

MINUTES of the regular City Council meeting of Wellsville City held Wednesday, February 19, 2014, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey, Councilwomen Karen Higley and Glenna Petersen, Councilmen Gary Bates, Carl Leatham, and Perry Maughan. City Manager/Recorder Don Hartle was also present. A copy of the Notice and Agenda was mailed to the Mayor and Council members and emailed and faxed to the Herald Journal on February 14, 2014. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present: Jennifer Leishman Mary Majocho Tom Majocho  
Rich Meeboer M. Kent Larsen Sarah Romero  
Jonathan Cook Deputy Matt Pearce Deputy Brooks Nielsen  
Janie Isaacson Kendall Leishman David Swanson

Opening Ceremony: Gary Bates

The Council reviewed the agenda. Karen Higley made a motion, seconded by Glenna Petersen, to approve the agenda as presented.

YEA 5 NAY 0  
Gary Bates  
Karen Higley  
Carl Leatham  
Perry Maughan  
Glenna Petersen

The Council reviewed the minutes of the February 5, 2014 regular City Council meeting. There was a word change on line 206. Glenna Petersen made a motion, seconded by Gary Bates, to approve the minutes of the February 5, 2014 regular City Council meeting with the correction.

YEA 5 NAY 0  
Gary Bates  
Karen Higley  
Carl Leatham  
Perry Maughan  
Glenna Petersen

No one was in attendance for citizen input.

Mary Majocho met with the City Council for a business license. Ms. Majocho would like to open an antique shop at 93 East Main. She will be selling antiques and collectibles. She would also like to bring in some locals to sell anything that they may have to offer. Ms. Majocho asked if there was a special permit that she needed in order to sell candy. Don Hartle stated that the application says minor retail. Gary Bates stated that the candy should be wrapped and store-bought versus anything homemade. Carl Leatham stated that the Planning Commission approved the conditional use permit with no restriction. Karen Higley asked if she would sell items on consignment. Ms. Majocho stated that most of the items she will be selling are her own. She would consider buying the item and then selling it. She has no consignments lined up, but may consider it in the future. After discussion, Carl Leatham made a motion, seconded by Karen Higley, to approve the business license for Mary Majocho at 93 East Main.

YEA 5 NAY 0  
Gary Bates  
Karen Higley  
Carl Leatham  
Perry Maughan  
Glenna Petersen

