

The **Beaver City Council** met in a **Work Meeting** at **4:00 p.m.** in the Beaver City Center located at 30 West 300 North on Tuesday, **January 24, 2017**. The following members of the Council were present: Mayor Pro Temp Connie Fails, Council Members Tyler Schena, Chad McWilliams, Matt Robinson and Robin Bradshaw. Mayor Craig Wright was excused. Also present were City Manager Jason Brown, City Attorney Justin Wayment, City Treasurer Paul Barton, and City Recorder Anona Yardley.

MID-YEAR BUDGET AND FINANCIAL REVIEW

Treasurer Barton and Manager Brown presented the financial Statement for the second quarter of the FY2017, September through December, 2016. Questions were asked about specific line items in the general fund and the enterprise funds. All the enterprise funds are operating in the black. The general fund has more expenses than revenues at this point in the year. All departments are being careful in their spending and fiscal responsibility is being stressed on all levels.

AIRPORT PROPERTY LEASE AGREEMENT

This lease was not ready for Council review. It was tabled for the next meeting.

LEGAL COUNSEL – Attorney Justin Wayment

Tobacco Specialty Shop Draft Ordinance – Attorney Wayment presented the corrected draft to the Council to review before the public hearing. Copies will be available at the public hearing.

Internet Based Vacation Rentals – Vacation Rentals and Bed and Breakfasts are currently unregulated for Transient Room Tax in Beaver City. This is an issue that the State Legislature will be addressing in this legislative session.

Kents Lake Lawsuit – The appeal response for Beaver City is finished. It has been reviewed by the Kents Lake Attorneys. All the testimony was reviewed as well as the facts presented in the case. The arguments have been made. The facts have been pulled out of the transcript and included in the arguments. They will be filed to the Appellate Court on January 27, 2017.

The **Beaver City Council** met in a **Regular Session** at **6:00 p.m.** in the Beaver City Center located at 30 West 300 North on Tuesday, **January 24, 2017**. The following members of the Council were present: Mayor Pro Temp Connie Fails, Council Members Tyler Schena, Chad McWilliams, Matt Robinson and Robin Bradshaw. Mayor Craig Wright was excused. Also present were City Manager Jason Brown, City Recorder Anona Yardley and City Attorney, Justin Wayment.

The Opening Ceremony of an invocation, Pledge of Allegiance, and thought was conducted by Council Member Schena.

CITY COUNCIL MINUTES APPROVED

Minutes of the previous **regular council meeting** were presented. Council Member Robinson moved and Council Member McWilliams seconded the approval of the **January 10, 2017** minutes as presented. All voted in favor. None opposed.

BILLS APPROVAL

Bills were presented and reviewed by the City Council. Council Member Bradshaw moved and Council Member Robinson seconded to approve the proposed bills for **January 24, 2017**. All voted in favor. None opposed.

CONFLICT OF INTEREST STATEMENT

Council Members were asked if there were any conflicts of interest with the current agenda. No conflicts were voiced at this time.

PUBLIC HEARING – RETAIL TOBACCO SHOP ORDINANCE

Council Member Robinson moved and Council Member Schena seconded to move into public hearing in order to receive public comment on the proposed Retail Tobacco Shop Ordinance. All voted in favor. None opposed. The Council moved into public hearing at 6:30 p.m. There were 3 citizens in attendance at the hearing.

Slade Smith – Mr. Smith stated that his purpose for coming was to understand the purpose of the ordinance. He encouraged the council to protect individual rights and allow businesses the right to sell what is legal. He wanted to make sure the Council didn't prohibit business sales and growth in the business world. The Council thanked Mr. Smith for his comments.

Clint Albrecht – Mr. Albrecht addressed the health issues with tobacco and e-cigarettes. There is no regulation for e-cigarettes in the state. Companies selling e-cigarettes have made them very enticing to young people. The Council Members asked questions of Mr. Albrecht about the sale and regulations in the State. Clint was thanked for his knowledge and the information he shared with the Council.

PUBLIC HEARING – NET METERING OR SOLAR POWER ORDINANCE

Because the Council was still in a public hearing, at 6:49 p.m., Mayor Pro Temp Falls asked for public comment on the Net Metering or Solar Power Ordinance.

David Martin – Beaver City Electrical Superintendent stated that he approved of the Ordinance. There being no other public comment, the Council moved out of public hearing at 6:50 p.m.

