

MINUTES of the regular **City Council** meeting of Wellsville City held **May 18, 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 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 May 10, 2022. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Councilman Bob Lindley and City Planner Jay Nielson were excused from this meeting.

Others Present:	Robyn Bankhead	David Bell	Steve Earl
	Paul Freed	Tim Gowens	Tayli Hillyard
	Carly Lansche	Kurt Petersen	John Powell
	Roy Savage	Brian Smith	Gina Thompson
	Mark Thompson		

Opening Ceremony: Councilman Chad Poulsen

The Council reviewed the agenda. *Item 11, Discuss for approval a temporary land use regulation 2022-02, which is an ordinance establishing a moratorium on residential and commercial building permits and subdivision applications within certain areas of Wellsville* will be addressed prior to *Item 8, Tayli Hillyard-Discuss Wellsville City's Trails & Active Transportation Plan*. **Councilwoman Denise Lindsay made a motion, seconded by Councilman Chad Poulsen, to approve the agenda with the modification.**

<u>YEA</u> <u>4</u>	<u>NAY</u> <u>0</u>
Kaylene Ames	
Denise Lindsay	
Chad Poulsen	
Austin Wood	

The Council reviewed the minutes of the May 04, 2022 regular City Council meeting. **Councilman Austin Wood made a motion, seconded by Councilwoman Kaylene Ames, to approve the minutes of the May 04, 2022 regular City Council meeting.**

<u>YEA</u> <u>4</u>	<u>NAY</u> <u>0</u>
Kaylene Ames	
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, **Councilwoman Denise Lindsay made a motion, seconded by Councilwoman Kaylene Ames, to approve the City's account payables bills for payment, represented by check number 26994 through 27018.**

<u>YEA</u> <u>4</u>	<u>NAY</u> <u>0</u>
Kaylene Ames	
Denise Lindsay	
Chad Poulsen	
Austin Wood	

At 6:05 p.m., Mayor Thomas G. Bailey opened the meeting for citizen input. David Bell addressed the Council as a representative for the American West Heritage Center (AWHC). Mr. Bell asked the Council to write down any thoughts or concerns regarding Wellsville City's relationship with the American West Heritage Center. He asked them to write down any ideas they have for new amenities Wellsville City and AWHC could offer each other. Mr. Bell suggested a walking/biking trail connecting Wellsville City and

AWHC; youth theatre productions; and winter sleigh rides.

Mark Thompson addressed the Council concerning the proposed Bridle Path Estates Subdivision. Mr. Thompson referenced the February 02, 2022 City Council meeting in which Mr. Thompson; Troy Justensen, President of Sportsmen for Fish and Wildlife (SFW); Kevin Norman, fundraising leader of SFW; Todd Black, Ecologist with the Rangelands for Wildlife Foundation; and Ben Nadolski, Regional Supervisor of DWR's Northern Utah region addressed wildlife concerns for the proposed Bridle Path Estates Subdivision that includes 131 residential lots along both sides of Highway 89/91 in Sardine Canyon. Mr. Thompson asked if the development team has modified Phase 4 of the final plan which "blocks 75% of the funnel flow" of migrating wildlife at the Highway 89/91 wildlife underpass. Mr. Thompson read from the December 03, 2021 letter from Redge B. Johnson, Executive Director of the Office of the Governor, Public Lands Policy Coordinating Office (PLPCO) addressed to Mayor Bailey, *"DWR recommends that the development consider the investments made by the Utah Department of Transportation and DWR, as well as the importance of the area to migrating wildlife, and considering lot configuration that meaningfully incorporates open space migratory pathways near the wildlife underpass to protect critical wildlife movements."* Mr. Thompson stated Bridle Path Estates Subdivision Phase 4 needs to be opened up to allow wildlife migration. He asked what height of fencing has been designated for the east side of the subdivision which is also critical winter rangeland for wildlife. City Manager Scott Wells stated that Bridle Path Estates Subdivision has submitted their final plat to the City which is still under review by City Engineer Chris Breinholt and City Planner Jay Nielson. Mr. Thompson's next concern was protecting Leatham Springs. He pointed out he is the only Leatham Spring shareholder besides Wellsville City. The proposed subdivision is within the aquifer recharge area. Mr. Thompson said there was confusion at a previous meeting when discussing ground water versus aquifer water. Mr. Thompson has discussed ground water and aquifer water with the State who told him ground water enters the aquifer. Therefore, he stated, any runoff from horse pastures, fertilizer, gasoline, etc. *will* get into the aquifer. He then encouraged the Council not to be misled thinking the subdivision's declaration of covenants, conditions, and restrictions (CC&Rs) will protect the aquifer since they are impossible to police. Mayor Bailey noted a six-month extension of the moratorium restricting residential and commercial building above 4,650-feet will be discussed next. Mr. Thompson encouraged the Council to protect our wildlife and water.

