would be financially responsible for 25% of the needed funding. That 25% financial responsibility *only* applies to Wellsville City's portion of the system.

Mr. Larsen noted that Wellsville's current irrigation system is old and worn out. Ditches and headgates get more difficult each year to operate. Mr. Larsen pointed out the dire statewide drought. He stated Utah is currently in the worst drought in 1,200-years. The State legislature was approved a \$40,000,000 grant to attempt saving the Great Salt Lake and an additional \$240,000,000 for water conservation throughout the state of Utah. Mr. Larsen noted the drastically increasing population along the Wasatch front and stated more people need more water. He recognized how fortunate Wellsville City is to have an abundance of water and declared that it is time to protect those water sources. Pressurized irrigation will increase secondary water availability and help to reduce precious culinary water use. He stated the Wellsville Irrigation Company wholeheartedly supports establishing a pressurized irrigation system. Mr. Larsen acknowledged there are still many unknowns regarding a pressurized system but pointed out *we do know* water demand will only increase. We also know construction costs will increase over time. He emphasized the proposed pressurized system isn't a Wellsville City project, or an irrigation company project, but a citizen's project.

Chad Brown of Franson Engineering then presented the proposed pressurized water system for Wellsville City. Mr. Brown stated they are currently evaluating the Watershed Environmental Assessment to meet appropriate requirements for funding. Mr. Brown stated pipelines will be placed to deliver water to agricultural users within the project boundary. The system would run through pipelines along every street in Wellsville City to deliver secondary water to each resident. The project boundary includes some planned future annexation areas which were determined by the Wellsville City and the Wellsville Irrigation Company. The project boundary includes four zones: the Upper Zone, Lower Zone, South Zone, and Red Slide Zone. The South Zone and Red Slide Zone are higher in elevation than the upper canal of the Wellsville-Mendon system. These two zones will require booster pumps. The water rights within the upper and lower canals do *not* allow water above the upper canal. According to the water rights database, the water rights and the service area of the water rights of Wellsville Reservoir and Murray springs *could* be used to supply water to the South Zone and Red Slide Zone.

Mr. Brown presented the two proposed scenarios for the pressurized system. He stated the preferred alternative will be determined through public input, financial costs, and which alternative has the lowest environmental impact. Regulating ponds will help maintain pressure which must stay within the range of 45-100 PSI. Scenario 1 contains two regulating ponds. An Upper Reservoir will provide water to the Upper Zone, Red Slide Zone, and South Zone. A Lower Reservoir will provide water to the Lower Zone. The Lower Reservoir will be matched in elevation with the Upper Canal allowing water to gravity feed to the Lower Zone. Scenario 2 does not include a Lower Reservoir. Water from Wellsville Reservoir will be pumped to the Lower Zone. Each scenario also includes pump stations at Wellsville Reservoir and the Lower Canal. The Upper Reservoir would require 20-acre feet of water, with a 5 to 5.5-acre footprint. A Lower Reservoir wouldn't require quite as many acre feet of water, with a 5 to 5.5-acre footprint. Mr. Brown stated there are pros and cons to each scenario. He estimated Scenario 1 would have the highest upfront capital expense (building two reservoirs), but the lowest overall expense. Data has projected that the pumping costs of Scenario 2 will exceed the upfront capital of Scenario 1. Scenario 2 is expected to be the costliest long-term.

Mr. Brown has researched Wellsville City's water usage reports from 2012-2021. He presented a graph showing the increased demand on the culinary system for outdoor irrigation during peak summer months. Increased culinary water usage correlates with increased pumping fees from City wells. Mr. Brown stated providing secondary water to additional residents through a pressurized secondary water system would decrease the summer demand on the culinary system which corresponds to lower summer culinary water bills for residents.

