

MINUTES of the regular **City Council** meeting of Wellsville City held **February 15, 2023**, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey; Councilwoman Kaylene Ames; Councilmen Bob Lindley, Chad Poulsen and Austin Wood. City Manager Scott Wells was 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 February 10, 2023. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Councilwoman Denise Lindsay arrived at 6:03 p.m. City Planner Jay Nielson was excused from this meeting.

Others Present:	Mikelshan Bartschi	Chad Jensen	Sadie Lloyd
	Deb McBride	Enrique Meza	Megan Petersen
	Alyna Ohling	Shane Schiele	Linda Wursten

Opening Ceremony: Councilman Chad Poulsen

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

<u>YEA 4</u>	<u>NAY 0</u>
Kaylene Ames	
Bob Lindley	
Chad Poulsen	
Austin Wood	

The Council reviewed the minutes of the February 01, 2023, regular City Council meeting. **Councilwoman Kaylene Ames made a motion, seconded by Councilman Austin Wood, to approve the minutes of the February 01, 2023, regular City Council meeting.**

<u>YEA 4</u>	<u>NAY 0</u>
Kaylene Ames	
Bob Lindley	
Chad Poulsen	
Austin Wood	

Councilwoman Denise Lindsay arrived at 6:03 p.m.

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 Councilman Austin Wood, to approve the city's accounts payable bills for payment, represented by check number 27992 through 28022.**

<u>YEA 5</u>	<u>NAY 0</u>
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.

Sadie Lloyd met with the Council to request a **Business License** to operate "Maple Market LLC," out of the property located at approximately 85 East Main Street (Tax Id. #10-022-0006). Ms. Lloyd shared that the proposed business will operate as a market with everyday grocery essentials as well as a sandwich bar. In

addition to everyday grocery essentials, Maple Market will sell snacks, fountain drinks, ice, and pet food. The Maple Market Sandwich Bar will offer five freshly made sandwich options. Sandwiches may be picked up to go or customers may choose to dine in with seating for ten at the bar. Outdoor patio seating will also be available during the summer months. Councilman Chad Poulsen informed the Council that the Planning Commission approved a Conditional Use Permit contingent upon Ms. Lloyd providing a Façade Elevation View and an Alternative Parking Plan; as well as obtaining a signage permit and a valid Certificate of Occupancy. Councilwoman Kaylene Ames asked if there is adequate street parking for the proposed business. Mayor Thomas G. Bailey explained that property owner Tony Johnson, of Ardent Property Management, plans to team with the City to build a parking lot north of the building (Tax Id. #10-022-0002). Water and sewer lines are anticipated to be replaced during summer 2023 and the parking lot paved in summer 2024. Until then, the Council discussed allowing overflow parking in the Tabernacle parking lot. Councilwoman Denise Lindsay asked if Ms. Lloyd plans to sell tobacco or alcohol products. Ms. Lloyd answered yes, she does intend to sell tobacco and alcohol at the proposed market. Councilwoman Lindsay explained that Ms. Lloyd must get a license from both the City and the State of Utah, Division of Alcohol Beverage Control (DABC) to serve alcohol. The DABC will require a signed local consent form from the City and a copy of the proposed Business License Certificate. Mayor Bailey stressed that no occupancy of the historic building will be allowed until a Certificate of Occupancy is issued. Councilwoman Lindsay asked when the building's renovation is estimated to be completed and Ms. Lloyd plans to open for business. Ms. Lloyd stated she hopes to open for business at the end of May. The Council wished Ms. Lloyd success with Maple Market. **Councilman Chad Poulsen made a motion, seconded by Councilman Austin Wood, to approve the request from Sadie Lloyd for a Business License to operate "Maple Market LLC," a grocery business out of the property located at 85 East Main Street (Tax Id. #10-022-0006); contingent upon Ms. Lloyd providing a Façade Elevation View and an Alternative Parking Plan; as well as obtaining a signage permit and a valid Certificate of Occupancy.**

