

MINUTES of the regular **City Council** meeting of Wellsville City held **December 21, 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 and Austin Wood. City Planner Jay Nielson and City Manager Scott Wells were also present. A copy of the Notice and Agenda were mailed to the Mayor and Councilmembers and emailed and faxed to the Herald Journal on December 16, 2022. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Councilman Chad Poulsen was excused from this meeting.

Others Present:	Kylie Bartholomew	Landon Bartholomew	Diana Cannell
	Chris Clark	Clair Cooper	Debbie Murray
	Quinn Murray	Brad Parkinson	Megan Petersen
	Jeff Pierce	Margo Pierce	Diane Roundy
	Sam Winward	Linda Wursten	

Opening Ceremony: Bob Lindley

The Council reviewed the agenda. **Councilwoman Denise Lindsay made a motion, seconded by Councilman Bob Lindley, to approve the agenda as presented.**

<u>YEA 4</u>	<u>NAY 0</u>
Kaylene Ames	
Bob Lindley	
Denise Lindsay	
Austin Wood	

The Council reviewed the minutes of the December 07, 2022, regular City Council meeting. **Councilman Austin Wood made a motion, seconded by Councilwoman Denise Lindsay, to approve the minutes of the December 07, 2022, regular City Council meeting.**

<u>YEA 4</u>	<u>NAY 0</u>
Kaylene Ames	
Bob Lindley	
Denise Lindsay	
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, **Councilman Bob Lindley made a motion, seconded by Councilwoman Kaylene Ames, to approve the City's accounts payable bills for payment, represented by check number 27790 through 27820.**

<u>YEA 4</u>	<u>NAY 0</u>
Kaylene Ames	
Bob Lindley	
Denise Lindsay	
Austin Wood	

At 6:06 p.m., Mayor Thomas G. Bailey opened the meeting for citizen input. There was no citizen input. At 6:07 p.m., citizen input was closed.

Diana Cannell, representing Jackson Allred, P.C., presented the 2021/2022 Audit Report. Ms. Cannell thanked the Mayor, City Council, and city employees for another great year. The office staff was very efficient and did an excellent job she stated. She reviewed the highlights of the report. Wellsville City assets in total increased by nearly \$2,000,000.00. Liabilities also had a slight increase of \$177,000.00. Therefore, Wellsville City has an equity of approximately \$1,700,000.00 from July 2021 to June 2022.

Wellsville City's governmental net income was \$783,000.00, which is a \$270,000.00 increase from the previous year. Ms. Cannell stated there was a single audit finding which was the overall enterprise fund's (water, sewer, stormwater) net loss of \$67,000.00. The water fund had a net loss of \$131,000.00. She reported that the sewer fund also had a minor loss of \$2,800.00. Stormwater funds did not have a loss. Ms. Cannell stated the city needs to evaluate the enterprise loss. Is the loss an anomaly where more repairs and maintenance were required than average? Or is the loss a common trend taking place year after year? Losses year after year would indicate that city water fees should be increased to support the current services provided by the city. Ms. Cannell recommended examining the enterprise funds while budgeting for the next year to determine if adjustments need to be made or if the budget will self-correct. City Manager Scott Wells stated that the city has had more PRV and metering repairs than an average year. Ms. Cannell noted that budget adjustments at the end of the year can be tricky since estimated project expenses may not be billed for several months. Wellsville City was compliant with all other state compliance items. "That's it out of all the things we test that was the only finding that we had. So, I felt extremely good about how things went with the audit," Ms. Cannell concluded. Mayor Thomas G. Bailey asked if it is Ms. Cannell's professional opinion that Wellsville City is in good financial condition. Ms. Cannell replied that Wellsville City is in good financial condition. Mayor Bailey and the Council thanked Ms. Cannell for her efforts.

The Council was unable to proceed with public hearings until 6:25 p.m. Therefore, they moved on to department reports.

Department Reports:

Denise Lindsay-

1) No business or concerns at this time.

Kaylene Ames-

1) No business or concerns at this time.

Bob Lindley-

1) No business or concerns at this time.

Austin Wood-

1) No business or concerns at this time.

City Manager/Recorder's Report:

1) The Christmas tree green waste disposal bin will be placed next to the fire station.

2) A city fire engine had mechanical issues along Santa's route through Wellsville on December 17, 2022. City Manager Scott Wells reported he had not heard any citizen complaints regarding the delay.