Mr. Brown noted a full financial projection is still under calculation. The proposed pressurized system is estimated to cost between \$15,000,000 and \$20,000,000. Pricing estimates have a 20-25% contingency as prices continue to rise. With that contingency, Mr. Brown is estimating \$20.00 to \$30.00 per month, per connection/user. Mr. Brown referred back to the graph and projected that high culinary water overage charges during peak summer months generally exceed that of a monthly \$20 secondary water bill. Mr. Brown has spoken with residents whose culinary water bill increases \$250-\$300 due to irrigating during the summer. Councilman Austin Wood mentioned irrigation restrictions which were put in place last year. He asked how many years shown on the graph had irrigation restrictions in place. Mayor Thomas G. Bailey answered last year only. Mr. Brown stated public drought awareness and water conservation is increasing. City Engineer Chris Breinholt seconded that.

Mayor Bailey emphasized that pricing estimates of \$20.00 to \$30.00 per month, per connection/user covers the construction of Wellsville City's portion of the pressurized irrigation system *only*. Wellsville residents will *not* be responsible to pay for Mendon or Cache County's portion of the system. He restated that the PL-566 watershed project grant will cover 75% of the needed funding. Environmental testing, engineering costs, and flood prevention are covered by the grant. The 25% Wellsville residents are financially responsible for is for *construction costs only*. At 6:43 p.m., Mayor Bailey opened the public hearing.

Gary Hawkins stated he is in favor of the proposed pressurized irrigation system. He noted that 25% of the overall estimated cost of \$20,000,000 is \$4,000,000. He asked if water rates will be raised to pay that \$4,000,000. Mayor Bailey clarified the resident's portion would be paid by the proposed monthly secondary water fee of \$20.00 to \$30.00 per connection. Mr. Brown stated the monthly rate was estimated based on a projected 25-year loan at 3.0% interest. Better loan terms or additional grant money could decrease that monthly rate. Mr. Brown stated federal grants cannot be matched. However, state grants could be pursued. Mr. Hawkins hopes state grant funding can be acquired. He then asked Mr. Brown what the pressurized system's estimated timeline would be. Mr. Brown hopes the Environmental Assessment will be completed by the end of this year. If not, by the end of 2023. He estimated construction would begin in 2024. Mr. Hawkins asked how the proposed system would benefit water conservation long term. Mr. Brown replied by reducing outdoor irrigation with culinary water and subsequent costs. He stated the pressurized system would also put to use City water shares currently not in use. Mr. Hawkins asked if the proposed Bridle Path Estates Subdivision would be part of the proposed system. Mayor Bailey answered it would not. He also stated Wellsville City has 1,100-acre feet of water rights and Wellsville Irrigation Company has 600-acre feet of water rights, not including Wellsville Reservoir or Murray Springs.

Jon Kenworthy declared he is in favor of a pressurized irrigation system. He asked if the proposed pressurized irrigation system is a design build, if so, is that bid bonded over time. He asked for clarification on the status of water rights. Does Wellsville City own the water rights or are they leased from the Wellsville-Mendon Conservation District? Will the canal company be dissolved after the pressurized system is installed? What is the general plan for stormwater drainage with the pressurized system? Mayor Bailey responded that there are no plans to dissolve the irrigation company. He stated the irrigation board and water master will be utilized to assist with the pressurized system. Financing between the irrigation company and Wellsville City is uncertain. Mr. Brown stated the pressurized system would most likely be designed with pipe running along the road right-of-way (not underneath asphalt roadway). He expects ditches will remain open for stormwater runoff.

Water Master Kirt Lindley explained that proposed monthly secondary water fee of \$20.00 to \$30.00 per connection *includes* the installation and connection to the pressurized system for each user. The initial connection; valves, meters, and stubs are all included in the monthly rate. There will *not* be any additional hookup fees.

Tim Gowens referred to a USDA meeting in which he thought reported that the PL-566 watershed project grant covers 80% of the necessary funding, rather than the 75% discussed in this City Council meeting. Mr. Brown clarified the USDA determined 75% for agricultural projects; 100% for stormwater projects; and 50% for recreation projects. Mr. Gowens stressed how crucial our culinary water resources are and stated that any effort to preserve culinary water is essential. He recognized the proposed pressurized system will further secondary water availability while subsequently conserving culinary water. He emphasized that

\$20.00 to \$30.00 a month may seem like a hardship at the moment; however, a long-term bigger picture scenario needs to be kept in mind as water becomes increasingly scarce. Mr. Gowens asked if the system's operation and maintenance costs are included in the monthly resident fee. Mr. Brown answered yes. Mr. Gowens stated State law is going to require every community's water must be metered by 2040. He worries that metering will result in a double cost, paying to access water as well as paying for the volume of water used in the future. Mr. Gowens pointed out metering increases water usage awareness which in turn improves conservation.