Rich Meeboer representing Unison met with the City Council to discuss the cell phone tower. Mr. Meeboer stated that he is a site development officer. This cell phone tower has been on his radar. His job is to look for opportunities to bring mutual benefit to Wellsville City as well as Unison. Mr. Meeboer met with Don Hartle a month ago to discuss the cell phone tower. The tower currently houses Sprint and Nextel. Mr. Meeboer stated that towers in the area create a threat. His job is to save the tower by having the infrastructure already in place and co-locating on the tower. Mr. Meeboer stated that his job is to find towers that are underutilized and maximize the revenue. Mr. Meeboer will market to other cell phone carriers to locate on the tower and start paying rent. This is an opportunity for Wellsville City to make money. Mr. Meeboer can then go to the cell companies and offer expanded coverage. This helps to streamline the expansion solution. Mr. Meeboer stated that he is ready to make an offer to Wellsville City unless they want to keep the numbers confidential. This partnership will help with 2 things: 1) keep the tower alive, and 2) generate revenue. Mayor Thomas G. Bailey asked if Unison will reimburse Wellsville City on a monthly or yearly basis. Mr. Meeboer stated that he is willing to pay Wellsville City in one lump sum of cash for the existing revenue stream and find more revenue streams. Don Hartle stated that he and Mr. Meeboer discussed a monthly basis versus a lump sum. Mr. Hartle stated that one company is paying \$250 per month, and the other company is paying \$970 per month with a 4% increase every year. Mr. Hartle stated that the lump sum will reduce the annual revenues for the budget. Mr. Meeboer stated that he can pay Wellsville City however they want to be paid. Mr. Meeboer stated that he has to have an interest in it. Mr. Meeboer stated that he would like an easement under the tower for telecommunications only. The payment can be structured in a variety of ways. Mr. Hartle stated that this is a public meeting and everything is public. Mr. Meeboer offered Wellsville City \$152,000 cash and a split on future contracts as high as 60% for Wellsville City and 40% for Unison. Perry Maughan asked about maintenance of the tower. Mr. Meeboer stated that just like Wellsville City was the landlord of the tower, Unison would take over. Gary Bates asked about terms of the agreement. Mr. Meeboer stated that Unison is paying fair market price for the site, and the easement gives Unison room to put in more equipment. Mr. Bates asked if \$152,000 is based on a certain length of time. Mr. Meeboer stated that it is based on credit worthiness of the tenant. Mr. Maughan asked if the easement would include more property. Mr. Meeboer stated that Unison would prefer not to upset the land. Mayor Bailey asked if the \$152,000 is guaranteed. Mr. Meeboer stated absolutely. Mr. Leatham asked Mr. Hartle if the easement would be a problem because of the location. Mr. Hartle stated that it depends on the kind of easement that is being discussed. Mayor Bailey suggested that the contract be drawn up and the Mr. Hartle have City Attorney Bruce Jorgensen review it. Mr. Hartle suggested that a proposal be put together and that Mr. Meeboer attends a future City Council meeting as well as Mr. Jorgensen. Mr. Bates stated that he believes that Wellsville City owes Mr. Meeboer some type of direction when putting together the contract. Mr. Bates asked what might the monthly payments from Union would look like. Mr. Hartle stated that he believes 10 years is reasonable. Mr. Meeboer stated that he would like to put out the right offer first. Mr. Meeboer asked if he should include or eliminate the easement as part of the contract. Mr. Leatham asked if Wellsville City would have to give unlimited access. Mr. Meeboer stated no. Mr. Maughan stated that the reservoir is directly southwest of the tower. Mr. Maughan stated that he doesn't see any problem with the easement. Karen Higley asked how firm is the \$152,000 offer, and if Unison would entertain a counteroffer. Mr. Meeboer stated that he has the ability to go higher if Wellsville City is willing to go with a lesser percentage of future contracts. Mr. Hartle suggested putting 2 scenarios together, one with a 60/40 split and one with a 50/50 split. Mr. Meeboer stated that this tower is high on the radar. Mr. Maughan asked if Mr. Meeboer has all of the information that he needs. Mr. Meeboer stated yes. Kendall Leishman asked about a 50/50 split for 10 years for \$200,000. Mr. Meeboer stated that he is within \$10,000 of the top number. After discussion, Carl Leatham made a motion, seconded by Gary Bates, to continue this discussion at a future City Council meeting.

YEA 5

Gary Bates  
Karen Higley  
Carl Leatham  
Perry Maughan  
Glenna Petersen

NAY 0

The City Council discussed the appointment of a new Planning Commission member. Mayor Thomas G. Bailey stated that he talked with Chairman John Spence, and he would like to be removed from the Planning Commission. Mayor Bailey stated that he has discussed the names of people with Carl Leatham and others. Mayor Bailey presented the name of Gerald Leishman to serve the remainder of Mr. Spence's term. After discussion, Glenna Petersen made a motion, seconded by Perry Maughan, to approve Gerald Leishman to server on the Planning Commission.

**YEA 5**

**NAY 0**

Gary Bates  
Karen Higley  
Carl Leatham  
Perry Maughan  
Glenna Petersen

The City Council discussed the appointment of a new Planning Commission Chairperson. Mayor Thomas G. Bailey stated that he has discussed the names of the Planning Commission members with different people. Mayor Bailey presented the name of Ruth P. Maughan to serve as Chairperson of the Planning Commission. After discussion, Glenna Petersen made a motion, seconded by Gary Bates, to approve Ruth P. Maughan to serve as the Planning Commission Chairperson.