City Planner Jay Nielson then presented a special report concerning Wellsville City's open space progress. He pointed out Cache County selected a picture of Wellsville City's open space corridor along Highway 89/91 as the "poster child" for the Cache Open Space Bond mailers. City Planner Nielson displayed images highlighting open space preservation throughout Wellsville City. He emphasized that Wellsville's 139-acres of 'existing set aside open space' is equivalent to 14 city blocks. A low estimate of 'existing critical lands preserved' was said to be 125-acres. There are 448.87-acres of 'open space pending' and 325-acres of 'critical lands pending.' Over the last 20-years, the existing and pending acres, of preserved open space and critical lands, has grown to approximately 1,037.87-acres. City Planner Nielson stated that acreage is equivalent to half of the built-up portion of the city. City Planner Nielson explained that the proposed Bridle Path Estates Subdivision would add an additional 231-acres of critical land set asides and 440-acres of open space. He stressed that Wellsville City chose to annex that property into the city years ago in order to protect Leatham Springs. City Planner Nielson reported that if the proposed Bridle Path Estates property had not been annexed in, Cache County would have allowed the property to develop 90 (ten-acre) dwelling units. No critical land set asides or open space would have been preserved by Cache County. City Planner Nielson shared that he is a former board member of the Bear River Land Conservancy and has experience dealing with conservation easement purchases. He stated he has conservatively projected that the \$20 million Cache County Open Space Bond will purchase approximately 1,344-acres. With state leverage that

open space acreage could grow to approximately 4,032-acres. City Planner Nielson projected that over the next 20-years, Wellsville City will preserve an additional 975-acres. He emphasized that Wellsville City's open space will be set aside *without taxpayer contributions*, as opposed to the County's \$20 million of taxpayer contributions. City Planner Nielson noted the County will also pay for perpetual maintenance of the conservation easements. City Planner Nielson's final projection was that by the year 2042, Wellsville City will have preserved 2,012.87-acres of open space which could match Cache County's open space preservation range of 2,016 to 4,032-acres. He concluded this is a very significant comparison since there are no taxpayer dollars or cost of perpetual conservation easement maintenance for Wellsville City.

City Planner Nielson then shared the history behind Wellsville City's decisions to preserve open space. "... Mayor Ruth Maughan was enthusiastic about using open space to keep Wellsville rural. Some Councilmembers and Planning Commissioners were reluctant. Their main concern was, "Do we really want to insist on codes that no in Cache Valley has already adopted?" Councilman Lynn Cooper led the way by boldly reminding Councilmembers that Wellsville always has the courage to do the right thing. So, the codes were adopted. Wellsville has been the leader in open space preservation ever since. One night at a very sticky Planning Commission meeting (Tom Bailey was the Planning Commissioner at the time), a developer was proposing a subdivision approval. This developer could not believe that the city could legally require him to save open land. He was argumentative enough that I could tell he was convincing some of the Commissioners. I thought I was alone trying to stand my ground. The developer said, "That land will become a weed patch, no good to anyone." Just when I thought we were going to lose the battle, if not the entire war, Commissioner Tom Bailey said with confidence focusing on the developer, "Yes, if you do nothing it will turn into a weed patch. But it will over time return to the same natural open land we love surrounding Wellsville. That will be your legacy and ours." Tom Bailey turned the tide. Wellsville's efforts to save open space have not blinked since." City Planner Nielson ended by thanking the Mayor and Council. The Council and public in attendance applauded the presentation. Mayor Bailey thanked City Planner Nielson.

Beginning at 6:30 p.m., the Council conducted the following public hearings.

The Council shall receive public input, then along with the recommendation from the Planning Commission, the Council shall consider possible approval of the preliminary plan for the Winward Subdivision consisting of two lots total, located at approximately 169 West 100 North (Tax Id. #11-081-0052). Sam Winward presented the preliminary plat. He explained that the 'L-shaped' lot will be split, and the open subdivided lot sold. He reported that the preliminary plat was favorably received by the Planning Commission. Mr. Winward stated all the city engineer's notes are being addressed. Mr. Winward explained that would prefer to pay a fee in lieu of sidewalk due to the extreme slope west of his existing driveway along 100 North. Mr. Winward stated he would like to escrow the funds for manhole domes. The 100 North roadway is currently in such bad condition that Mr. Winward is uncertain where the edge of the roadway even is. He added it would be more economical to place the 100 North and 100 West manholes at the same time. Mr. Winward informed the Council that he has already created drainage swales for the property. He noted he will modify the swales if City Engineer Chris Breinholt determines they need adjusted. City Manager Scott Wells noted stormwater has severely damaged that the 100 North roadway and showcase the importance of drainage swales.