Sam Winward stated he is in favor of the proposed pressurized irrigation system. He asked if those who currently have water shares will still be required to pay fees to the irrigation company or if that cost will be absorbed into the proposed monthly secondary water fee. City Manager Scott Wells answered that is still an unknown. Mr. Wells stated a fair agreement between those with and without shares is still being worked through. Mr. Winward asked why Heritage Southwest Estates Subdivision has been excluded from the project boundary. Mayor Bailey explained Heritage Southwest Estates Subdivision already has a pressurized irrigation system from another irrigation company. Ms. Lindsay stated residents of Heritage Southwest Estates love their pressurized irrigation system.

Mark Webster introduced himself as an irrigation board member. He addressed Mr. Gowens comment regarding the State requiring water metering in all communities by 2040. He stated the legislature has moved that date forward to 2035. Therefore, Wellsville City needs a metered system sooner rather than later. He also stressed that culinary water contracts need to be locked up. If not, someone else will take those water contracts. He said water systems along the Wasatch front are under enormous pressure to find more water. Wellsville City, Wellsville-Mendon Conservation District, and irrigation companies need to be aligned to withstand pressure from outside communities. Mr. Webster noted water rights can be tricky; water rights don't always tie directly to the water source. He stated the irrigation board is doing their best to be cognizant of all residents, those with and without shares, and hopes to come to an even-handed solution for all.

Monica Gowens asked what the pros and cons between the two proposed scenarios are. Mr. Brown answered each scenario has the same piping expenses. The difference in capital costs between the two scenarios is based upon the additional reservoir proposed in Scenario 1. Although Scenario 1 has a higher initial cost, the operational expense will be lower due to a lesser amount of pumping. Over time the increased pumping expenses of Scenario 2 will surpass Scenario 1. Mr. Brown explained that the timeline is difficult to calculate due to fluctuating power rates. He guesstimated Scenario 2 will exceed the cost of Scenario 1 around 20-years of operation. He stated Scenario 1 is his personal preference with higher initial expenditures and a flatter operational cost because there is no control over future power rates.

Tracy Bodrero noted the proposed pressurized system boundary does not include all of Wellsville. He asked if those outside the boundary will be expected to pay the monthly secondary water fee. Mayor Bailey answered only those within the boundary will be charged the monthly secondary water fee. Mr. Bodrero asked if there are plans to service areas outside the four redlined zones. Mr. Brown answered the system is sized for what is inside the redlined zones. Further growth outside the redlined zones will have to be addressed through the subdivision process with water shares and infrastructure evaluated. Additional reservoirs may be required as Wellsville City expands. Mr. Bodrero asked how the Northeastern boundary was determined. Mr. Brown answered that the irrigation companies determined to follow the Little Bear River. Mr. Bodrero stated Heritage Southwest Estates received a sweetheart deal from the water company. He worries Heritage Southwest Estate's pressurized irrigation system will be detrimental to other shareholders.

Margaret Bosworth addressed the presented graph showing the increased demand on the culinary system for outdoor irrigation during peak summer months. She declared she never has culinary water overage during the peak summer months. She protested this proposal would result in paying an additional monthly secondary water fee which she has no use for. Mr. Brown indicated those without culinary overage during peak summer months are most likely the exception rather than the rule. Ms. Bosworth disagreed. Mr. Brown explained the monthly rate has been estimated with everyone joining the pressurized secondary system. Without everyone joining the system the monthly rate grows more costly per connection. He also

noted paying for a pressurized secondary water system now will help extend the life of Wellsville City's current culinary system and hopefully postpone the need for additional culinary water sources in the future. Mr. Wells indicated many financials for the proposed system are unknown at this time. He also stated it would be ideal for shareholders to have some type of advantage since they have paid for those shares over time.