EAGLE SCOUT PROJECT – Joshua Christiansen

Eagle Scout Candidate, Joshua Christiansen, addressed the Council about his project of getting new curtains for the theater in the Opera House. He had received an estimated price for new curtains from Oasis of approximately \$4,000. However, Beaver High School has donated their old curtains. There is a possibility they can be resized and hung in the theater to make this project financially feasible. The hardware for the curtains may need to be replaced. The troop will be able to help with the taking down of the old curtains and putting up the new curtains. Council Member Bradshaw moved and Council Member Robinson seconded to approve this project with a limit of \$400. All voted in favor. None opposed. Beaver Civic Arts President, Von Christiansen stated that if there were any costs over the approved amount, the Civic Arts would pay for them. The Council thanked Joshua for presenting his project and reminded him that they would like some before and after pictures of his project when he returned to report his project.

EAGLE SCOUT PROJECT – Logan Marshall

The second Eagle Scout Candidate, Logan Marshall, presented his project of painting the stage floor and walls in the Opera House Theatre. The costs were itemized for the supplies. The Beaver Civic Arts will cover the cost over \$400. The Council suggested using a heavier type of paint for the floor because it was painted in 2015. They encouraged him to work with Manager Brown and the Civic Arts to get a better surface for the floor. Council Member Robinson moved and Council Member Schena seconded to approve this Eagle Scout Project as presented for no more than \$400. All voted in favor. None opposed. The Council would like him to come back and report on his project with before and after pictures.

BEAVER CIVIC ARTS COMMUNITY GRANT – President Von Christiansen

President Christiansen met to inform the Council of some upcoming developments in the downtown area.

1. **The Sale of Property** – Mr. Christiansen will follow through with these developments and let Manager Brown know what he finds.
2. **Community Substance Coalition** – This organization has applied for some grant money to hire a recovery service facilitator and to provide an office. There would be ample space for Alcoholics Anonymous to use this facility also.
3. **Community Impact Board Grant** – Manager Brown and Mr. Christiansen have not been able to meet to discuss the CDBG project of construction on the Opera House.

ELECTRIC DEPARTMENT FIRE RATED CLOTHING APPROVAL

Electric Employees are required to wear Fire Retardant clothing when they work. Council Members discussed the consequences for not having this type of clothing. Council Member Schena moved and Council Member Bradshaw seconded to authorize the City to purchase fire retardant clothing required by IPSA and OSHA for safety and protection of city employees. Council Members Bradshaw, Robinson, Schena, and McWilliams voted in favor. None opposed. Motion carried by a majority vote. Electric Superintendent Martin will be ordering this clothing.

PLANNING AND ZONING DECISIONS/RECOMMENDATIONS

There were three issues that the Planning and Zoning Board approved in their last meeting:

1. The purchase of Phil Brown's shop for a diesel mechanic shop and truck wash.
2. A State Licensed Day Care facility was granted a conditional use for the Old Swindlehurst Mortuary. The Mortuary Conditional Use was terminated.
3. They approved the Conditional Use for the Belknap Elementary School because there was not one approved at time of construction.

The School Bus Parking on the Southeast corner of the school property was discussed with the Planning and Zoning Board. The requirements for a bus parking lot maintenance were reviewed with the School District. A dust free environment and sound barriers would need to be considered.

BEAVER COUNTY BRANDING – “Beaver Country” Discussion and Ratification

Council Member McWilliams informed the other Council members of the meeting and discussion that occurred in the last Beaver County Branding Meeting. The Council will support this branding for Beaver County.

RETAIL TOBACCO SPECIALTY SHOP ORDINANCE

Council Member Robinson moved and Council Member McWilliams seconded to approve the Retail Tobacco Specialty Shop Ordinance as it was presented and in accordance with existing

Utah State Code. Council Members Bradshaw, Robinson, Schena, and McWilliams voted yea by voice vote. None opposed. The motion carried by a majority vote.

NET METERING OR SOLAR POWER ORDINANCE

Council Member Schena moved and Council Member Bradshaw seconded to approve the Net Metering (Solar) Ordinance. Council Members Bradshaw, Robinson, Schena, and McWilliams voted yea by voice vote. The motion carried by a majority vote.

CLOSED SESSION

The Beaver City Council will close a portion of its meeting to discuss the character, professional competence, or physical or mental health of an individual. Council Member Robinson moved and Council Member McWilliams seconded to move into closed session for the above mentioned reasons. Council Members Robinson, Schena, McWilliams, and Bradshaw voted yea by voice vote. Motion carried by a majority vote. The Council moved into closed session at 6:15 p.m. They moved out of closed session at 6:27 p.m.

Council Member McWilliams moved and Council Member Bradshaw seconded to adjourn the meeting. All voted in favor. None opposed. The Council Meeting was adjourned at 7:36 p.m. The next regularly scheduled Council meeting will be held Tuesday, February 14, 2017 at 4:00 p.m.

APPROVED: _____

**CRAIG WRIGHT
MAYOR**

ATTEST: _____

**ANONA S. YARDLEY
CITY RECORDER**