At 6:36 p.m., Mayor Thomas G. Bailey opened the public hearing. There was no public comment.

At 6:37 p.m., **Councilwoman Denise Lindsay made a motion, seconded by Councilman Bob Lindley, to close the public hearing.**

YEA 4
Kaylene Ames
Bob Lindley
Denise Lindsay
Austin Wood

NAY 0

Mayor Thomas G. Bailey asked the Council if they had any further questions. Councilman Austin Wood

said the preliminary plat was straightforward. Councilman Bob Lindley clarified that City Engineer Breinholt's notes have been addressed. Councilwoman Denise Lindsay asked if any changes to existing irrigation pipe have been addressed with the irrigation company. Mr. Winward stated no changes will be made to the existing irrigation pipe. **Councilman Austin Wood made a motion, seconded by Councilman Bob Lindley, along with the recommendation from the Planning Commission to approve the preliminary plan for the Winward Subdivision consisting of two lots total, located at approximately 169 West 100 North (Tax Id. #11-081-0052).**

YEA 4

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Austin Wood

Next, the Council shall receive public input, then along with recommendation from the Planning Commission, consider for possible approval the preliminary plan for the Cooper Subdivision consisting of five lots total, located at approximately 600 South 200 West (Tax Id. #10-037-0010). Brad Parkinson presented the preliminary plat. He stated they have no objections with City Engineer Chris Breinholt's notes. Mr. Parkinson stated they plan to pay a fee in lieu of open space. City Planner Jay Nielson pointed out that the Planning Commission approved three conditions listed in the staff report (see Attachment A) regarding open space as part of their recommendation. The fee in lieu of open space will be approved by the City Council before the Cooper Subdivision's final plat can be recorded, he added.

At 6:40 p.m., Mayor Thomas G. Bailey opened the public hearing. Chris Clark drew the Council's attention to the manhole which dead ends in front of Clay and Jerilyn Isom's home (Tax Id. #10-025-0049) on the west side of 300 West. Mr. Clark asked if it was in the city's best interest to continue sewer from that manhole along the west side of the road rather than the east side which is proposed in the plat. City Manager Scott Wells pointed out poor elevations have resulted in that particular manhole being quite shallow and not a good option to extend from. Councilwoman Denise Lindsay stated water and sewer typically run along opposite sides of the road. City Engineer Breinholt's note reads, "Maps show this water line on the east side of the pavement. There are existing valves at the stub in 600 South that should show the location of the waterline."

At 6:45 p.m., **Councilwoman Kaylene Ames made a motion, seconded by Councilman Bob Lindley, to close the public hearing.**

YEA 4

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Austin Wood

Councilman Bob Lindley asked if City Engineer Breinholt's notes have been addressed. Mr. Parkinson answered yes. City Manager Wells explained that the Council's approvals are conditional upon City Engineer Breinholt's notes being met. After discussion, **Councilman Bob Lindley made a motion, seconded by Councilman Austin Wood, along with the recommendation from the Planning Commission to approve the preliminary plan for the Cooper Subdivision consisting of five lots total, located at approximately 600 South 200 West (Tax Id. #10-037-0010).**

YEA 4

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Austin Wood

Next, the Council shall receive public input, then consider for approval a resolution formalizing the creation

of a Cooperative Career Service Council in Cache Valley to deal more efficiently with parties in addressing personal grievance. City Manager Scott Wells presented the resolution which reads,

"WHEREAS, the Utah Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated (1953, as amended) (the "Act"), permits local government units including cities, counties and political subdivisions of the State of Utah to make the most efficient use of their powers by enabling them to cooperate with each other on the basis of mutual advantage and to create interlocal entities to more efficiently provide governmental facilities, services, and improvements to the general public; and... the Parties are committed to supporting each other fairly and equitably offering due process to individuals seeking to grieve a Party's action or inaction... this Interlocal Cooperative Agreement is in the best interests of all the Parties in that it provides a tool to assist in making more efficient personnel grievance decisions, provides unbiased and fair due process for individuals seeking to grieve a Party's action or inaction, and meets the objectives and goals of each Party...