Cindy Hill asked what direction the pressurized piping would enter her property from. Mr. Brown answered those specifics have yet to be determined. Ms. Hill stated her property can be subdivided in the future and asked if her property could have two connections installed. Mr. Brown responded that each home will be given one service. An additional connection would be granted following the subdivision process. Ms. Hill proposed shareholders turning in their shares for a lower monthly rate. She asked if her property would have its own meter. Mr. Brown confirmed each home will have its own connection box with a meter and filter. Cleaning filters will be the responsibility of the property owner.

City Engineer Chris Breinholt addressed the Council as a Wellsville City resident. He strongly emphasized what a precious resource culinary water is. Wellsville's culinary water resources are limited and need protected. He stated he is a strong proponent of the proposed secondary pressurized irrigation system. Mr. Breinholt stated the proposed \$20.00 to \$30.00 monthly secondary water fee is very reasonable considering other summer irrigation rates in Utah. Mr. Breinholt stated he is willing to pay the proposed monthly secondary water fee to preserve Wellsville's invaluable culinary water.

Brian Kwant asked the Council to consider stocking fish in the proposed reservoirs and allowing public recreational access. He asked how large the reservoir would be. Mr. Brown answered the Upper Reservoir would have a five-acre footprint and hold 20-acre feet of water. The Lower Reservoir would also have a five-acre footprint and hold 15-acre feet of water. Mayor Bailey replied that each reservoir would require access through private property and public access will not be allowed.

Bob Mouritsen asked how the proposed pressurized irrigation system will affect farm ground within the proposed boundary. Mr. Brown stated the PL-566 grant must primarily benefit agriculture. It is Wellsville's rural nature which enabled the City to qualify for the PL-566 grant. Mr. Brown stated agriculture producers may be subject to a different rate structure, the details of which are unknown at this time. Large agricultural users and parcels will be metered along with every household. He stated line size will be based on acreage. Most parcels will be serviced by a one-inch line. Acreage larger than ten-acres will have an upsized line.

John Spence asked where water to the Lower Zone will be sourced from. Mr. Brown answered the Lower Reservoir will gravity feed to the Lower Zone. He noted 45-PSI is the system's required minimum. Mr. Spence asked if water from Black Willow Pond (commonly known as the Duck Pond) will feed into the pressurized irrigation system. It will not because that source is owned by North Field Irrigation Company and is used for irrigation near the sewer ponds.

Cindy Hill addressed the Council again. She asked if the pressurized system would require an irrigation schedule similar to the current system. Mr. Brown replied residents should be able to irrigate whenever they like unless water restrictions are in place due to drought.

At 7:34 p.m., Councilman Bob Lindley made a motion, seconded by Councilman Chad Poulsen, to close the public hearing.

YEA 5

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

NAY 0

Mayor Bailey asked the Council if they had any further questions. Councilman Bob Lindley pointed out canal water is usually made available at the end of May and is withdrawn at the end of August. He asked if the proposed pressurized system would extend the secondary watering season. Mayor Bailey answered water from Wellsville Reservoir and Murray Springs will be used more during the early and late seasons when water isn't supplied to the canals. **Councilman Chad Poulsen made a motion, seconded by Councilman Bob Lindley, to continue planning the proposed pressurized water system for the Wellsville Irrigation Company.**

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

The Council considered for approval a request from Jennifer Stuart for a business license to operate "The Beauty Parlor," a beauty salon business out of the property located at 15 North 100 East, Tax Id. #10-022-0003. The salon will offer hair, nail, and lash services. Ms. Stuart plans to paint the exterior of the building. She will work with City Manager Scott Wells to apply for a sign permit with the Planning Commission. **Councilman Chad Poulsen made a motion, seconded by Councilman Austin Wood, to approve a business license for Jennifer Stuart to operate "The Beauty Parlor," a beauty salon business out of the property located at 15 North 100 East, Tax Id. #10-022-0003.**