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

Citizens Against Physical and Sexual Abuse (CAPSA) representative Alyna Ohling met with the City Council to raise awareness for Sexual Assault Awareness Month. Ms. Ohling informed the Council that CAPSA received 631 crisis calls in 2022 where sexual assault or rape was the primary issue (statistics encompass Cache and Rich Counties). Ms. Ohling shared that hope begins by shifting responses from blame to support when survivors disclose incidents of sexual violence. She stated that more individuals do *not* report incidents of sexual violence (out of fear or other barriers) than report falsely. Start by Believing is a national campaign intended to help create a culture where survivors feel safe to come forward and receive the support they need to heal. Hope is also instilled in survivors by connecting them to resources. CAPSA helps connect people to law enforcement (when individuals are in imminent danger), and to State resources for financial and housing support. Ms. Ohling emphasized that CAPSA provides resources but leaves the individual in control of which resources they choose to implement. Ms. Ohling expressed gratitude for the community's support and concluded that hope and resources can make a difference in the lives of sexual assault survivors. The Council commended CAPSA's efforts.

Sheriff Chad Jensen and Lieutenant Mikelshan Bartschi met with the City Council to discuss the 2023-2024 Cache County Sheriff Office (CCSO) contract renewal. Lieutenant Bartschi reminded the Council that a three-year budget for Wellsville City's Cache County Sheriff services began last year. He stated he is comfortable with the number of hours allotted to Wellsville City and that an increase of contract hours is not necessary. Wellsville City contracts 1,374-hours with the CCSO. Lieutenant Bartschi anticipates CCSO will exceed the contract by 800-hours by the end of the month. The CCSO is comfortable with that surplus. Lieutenant Bartschi displayed graphs showing the CCSO's total hours by shift over the last six months including law incidents, traffic violations, and warnings issued. He introduced the Council to Deputies Shane Schiele and Enrique Meza. Councilman Bob Lindley how Wellsville City's contracted

hours compare to the other municipalities in the valley. Lieutenant Bartschi answered that CCSO provides approximately 150 percent of Wellsville's contracted hours. Sherriff Jensen stated that he is very comfortable with exceeding Wellsville's City's contracted hours by 150 percent. He shared that other city contracts must be increased year by year as they surpass contracted hours with percentages over 200 percent.

Councilwoman Denise Lindsay asked if the CCSO envisions social services responding to mental health incidents in the future. Lieutenant Bartschi referenced the '988 Suicide and Crisis Lifeline' which is "helping to fill in that transition." He outlined the dangers of relying on a phone call to assess risk rather than the CCSO arriving on scene to function as "impartial fact finders." The CCSO works alongside the State, Bear River Mental Health Department, School Districts, and the 998 Suicide and Crisis Lifeline to develop case management strategies for each unique individual. Sherriff Jensen emphasized that he is hesitant to send Mobile Crisis Outreach Teams (MCOT) on calls without the police responding as well. "We just don't know what is on the other side of that door... and it's a safety issue," he stressed. Sherriff Jensen said once the CCSO determines that a situation is safe they can then forward individuals to the mental health professionals they need. He underscored that the Cache County Jail is not, nor was it ever intended to be, a mental health ward. Sherriff Jensen informed the Council that there are plans for Cache County to gain a 'Receiving Center' in the next several years. A 'Receiving Center' is a community-based crisis center with nurses, physician, and mental health providers to serve individuals experiencing mental health, behavioral, or substance related crisis or distress.

Councilman Chad Poulsen stated he is concerned too few traffic citations have been issued in Wellsville City. He reported he receives numerous complaints from residents regarding excessive speeding in town. Traffic speed complaints vastly outnumber any other complaints he hears from Wellsville residents. Councilman Poulsen expressed concern that he and the citizens rarely see patrol taking place in Wellsville. Mr. Poulsen voiced appreciation for the CCSO and stated he hopes to see more street patrol. Lieutenant Bartschi replied the CCSO will work to be more visible. Mayor Thomas G. Bailey recognized that the CCSO cannot be present on every street in the valley. Deputy Schiele asked for targeted times of day at directed locations. Lieutenant Bartschi explained that directed patrol is the practice of focusing police resources to address specific crime problems and reporting to calls for service. Sixty percent of CCSO's time spent in Wellsville is under directed patrol. Forty percent of CCSO's time is spent on traffic and random patrol. Lieutenant Bartschi concluded by outlining the effectiveness of traffic studies which could be utilized in Wellsville. Sherriff Jensen mentioned that a new Cache County Animal Control Center should open in two weeks. Mayor Bailey, City Manager Scott Wells, and the Council expressed their appreciation to Sherriff Chad Jensen, Lieutenant Bartschi, Deputy Schiele, and Deputy Meza.