At 6:16 p.m., citizen input was closed.

Mayor Thomas G. Bailey opened the discussion regarding possibly approving a temporary land use regulation 2022-02, which is an ordinance establishing a moratorium on residential and commercial building permits and subdivision applications within certain areas of Wellsville City. City Manager Scott Wells pointed out the updated moratorium differs in that Jones & Associates has determined that the City's current Code needs to be amended to accurately reflect water needs for new developments. The City has previously required *"a minimum of three acre feet of water per acre of land proposed for subdivision and/or development, which shall include open space and all other real property included in the proposed subdivision and/or development."* **(11-6-1: Dedication of Water System Shares, Water Rights and/or Sources. B. Sufficient Quantity of Water Defined.)** Mayor Bailey noted the moratorium reads, *"This Ordinance shall not prohibit any existing applications from being processed, but no existing applications for subdivisions or permits may be approved with a Final Plat or building permit issued."* Councilman Austin Wood asked if any progress has been made with the Callister or Bankhead families for purchase of property for a new well. Mr. Wells replied he is working on appraisals for the properties. Councilwoman Denise Lindsay asked if an elevation of 4,650-feet is adequate to temporarily prohibit filing and approving any application for a subdivision, building permit, or water connection, or requiring a water hook-up of any kind. Mr. Wells responded that moratoriums can be issued for additional areas of Wellsville if drought conditions necessitate. The Council discussed water restrictions already in place in other municipalities. Councilman Chad Poulsen asked if six months is a mandated length of time for a moratorium. Mr. Wells affirmed six months is State law. **Councilman Chad Poulsen made a motion, seconded by Councilwoman Kaylene Ames, to adopt a temporary land use regulation 2022-02, which is an ordinance establishing a moratorium on residential and commercial building permits and subdivision applications in those parts of Wellsville City located above 4,650 feet in elevation.**

YEA 4

Kaylene Ames
Denise Lindsay
Chad Poulsen
Austin Wood

NAY 0

Councilman Chad Poulsen was excused from the meeting.

Tayli Hillyard then addressed the Council regarding Wellsville City's Trails and Active Transportation Plan. Ms. Hillyard's vision is that Wellsville City will create a network of trails, pathways, and bikeways in a way that will benefit citizens and connect the town. This trail network will create safer pedestrian and bike usage while providing recreation, access to the Wellsville Mountains, and connections to other communities. She listed four goals. First, make trails accessible for all ages, abilities, and types of recreation. Second, link Wellsville's main destinations to each other via bike routes and/or pathways. Third, seek to increase outdoor trail usage by educating and encouraging Wellsville citizens. Fourth, seek and apply funding to trails infrastructure. Ms. Hillyard hopes to present a final draft to the Council in August. She listed Wellsville resident population statistics. Ms. Hillyard outlined Wellsville's previous trails master plan prepared by JUB Engineering. She displayed the updated trails master plan for the Council. Ms. Hillyard and Carly Lansche utilized trail counters, November through December 2021, at the Wellsville Reservoir trail. She stated she was surprised at the high volume of traffic despite the cold weather. Trail counters have also been utilized at Murray Trailhead. Ms. Hillyard told the Council she would appreciate their input on the updated trails master plan. Councilman Austin Wood brought up issues Mendon City has had with the Wayne's Loop Trailhead. Ms. Hillyard hopes to avoid similar trailhead concerns in Wellsville with a detailed master plan and infrastructure funding. Ms. Lansche stated it would be helpful for the Council to prioritize which trailhead infrastructure is most needed. The Council thanked Ms. Hillyard and Ms. Lansche for their efforts.