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

The Council shall discuss and consider for approval Judge Matthew Lorz as the new Wellsville City Justice Court Judge. Mayor Thomas G. Bailey introduced Judge Lorz to the Council. Judge Lorz was appointed to the North Logan and Hyde Park Justice Courts in June 2019. The Council welcomed Judge Lorz to the Wellsville Justice Court. Mayor Bailey is waiting for permission from Program Coordinator Amy Hernandez to conduct the Oath of Office. **Councilman Chad Poulsen made a motion, seconded by Councilman Bob Lindley, to accept Judge Matthew Lorz as the new Wellsville City Justice Court Judge.**

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

The Council then considered for approval **Amendment 2022-03 of Title 11, Chapter 1: "Variances, Exceptions and Waiver of Conditions"; and Amendment 2022-04 of Title 11, Chapter 2-1; and Title 10, Chapter 62: "Definitions and Words"**. As discussed in length at previous Council meetings, on rare occasions lots are subdivided illegally with a *metes and bounds description* submitted to the County Recorder's Office, which the Recorder's Office is obligated to accept according to State Code. However, Wellsville City is also mandated by State Code to regulate the subdivision of land. In such a scenario a landowner may split a lot at the County Recorder's Office (without City input) and then sell the lot(s) to new owners. Unbeknownst to the new owner, they just purchased an illegal lot. Building is not permitted on illegal lots. This exception has been presented as a remedy to help non-participatory misled buyers overcome hardship circumstances as suggested by the Office of the Property Rights Ombudsman. The proposed exceptions allow lots to go through the subdivision process and have a final plat recorded as

buildable. This will *not* circumvent the Code- the parcel still must have a buildable lot and adhere to all Subdivision Codes. All dimensional subdivision standards must be met. At a previous City Council meeting, Councilman Chad Poulsen recommended adding that the innocent party must demonstrate they have exercised due diligence attempting to resolve the property dispute with the previous owner. City Planner Jay Nielson added further verbiage to the **11-1-12: Variances, Exceptions and Waiver of Conditions: B. Granting an exception for an unbuildable lot. 2.b.** *"At a minimum, the owner shall submit a notarized affidavit confirming the claim that the current owner had no knowledge and/or involvement with the creation of the illegal lot. The applicant shall also include, in the affidavit, evidence that all reasonable efforts have been exhausted to cause the person or parties that created the lot to participate in completing a legal subdivision making both lots buildable."* How the Council will determine that a new owner has fully exhausted all efforts to resolve the property dispute with the previous owner will require judgement calls.

Mr. Nielson prepared an additional staff report along with a legal opinion regarding a similar situation in Park City. The collective Council thanked Mr. Nielson for the Park City example. Mr. Poulsen is concerned this exception may perpetuate bad behavior from property sellers attempting to circumvent the subdivision process. Mr. Nielson replied that the amendments can be rescinded or modified in the future if abused. After discussion, **Councilman Bob Lindley made a motion, seconded by Councilman Austin Wood, to approve Amendment 2022-03 of Title 11, Chapter 1: "Variances, Exceptions and Waiver of Conditions"; and Amendment 2022-04 of Title 11, Chapter 2-1; and Title 10, Chapter 62: "Definitions and Words".**

YEA 3

Kaylene Ames
Bob Lindley
Austin Wood

NAY 2

Denise Lindsay
Chad Poulsen

The Council shall review for possible acceptance Resolution 2022-01 an annexation petition for further consideration from Steve Kyriopoulos, Marshall Lindsay, Thomas Maughan, and Wellsville City requesting that 24.43 +/- acres located northeast of Wellsville City (at approximately 600 East Main) be annexed into the corporate limits of Wellsville City. City Manager Scott Wells noted that Resolution 2022-01 was incorrectly titled as Resolution 2022-05 at last week's Planning Commission meeting. Mr. Wells will correct the title at the next Planning Commission meeting. Mr. Wells clarified the proposal is a resolution, *not* a code amendment. Once the petition is accepted, the City has 30-days to review the petition to ensure it meets necessary annexation criteria. If deemed acceptable, the petition is advertised to allow public protest for 30-days. Following the public protest period, the City can choose to accept or deny the annexation. Properties will be annexed in accordance with the General Plan and then rezoned as needed. **Councilman Chad Poulsen made a motion, seconded by Councilman Bob Lindley, to approve Resolution 2022-01 (formerly known as Resolution 2022-05) an annexation petition from Steve Kyriopoulos, Marshall Lindsay, Thomas Maughan, and Wellsville City requesting that 24.43 +/- acres located northeast of Wellsville City (at approximately 600 East Main) be annexed into the corporate limits of Wellsville City.**