Section Three, Formation and Powers of Cooperative Career Service Council, F. Powers. The Council shall have the power to:

- (1) Provide due process employee grievance hearings for any participating agencies.*
- (2) Review findings of fact from grievance proceedings against agency policies, legal, ethical, and professional practice related to recruitment, hiring, employment, and termination.*
- (3) Issue non-bias written hearing determinations to aggrieved employee and grieved agency.*
- (4) Offer policy recommendations to the participating agencies."*

City Manager Wells explained that if an employee has a grievance which they are unable to work out with the City Council (the appeal authority), they can then approach the Cooperative Career Service Council to have a non-biased hearing to review the grievance. He noted the Cooperative Career Service Council would provide the city another opportunity to resolve employee grievances before legal action is taken. A representative from Wellsville's City Council would be expected to serve on the Cooperative Career Service Council to address Wellsville and other participating municipality grievances. City Manager Wells recommended rotating Councilmembers serving on the proposed council annually. Councilman Austin Wood asked how often the Cooperative Career Service Council would meet. City Manager Wells answered that the proposed council would meet only as needed as grievances arise. Councilwoman Kaylene Ames clarified that the Cooperative Career Service Council will not affect the city's budget. Councilwoman Denise Lindsay stated she believes that Wellsville City employee grievances can be resolved before ever reaching the proposed council. Mayor Thomas G. Bailey noted Wellsville City has never needed such a council in the past. City Manager Wells said the Cooperative Career Service Council offers another level of safety for the city. Councilman Bob Lindley asked how many municipalities are participating. City Manager Wells answered that they are hoping to have twelve municipalities participate. He expects municipalities with small staff are most likely to participate. At 6:54 p.m., Mayor Thomas G. Bailey opened the public hearing. There was no public input.

At 6:55 p.m., Councilwoman Denise Lindsay made a motion, seconded by Councilwoman Kaylene Ames, to close the public hearing.

YEA 4

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Austin Wood

After discussion, Councilman Austin Wood made a motion, seconded by Councilman Bob Lindley, to approve Wellsville City Corporation Resolution Number 2022-11, a resolution adopting the Interlocal Agreement for Wellsville City, for one year after which Wellsville City's participation will be reevaluated.

YEA 3
Kaylene Ames
Bob Lindley
Austin Wood

NAY 1
Denise Lindsay

Along with recommendation from the Planning Commission, the Council shall consider for possible approval the final plat for the Bartholomew Subdivision consisting of two lots total, located at approximately 590 South 200 East (Tax Id. #10-041-0037). Landon Bartholomew presented the final plat. He stated agreements have been made for the proposed subdivision up to this point and he is looking for the final stamp from the City Council. Councilwoman Denise Lindsay asked if the property's drainage easement will be left at the front of the lots. Mr. Bartholomew answered yes. City Planner Jay Nielson addressed a document which was presented by neighboring property owner Clair Cooper (Tax Id. #10-041-0001 and #10-016-0012) (see Attachment B) which reads,

"From Notes in our system

10 June 2016- Don Hartle, 245-3686, said it could be buildable with the expense of extending water and sewer lines down about 4 ½ blocks from 200 South. Eb

*Dixie Page
Deputy County Assessor"*

City Planner Nielson reported he visited the County Recorders Office and had two Recorders Office employees verify that this property has no deed restrictions recorded. The presented document is *not* a deed restriction. He explained that placing a property deed restriction has a very thorough processes which involves dates, signatures, stamps, recording and filing. "My efforts have demonstrated that there are no legal deed restrictions on this property." City Planner Nielson concluded. Neighboring property owner Clair Cooper (Tax Id. #10-041-0001 and #10-016-0012) interjected. He said the presented document was "tacked to the deed on the property." City Planner Nielson replied that the presented document is not a recordable document. "You can't put six septic tanks on that piece of ground. It's draining right down into my field. You're not going to do it." Mr. Clair Cooper emphasized. Mr. Clair Cooper asked Mayor Thomas G. Bailey his thoughts. Mayor Bailey noted when the property was originally subdivided the discussion was that the property wouldn't be developed until sewer was extended. However, no legal deed restriction were ever placed on the property Mayor Bailey stated. Mr. Clair Cooper responded that the presented document was stapled right to his property deed (Tax Id. #10-041-0001 and #10-016-0012); as well as Kaden Cooper's deed (Tax Id. #10-041-0037) and Cortney Cooper's deed (Tax Id. #10-041-0035 and #10-041-0036). Councilman Austin Wood recused himself from voting based on a conflict of interest with both parties. "And another thing, Scott was supposed to have looked it up and he didn't." said Mr. Clair Cooper. "I sent out the notes to the Council on May 04, 2022. It gives them the Planning Commission and City Council notes. It was a line item and we discussed it. We followed up on it the following meeting." replied City Manager Scott Wells. He read aloud from minutes of the June 19, 2002, City Council meeting referenced, "*Presently there are no sewer lines installed in the area. However, in light of the requirements to protect water supplies, and the feasibility to construct a sewer line to this area, laterals should be extended to 200 East from each home that is built. Since a sanitary sewer line is not available, an individual disposal system meeting all requirements of the Bear River Health Department and the City will be required. A public sewer line will undoubtedly be available in less than 15 years. Therefore the system must be designed to easily divert the sewage to the City's system before passing through a septic tank. Upon satisfactorily addressing the above questions I feel I can sign the plat.*" Mr. Clair Cooper said there would be 20 more septic tanks if they allow septic on this proposed subdivision, inferring that he believes the Council cannot require him to extend the city sewer system for his property (Tax Id. #10-041-0001 and #10-016-0012) if they don't require Mr. Kaden Cooper to do so for these two lots.