Paul Freed then opened the discussion regarding setting up an escrow account or a letter of credit for the Creekside Meadows Subdivision consisting of 18 lots total, located at approximately 1100 South 200 East, Tax Id. #10-043-0007. Mr. Freed proposed providing a letter of credit (a contractual agreement between a financial institution (Cache Valley Bank) and the party to which the letter is issued (Wellsville City) as a form of guarantee in the construction context) rather than an escrow account. Mr. Freed introduced his banker Roy Savage, Vice President of Cache Valley Bank. Mr. Savage explained Mr. Freed would prefer a line of credit since escrow accounts charge interest on the borrowed funds. City Manager Scott Wells confirmed that City Code does allow letters of credit. Councilwoman Denise Lindsay clarified they are requesting an irrevocable letter of credit. Mr. Savage explained that the line of credit's maturity date is based on the city ordinance. Letters of credit typically have a 12-month construction period followed by a 12-month warranty period. The warranty period begins once the city engineer signs off on the construction. Mayor Thomas G. Bailey pointed out there is a moratorium on residential and commercial building permits and subdivision applications in those parts of Wellsville City located above 4,650-feet in elevation. He asked if any of the proposed subdivision was above 4,650-feet in elevation and how that would affect the line of credit. Mr. Savage stated the line of credit *only* deals with roads and infrastructure. Mr. Freed's engineer, Steve Earl, pointed out the only property above 4,650-feet in elevation is the lot with the preexisting home in the southwest corner of the property. City Code requires water lines to be extended from property frontage. However, Mr. Freed asked if the Council would allow him to deviate from Code for the water line to the preexisting home. He outlined what he called a quicker, easier, more cost-effective route to run the water line through an easement from another lot. The Council will discuss the water line with City Engineer Chris Breinholt at a future City Council meeting. **Councilman Austin Wood made a motion, seconded by Councilwoman Denise Lindsay, to adhere to City Code which allows a letter of credit for the Creekside Meadows Subdivision consisting of 18 lots total, located at approximately 1100 South 200 East, Tax Id. #10-043-0007.**

YEA 3

Kaylene Ames
Denise Lindsay
Austin Wood

NAY 0

Next, the Wellsville City/LDS Church Emergency Preparedness Representatives discussed and presented a video on the Emergency Preparedness Plan for the Wellsville City Fire District and Wellsville LDS Stake. Brian Smith and Robyn Bankhead presented the emergency preparedness plan. Mr. Smith recognized the cooperative efforts of the LDS Church, Wellsville City, and the Emergency Response Committee. Committee members included Mr. Smith, Ms. Bankhead, Carl Leatham, Will Lusk, Austin Wood, and Scott Wells. The Committee has created an emergency preparedness video to help train and educate community members on what to do in case of an emergency. Following video training, the Committee conducts mock trials to help put that training into action. They hope to train many community members using the video and mock trials. Ms. Bankhead presented the 16-minute video. The video stated that in a catastrophic emergency the cooperative efforts of everyone in the entire community will be needed. *"We need to assume in a major event that emergency response personnel, fire department, first responders, and ambulance services may be overwhelmed. People could be trapped in their homes or find themselves displaced due to damage all while trying to deal with injuries and the shock of what has happened. To make an event like this more manageable, neighborhoods will need to look after each other."* The Wellsville City Office will serve as the central command center operated by City officials. LDS meetinghouses within City boundaries will be designated to serve as evacuation centers as well as area command centers. In the event of a catastrophic emergency residents will be instructed to first take care of their own family and home. Second, to make sure neighbors and their homes are okay. Third, to respond to the area command center as soon as possible. In the event of a catastrophic emergency, doors to the area command centers will be unlocked by ward or stake officials. Emergency response totes will be found in the ward clerk's office. Area leaders will then be able to follow the emergency preparedness instruction binders found in each tote. The video detailed instructions given in the binders. Many of the instructions given rely on the ability to send text messages to the central command center. Mr. Smith noted each emergency tote contain radios in the event that text messages cannot be sent or received. Ms. Bankhead explained that trainees have questioned when individuals will know to implement the emergency plan. She suggested Wellsville City could send out a text message to residents. City Manager Scott Wells recommended sounding the fire siren to alert the community that emergency protocol has commenced in the event cell phones can't be used. Councilwoman Denise Lindsay will post the emergency preparedness video on the City website. Mayor Thomas G. Bailey thanked the Committee for all their hard work and diligence creating and training community members on emergency preparedness.