YEA 4

Kaylene Ames
Bob Lindley
Chad Poulsen
Austin Wood

NAY 0

ABSTAIN 1

Denise Lindsay

City Manager Scott Wells opened the discussion regarding the 2022-2023 Budget. During the March 02, 2022 Executive Session, the Council considered purchase of 0.41-acres located at approximately 50 North Center, Tax Id #10-021-0004 currently owned by Long Pockets LLC. The parcel is landlocked and does not have any direct access to public roads. The parcel's appraised value was \$55,000. The Council felt that was overpriced for the small landlocked parcel. The Council authorized Mr. Wells to continue price negotiations to purchase the property. Prior to any negotiations, the property owner contacted Mr. Wells to inform him that an adjacent property owner made an offer of \$60,000 for the property. Mr. Wells asked the

Council how they would like to proceed. After discussion, **Councilman Bob Lindley made a motion, seconded by Councilman Chad Poulsen, to authorize City Manager Scott Wells to continue price negotiations up to \$65,000 to purchase 0.41-acres located at approximately 50 North Center, Tax Id #10-021-0004 currently owned by Long Pockets LLC.**

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

Mr. Wells opened a discussion regarding the pay scales of full-time Wellsville City employees for the 2022-2023 budget. He noted a new assistant treasurer/utilities employee has been hired. Three new public works employees have also been hired who Mr. Wells stated are doing an exceptional job. The public works employees are currently paid \$21.00 an hour. He pointed out \$21.00 an hour is not a competitive wage. He asked the Council to raise the public works employee's wages in order to retain them. He pointed out Wellsville City gives the same raises to all full-time employees. Mr. Wells proposed a 15% increase for the full-time employees of Wellsville City based upon inflation and the desire to retain employees. He stated the public works employees have obtained additional certifications which make them more valuable. Mayor Thomas G. Bailey mentioned that new employees at Target start at \$24.00 an hour. Mr. Wells stated high starting-wages, sign-on bonuses, and six-month bonuses are very hard to compete with. Councilman Austin Wood asked if Mr. Wells thinks 15% is actually enough to retain workers. Mr. Wood stated production line workers at his workplace make much more than the public works employees even after the proposed raise. Mr. Wells stated the treasurer, assistant treasurer, and court clerk are underpaid as well. Councilwoman Denise Lindsay invited Laurie Christensen, the Wellsville City Court Clerk, to share what she learned from a Utah Highway Patrolman earlier that day. Ms. Christensen stated Austin Jennings reported the Utah Highway Patrol has raised wages from \$22.00 to \$28.00 per hour. Mr. Wood stated he is heavily involved in the hiring process at his workplace and the hiring market is very hot at this time. He repeated production line workers are making more than the public works employees will following a 15% raise. Mr. Wells emphasized that Wellsville City currently has an excellent staff and stated he hopes to hang on to all the employees he can. Ms. Lindsay described the public works employees as an exceptional group of gentlemen. She has received very good feedback from the public on the cemetery and snow removal. Mr. Wood stated he would like to push for retention and to be fair in the market with a 20% raise. **Councilman Bob Lindley made a motion, seconded by Councilman Austin Wood, to give all full-time employees of Wellsville City a 20% raise in order to retain employees.**