Councilwoman Kaylene Ames opened a discussion regarding a Certified Local Government (CLG) grant for Wellsville City. The Wellsville Foundation has requested the opportunity to apply for a State Historic Preservation Office (SHPO) grant, with which they hope to replace the waterline running to the Tabernacle. Grants are run through city municipalities. The Foundation is requesting \$10,000.00 from SHPO; to be matched with \$5,000.00 of in-kind services from Wellsville City and \$5,000.00 from the Foundation. The existing aged waterline connecting the Tabernacle to 100 East has numerous leaks. Councilwoman Ames shared that the Foundation believes that installation of new waterline will be more cost-effective than repairing the existing line. The Foundation proposes Wellsville City's \$5,000.00 of in-kind services be employed by removing the existing waterline and running a new line to the building. The Foundation has received a bid from a local company to pipe water *inside* the Tabernacle. All materials will be paid for by the Wellsville Foundation. Councilwoman Ames informed the Council that her goal is to have functional toilets and sinks in the Tabernacle by Founders' Day 2023. She pointed out that the condition of the Tabernacle's sewer system remains unknown until water is available inside to be flushed. Councilwoman Ames explained that the Tabernacle's 2022 grant was used to remove the boiler system and asbestos insulated pipes. City Manager Scott Wells will ascertain the existing waterline's exact size for the SHPO grant application. After discussion, **Councilman Chad Poulsen made a motion, seconded by Councilwoman Denise Lindsay, to approve Wellsville City's participation in a Certified Local Government (CLG) grant to connect a new waterline to the Tabernacle.**

YEA 4

Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

NAY 0

ABSTAIN 1

Kaylene Ames

City Manager Scott Wells presented the Supplier Agreement for installation of water meters in the Leatham Spring's area of the Wellsville City water system. The proposed Supplier Agreement would be made, "by and between Wellsville City (hereinafter referred to as "City") and Bridle Path Partners, LLC., a Utah Limited Liability Company (hereinafter referred to as "Supplier"), and is based on the following:

- A. City owns a water system, the water for much of which is supplied by Leatham Springs ("Springs") in Sardine Canyon. Water from the Springs is collected in a reservoir and piped east in the Canyon ("Pipeline") for the use of its citizens.
- B. Supplier has applied for subdivision approval for Bridle Path Estates ("Subdivision") in Sherwood Hills vicinity, whose sole water source would be Leatham Springs; and it is in the interest of City and Supplier to determine the amount of water loss from the Pipeline from Leatham Springs until it reaches the City's Distribution System.
- C. City is willing to allow Supplier to obtain and install at Supplier's cost two (2) measuring devices ("Devices") in the Pipeline and Appurtenances as hereinafter defined..."

City Manager Wells informed the Council that the Supplier Agreement was presented to Bridle Path Partners, LLC. on January 30, 2023. He stated it would be the Supplier's responsibility to have plans engineered for the Devices. The City Council would then consider approval of the engineered plans. City Manager Wells informed the Council that no onsite work would be allowed without a City representative present. He explained that City Code does not allow water and sewer hookups between November 1st and April 1st. The final paragraph of the Supplier Agreement reads,

"12.10. No Representation. The entry into this Agreement does not change any of the approval requirements for the Subdivision and does not change any of the existing legal rights, duties, obligations, and responsibilities of the parties. The City has made no representations to Supplier that entry into this Agreement will modify in any manner the subdivision submittal and approval progress. In any event, Supplier has no expectation of reimbursement from City of the cost of the Work. Supplier has determined it is in its best interest to obtain the information the Devices will provide, regardless of whether or not the Subdivision is approved by the City."