The Council shall review and discuss for possible approval the 2022-2023 tentative budgets for the General Fund, Capital Projects Fund, Water Fund, and Storm Water Fund for all operating and capital budgets. City Manager Scott Wells reviewed the full budget worksheet. Each fund balanced. Mr. Wells detailed payroll increases. The Council previously determined 20% increases for all full-time employees. Mr. Wells stated he gave himself a 15% increase to try to even the gap between his wage and the wages of the remaining full-time employees. Part-time employees will receive a 3% raise. The Water Fund has \$2.25 million budgeted for the proposed Well #4. The Cache County law enforcement contract will remain the same as last year. Parks and Recreation has \$78,000 budgeted for pickleball courts. Impact fees are based on five building lot applications. Mr. Wells stated Wellsville City is fiscally sound. After discussion, **Councilwoman Kaylene Ames made a motion, seconded by Councilman Austin Wood, to approve the 2022-2023 tentative budgets for the General Fund, Capital Projects Fund, Water Fund, and Storm Water Fund for all operating and capital budgets.**

YEA 3

NAY 0

Kaylene Ames
Denise Lindsay
Austin Wood

Department Reports:

Denise Lindsay-

1) Food Truck Friday was a great success. Garbage disposal was an issue.

Mayor Thomas G. Bailey-

1) No business or concerns at this time.

Kaylene Ames-

1) Thanked Wellsville 3rd Ward Young Men for trimming neighborhood trees. Thanked the Wellsville 4th Ward youth who cleaned the ball diamond for a beautification service project.

Austin Wood-

1) The youth cemetery cleanup is May 24, 2022 at 6:30 p.m.
2) Is there new technology to deal with the sandy water in existing Well #2? City Manager Scott Wells believes it would be just as expensive to drill Well #2 deeper and pay to pipe water uphill to the Upper Pressure Zone as it will be to drill proposed Well #4.

City Manager/Recorder's Report:

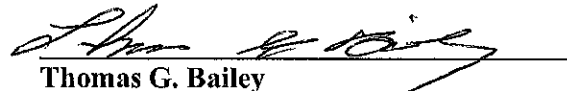
- 1) Underwater divers cleaned the city's three water tanks. Concerning cracks will be budgeted to be sealed next year.
- 2) According to State law any trees within 50-feet of the Leatham Springs water collection site need to be cleared.
- 3) The water level of Leatham Springs is not increasing as hoped for with spring runoff. Leatham Springs is flowing at 30% to 35% of its normal rate. The City newsletter has water restrictions in place for even and odd days, three days a week. Public works employees will work to police watering restrictions with informative door hangers.
- 4) The youth cemetery cleanup is May 24, 2022 at 6:30 p.m.
- 5) The Wellsville Mile is on May 24, 2022. With Council approval, concession stands will be operated by citizens to raise funds for the Pugmire family. The Council approved.
- 6) *T's Tree's Nursery* needs to cease sales until the conditional use permit is changed to include *T's Tree's Nursery* sales in addition to *Weeks Products*.
- 7) Cameras will be installed at the cemetery and maintenance shed this week.
- 8) The City hired five teenagers to assist with summer upkeep projects.

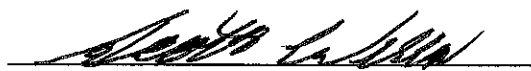
At 8:30 p.m., Councilwoman Denise Lindsay made a motion, seconded by Councilman Austin Wood, to adjourn the meeting.

YEA 3

Kaylene Ames
Denise Lindsay
Austin Wood

NAY 0


Thomas G. Bailey
Mayor


Scott Wells
City Manager