Mr. Bartholomew reminded the Council that they approved allowing septic systems at this property (since there is no city sewer system available within 300-feet) on May 04, 2022. The City's sewer system is 2,800-feet away from this location. Mr. Clair Cooper said he is concerned that wastewater from this

property's septic tanks will contaminate his adjoining property as well as the Wellsville Reservoir Park and camp sites. Drainage also runs from this parcel to the Little Bear River he added. Councilwoman Kaylene Ames asked if stormwater has previously been tested at this location for contamination. City Manager Wells responded he has only seen stormwater flow at this location once in winter of 2016/2017. At that time, the stormwater was not coliform tested. He noted a drainage system is necessary within that swale. Councilwoman Denise Lindsay asked Mr. Bartholomew if he plans to build on one of the lots. Mr. Bartholomew answered that he plans to build a home on one lot and Mr. Kaden Cooper plans to build a home on the other lot. Mr. Bartholomew repeated that the Council previously approved septic systems for this property on May 04, 2022. The Bear River Health Department has conducted a feasibility test and has determined septic systems at this location can percolate into the ground.

Councilwoman Lindsay explained that her former employment with Cache County leads her to believe that the document presented by Mr. Clair Cooper is an *accessor's note* filed by former City Manager Don Hartle which suggests that the lots are unbuildable *in order for the property owners to remain in a lower tax bracket and save money on property taxes*. Mr. Clair Cooper shared that Cortney Cooper's property taxes went from \$600.00 to \$2,400.00 this year (Tax Id. #10-041-0035 and #10-041-0036). Councilwoman Lindsay observed that property tax change indicates that Mr. Cortney Cooper's lots went from unbuildable to buildable lots. She repeated she believes the presented document was used to determine assessment value *not as a deed restriction*. Councilwoman Lindsay believes "*Eb*" shown in the document are the initials of a Cache County assessor. She pointed out the Council approved septic systems at this property on May 04, 2022, since there is no city sewer system available within 300-feet. Councilwoman Lindsay noted sewer options for neighboring properties are not pertinent to this approval. City Manager Wells explained he has Bear River Health Department's documentation on file reporting that the feasibility test conducted at this property determined septic systems can percolate into the ground. Councilwoman Lindsay asked Mr. Bartholomew if he understands that any sewer lateral connected to a septic tank must connect to a future sewer line in 200 East when it is constructed within 300-feet per Utah State and Wellsville City code. Mr. Bartholomew affirmed he understands and stated that the septic tanks and associated piping will be located such that any sewer service may be reasonably connected to in the future. Mayor Bailey pointed out development of the Creekside Meadow Subdivision located at approximately 1100 South 200 East (Tax Id. #10-043-0007) may bring the city's sewer system along 200 East past this property which would require the Bartholomew Subdivision to connect. Councilman Bob Lindley stated that the Bartholomew Subdivision has met all of the city's subdivision requirements. Mr. Clair Cooper interjected stating, "I'll sue the city if I find any pollution in my water that runs from those septic tanks. You guys will be named on it." **Councilman Bob Lindley made a motion, seconded by Councilwoman Kaylene Ames, to approve the final plat for the Bartholomew Subdivision consisting of two lots total, located at approximately 590 South 200 East (Tax Id. #10-041-0037).** Following the motion, Mr. Clair Cooper said "That ain't going to be pretty. Now what do we do about Scott? He's not following through what he's supposed to do." City Manager Wells responded that his follow through was to send out the minutes from the June 19, 2002, City Council meeting to the City Council. Which were reviewed in the May 04, 2022, City Council meeting. City Manager Wells stated he also followed through checking for deed restriction on this property, which it does not have. "So, this has got it right there in writing what Hartle said, and Scott said he didn't find nothing. So that's grounds for legal issue right there." replied Mr. Clair Cooper. "That's your privilege." responded Mayor Bailey.