City Manager Wells said permanent installation of manholes, plugs, saddles and hardware by the Supplier would be beneficial to the city going forward. He added that if a leak is found, the leak will be prioritized according to Wellsville City's timeline and finances. Councilman Bob Lindley recommended the city explore metering the water system without in-line probes. City Manager Wells requested additional data regarding Councilman Lindley's suggestion and recognized the benefits of *not* perforating the waterline which is under intense pressure at the mouth of the canyon. Councilman Lindley agreed to providing supplementary data. **Councilwoman Denise Lindsay made a motion, seconded by Councilman Chad Poulsen, to continue the discussion regarding the supplier agreement for installation of water meters in the Leatham Spring's area of the Wellsville City water system.**

YEA 5

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

NAY 0

City Manager Scott Wells opened the discussion regarding adding Matthew Maughan to the list of Wellsville City Dealings with related parties. Any relatives of the City Council, Mayor, or city employees that have financial dealings with Wellsville City must be included on a list for the City's audit. Mr. Maughan has opened his own diesel mechanic business and Wellsville City would like to contract his services as needed. **Councilman Bob Lindley made a motion, seconded by Councilman Austin Wood, to approve the revised list of Wellsville City Dealings with related parties.**

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

City Manager Scott Wells discussed the first quarter financial report for December 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 December 2022.**

YEA 5

NAY 0

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

Department Reports:

Denise Lindsay-

- 1) No business or concerns at this time.

Chad Poulsen-

- 1) No business or concerns at this time.

Kaylene Ames-

- 1) The Council discussed a request from resident Linda Wursten to have the water rights information meeting broadcast by Governor Spencer Cox presented at the City Office at 7:00 p.m., February 22, 2023, following Planning Commission meeting. City Manager Scott Wells said he will forward the meeting's link to the Council and will present the broadcast at the city office based upon interest.
- 2) The Wellsville Foundation plans to reserve the City Bowery June 9, 2023 and June 10, 2023 for the second annual Arts & Music Festival.

Bob Lindley-

- 1) Councilman Bob Lindley asked the Council for Memorial Day speaker recommendations.

Austin Wood-

- 1) Councilman Austin Wood asked for additional specifics regarding the Supplier Agreement for installation of water meters in the Leatham Spring's area of the Wellsville City water system. City Manager Scott Wells and Councilman Bob Lindley explained that the City is uncertain where leakages are occurring *throughout the water system as a whole*. The proposed meters would help determine *if* leakage is occurring in the canyon and if so, the volume being lost. City Manager Wells explained that he is working on getting a bid from a leak detection agency. Understanding what the city is up against will help determine a systematic approach to improving the water system. City Manager Wells shared that GIS mapping is being implemented to better understand where valves and air vents lie throughout the system. He mentioned to option to use air release detection devices to find leaks within the system. Resident Mark Thompson owns four percent of Leatham Spring's water. City Manager Wells concluded that troughs supplied by Leatham Springs, used to water cattle and wildlife, should be metered as well.

City Manager/Recorder's Report:

- 1) March 8, 2023, the Planning Commission shall receive public input, then consider for approval four final permits for the Bridle Path Subdivisions consisting of 130 lots total, located at approximately 7625 South Highway 89/91.
- 2) City Manager Scott Wells met with Jed Clark regarding Mr. Clark's "redneck waterslides" (Tax Id. #10-

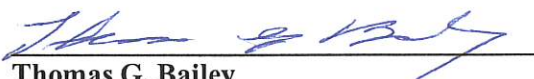
015-0015) in an effort to bring the business into compliance with Wellsville City. The Clarks are pursuing categorizing the redneck waterslides as agritourism. City Manager Wells told the Council that agritourism is not yet part of City Code and ask them to give it additional thought. Mr. Clark has operated without a business license for 18-years. Rather than acquiring a Conditional Use Permit (which would affect the property's greenbelt status) Mr. Clark hopes to obtain some type of an "Agricultural Use Permit" created by the City. Mr. Clark has said that his two accesses off Highway 89/91 are compliant with UDOT. The corn maze is under Cache County's jurisdiction. The redneck waterslides are under Wellsville City's jurisdiction, the Council considered the liability risks. City Manager Wells stated Mr. Clark has a viable business which people enjoy and hopes that the business will become compliant with Wellsville City Code. 3) The February 2023 newsletter is advertising for seasonal summer workers in the Parks Department.

At 7:57 p.m., **Councilman Bob Lindley made a motion, seconded by Councilwoman Kaylene Ames, 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