**YEA 5**

**NAY 0**

Gary Bates  
Karen Higley  
Carl Leatham  
Perry Maughan  
Glenna Petersen

The City Council discussed salaries for fiscal year 2014-2015. Don Hartle stated that he didn't bring individual salaries to this meeting. Mr. Hartle stated that adjustments were made last year. Mr. Hartle recommended that if the City Council decides to give a raise, the question should be what percentage of raise should be given. Carl Leatham asked if there are funds to allow for a raise. Mr. Hartle stated that Wellsville City will received funds from new growth. Mr. Hartle stated that Cache County gave a 2% raise across the board. Gary Bates discussed the wage and benefit study that was completed late last year. The employees of Wellsville City are not being overpaid, but have pretty good benefits. Mr. Leatham asked if the 2% raise would include part-time employees. Mr. Hartle stated that it is up to the City Council if it does or doesn't. Perry Maughan stated that the part-time help for Wellsville City isn't getting any younger. Mr. Hartle stated that he talked with Dallas Hall, and Mr. Hall is supposed to come up with a proposal as to what it is that he can do. Mr. Bates stated that Logan City can install dumpsters at the parks. There would be no cost to Wellsville City to have them attend a City Council meeting to discuss the issue. Karen Higley stated that the City Council has been told that they are spending a lot of money. Ms. Higley asked if the funds can be found in the budget to give a raise to the employees. Mr. Hartle stated that a 2% raise would equal about \$6,500 and it would be received from new growth. After discussion, Gary Bates made a motion, seconded by Glenna Petersen, to approve a 2% increase to all Wellsville City employees.

**YEA 4**

**NAY 0**

**ABSTAIN 1**

Gary Bates  
Karen Higley  
Carl Leatham  
Glenna Petersen

Perry Maughan

The City Council conducted a workshop on the certified tax rate. Don Hartle stated that he tried to get numbers from the County Auditor, but because the position has be removed, he has received nothing as of yet. Mr. Hartle stated that he will continue to work on this issue. After discussion, Carl Leatham made a motion, seconded by Karen Higley, to continue this discussion at a future City Council meeting.

YEA 5

NAY 0

Gary Bates  
Karen Higley  
Carl Leatham  
Perry Maughan  
Glenna Petersen

The City Council considered for approval the 2014 RAPZ tax application. Gary Bates stated that Wellsville City didn't apply for any RAPZ tax in 2013. The Parks & Recreation Committee stated that they would like to apply this year for funds for a splash pad. Mr. Bates stated that he has done some research on this type of project. Millville City installed a splash pad in 2013, Hyrum City in 2012, and Tremonton City in 2012. The water from the splash pad is not recycled anymore. It uses approximately 30 gallons per minute. Mr. Bates stated that it is legal to put the used water into the ditch. The cost of a splash pad for Millville City was approximately \$60,000. Mr. Bates stated that in discussing this issue with City Engineer Chris Breinholt, the cost would be between \$50,000 and \$75,000. Carl Leatham asked where the splash pad would be located. Mr. Bates stated that they discussed east of the current playground located on the City Square. It is a central area of town. Karen Higley stated that she thought it was a great idea. Mr. Bates stated that he will have Mr. Breinholt verify the numbers. The application has to be submitted by March 7, 2014. Mr. Leatham asked if it was possible to drain the pipes in the winter so that it doesn't freeze. Mr. Bates stated that there is an on-line instruction manual for these splash pads. Don Hartle stated that a concern he has is coming up with a contribution for this project. Submitting the application with a contribution gives Wellsville City a better chance at being rewarded the funds. Mr. Bates discussed donating the backhoe work and gravel. After discussion, Gary Bates made a motion, seconded by Karen Higley, to approve the 2014 RAPZ tax application for a splash pad at a cost of \$60,000 to \$70,000, and that Wellsville City will look for ways to match the funds.

YEA 5

NAY 0

Gary Bates  
Karen Higley  
Carl Leatham  
Perry Maughan  
Glenna Petersen

Department Reports:

Gary Bates – 1) Thanked Don Hartle – any time he calls and asks for a favor, it is always taken care of.  
2) Discussed moving the traffic light from Caine Dairy road to 550 North. The traffic light will be located in a t-section. MR. Bates believes it makes very good sense moving the traffic light. He asked if there is more that the City Council should to doing. It would be a safety improvement.  
3) Encouraged the City Council to go online and read about cell phone towers. There are many other companies that do the same thing that was being pitched to the City Council tonight.

Karen Higley – 1) Asked who was in charge of the pageant last year – Carol Nyman. Ron Case was the City Council member over it.

At 7:48 p.m., Glenna Petersen made a motion, seconded by Karen Higley, to adjourn the meeting.

YEA 5

Gary Bates  
Karen Higley  
Carl Leatham  
Perry Maughan  
Glenna Petersen

NAY 0

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Thomas G. Bailey  
Mayor

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Don Hartle  
City Manager/Recorder