YEA 3
Kaylene Ames
Bob Lindley
Denise Lindsay

NAY 0

ABSTAIN 1
Austin Wood

City Manager Scott Wells discussed the first quarter financial report for September 2022. He reported to the Mayor and Council that Wellsville City is in good financial standing. After discussion, **Councilwoman Denise Lindsay made a motion, seconded by Councilman Austin Wood, to approve the first quarter financial report for September 2022.**

YEA 4

Kaylene Ames
Bob Lindley
Denise Lindsay
Austin Wood

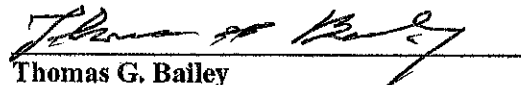
NAY 0

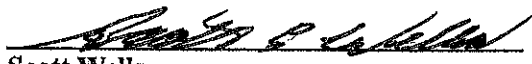
At 7:24 p.m., Councilwoman Denise Lindsay made a motion, seconded by Councilman Bob Lindley, to adjourn the meeting.

YEA 4

Kaylene Ames
Bob Lindley
Denise Lindsay
Austin Wood

NAY 0


Thomas G. Bailey
Mayor


Scott Wells
City Manager

Staff Report

Cooper Subdivision - Preliminary Plat

Parcel 10-037-0010

Wellsville City Planning Commission

14 Dec 2022

This application is seeking a Preliminary Plat review for a 5.0 ac. subdivision. No additional roads or rights-of way are required. The following code requirements are highlighted:

- A. The maximum density allowed in the ROS1 zone ,whenever new interior roads are not required, is 1.0 multiplied by the total land area, less critical lands.
https://codelibrary.amlegal.com/codes/wellsvilleut/latest/wellsville_ut/0-0-0-6101-JD_10-15-1
- B. Five lots are allowed on this property.
- C. A 40% open space set-aside, less critical lands, is required for all subdivisions in the ROS1 zone. Two acres of land shall be set-side as permanent open space.
https://codelibrary.amlegal.com/codes/wellsvilleut/latest/wellsville_ut/0-0-0-9510
https://codelibrary.amlegal.com/codes/wellsvilleut/latest/wellsville_ut/0-0-0-9526
An In-lieu fee or substitute land for open space is proposed by the developer. An appraisal has been completed by the City to establish the fees required for the open space substitution. No specific proposal has been submitted to substitute the open space. The Preliminary Plat may be approved without this being resolved. However, the substitution for open space shall be proposed and accepted by the city before any land sales can begin and the Final Plat has been recorded.
https://codelibrary.amlegal.com/codes/wellsvilleut/latest/wellsville_ut/0-0-0-9622
- D. Lot sizes vary and some lots are smaller than 1 acre. This is allowed if the total allowed density does not exceed 5 lots.
- E. Frontages for lots exceed required distances.
- F. No sensitive or critical lands appear to be involved with this property.
- G. As noted by the City Engineer, front setbacks are shown incorrectly. The front setback shall be 30'. The corner lots shall have a 30' front setback and a 20' side setback.

Proposed conditions to recommend approval to the City Council of the preliminary plat as follows:

- 1. It shall be noted in the record that until open space substitutions have been accepted by the City, the final plat shall not be recorded and lots cannot be sold.
- 2. Two acres of open space is required for this project, which may be substituted with fees or land equivalent to the value of the property that is being proposed for subdivision.
- 3. Front setbacks and corner lot setbacks must be shown correctly on the plat as noted in the staff report.

Attachment B

From Notes in our system

10 Jun 2016 - Don Hartle, 245-3686, said it could be buildable with the expense of extending water and sewer lines down about 4 1/2 blocks from 200 south. Eb

Dixie Page

Deputy County Assessor