YEA 5

NAY 0

ABSTAIN 1

Kaylene Ames
Bob Lindley
Chad Poulsen
Austin Wood

Denise Lindsay

Mayor Bailey pointed out Wellsville City employees have only received cost-of-living adjustments in the past. Wellsville City has never offered step increases. Mr. Wells presented the proposed pay scale with 3.5% step increases plus inflation increases. Mr. Lindley stated most wage scales guarantee a 3.5% increase per year; inflation increases vary. Mr. Wood suggested adjusting wage scales based on certifications to encourage proactivity. Mr. Wells pointed out city manager, treasurer, assistant treasurer, and court clerk do not have measurable certifications in which to determine raises. He stated those four individuals within the City Office are the face of Wellsville and receive public backlash and displeasure. Mayor Bailey said the inflation increases will be determined annually by the Council. Mr. Lindley asked if Wellsville City can afford the pay increases. Ms. Lindsay responded they cannot afford not to. Mr. Wells stated public works employees are absorbing contracting costs. He said the treasurer, assistant treasurer, and court clerk are also improving and becoming more efficient in their respective positions and saving money in the big picture. **Councilman Bob Lindley made a motion, seconded by Councilman Austin Wood, to further examine step increases in the new fiscal year.**

YEA 5
Kaylene Ames
Bob Lindley
Chad Poulsen
Austin Wood

NAY 0

ABSTAIN 1
Denise Lindsay

Councilman Chad Poulsen suggested evaluating other measures to retain employees. Mr. Wells suggested four nine-hour shifts with a half-day Friday shift for public works employees. He mentioned decreased Friday afternoon productivity is typical at most workforces. He said he would like to offer more incentives such as a half-day Friday shift. Mr. Wells stated he does what he can to provide a good atmosphere and schedule flexibility for employees. Mayor Bailey mentioned the City provides birthday dinners for full-time employees. Compensatory and vacation time were discussed. Mr. Wells recommended offering a one to two percent 401(k) match. Mr. Wood stated his workplace offers a 100% match for the first two-percent, and a 50% match of three-percent to incentivize employees to look after their future. Tier 1 and Tier 2 Pension programs were compared. **Councilman Austin Wood made a motion, seconded by Councilman Bob Lindley, to match 100% of the first two-percent, then match 50% of a third-percent of full-time Wellsville City employee's 401(k)s.**

YEA 5
Kaylene Ames
Bob Lindley
Chad Poulsen
Austin Wood

NAY 0

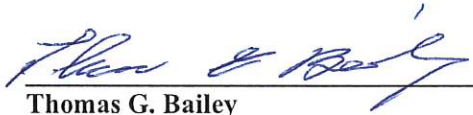
ABSTAIN 1
Denise Lindsay

Mr. Wells asked for any other ideas to incentivize Wellsville City employment. Mr. Wood suggested engagement and responsibility to improve morale, as well as investing in the employee's abilities. Mr. Wells said that new equipment helps give public works employees the tools they need to do their jobs well. Mr. Poulsen seconded that. Ms. Christensen stated she has been the City's court clerk for 16-years. She pointed out the new public works employees have a higher wage than she, with many less years of employment at Wellsville City. She asked the Council to keep that in mind. Ms. Christensen said Court Clerks will soon be required to be certified. Mayor Bailey said that the pay scale will help increase Ms. Christensen's salary annually in addition to cost-of-living adjustments. Mr. Wells stated comparing public works positions to office positions are similar to comparing apples to oranges. Office employees are not required to plow snow or fix nighttime water leaks over the weekend. Mr. Wells stated he did not wish to discredit the court clerk, assistant treasurer, or treasurer. He said their roles are pivotal to Wellsville City. Ms. Christensen restated it is difficult to see new coworkers with higher salaries given her years of employment. She listed the hourly rates of other court clerks. Mayor Bailey stressed it is important to make wage comparisons with towns comparable to Wellsville rather than larger cities. Resident Mark Webster stated if the City makes an employee more valuable, the City needs to value them more. Mr. Wells discussed conducting an analysis of salaries for court clerks, assistant treasurers, and treasurers in towns comparable in size to Wellsville City.

At 8:58 p.m., **Councilman Bob Lindley made a motion, seconded by Councilman Chad Poulsen, 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