

The **Beaver City Council** met in a **work session** at **2:00 p.m.** in the Beaver City Center on **January 8, 2012**. The following members of the Council were present: Mayor Mark J. Yardley, Council Members Chris Smith, Connie Fails, Gary Brown, Lynn Harris, and Craig Wright. Also present were City Manager Brent Blackner and City Recorder Anona Yardley.

Duties and Responsibilities of Executive Council – Title 10 - State Code Job Announcements

Some changes in the State Code Title 10 have taken place in the last few years. This title addresses the duties and responsibilities of the Legislative body within municipal governments. It specifically outlines the duties and responsibilities of the Mayor and Mayor Pro-Temp. Appointed positions are nominated by the Mayor and require a two-thirds vote from the Council members of the legislative body. The responsibilities of Council Members in Title 10 of the State Code were discussed and reviewed. It is important to educate the council members on the legislative process. The Council retreats and work sessions have helped with that education process. The organized committees have been successful because of the trust in the people that serve on the committees. The hiring process was discussed in detail. Communication between the members of the Council, the Mayor, and City Manager is very important.

Utilities Recovery Fees Agreements

Beaver City looped the end of a water line on 1800 North and 920 East to provide better fire coverage for the citizens in the area. The individual who paid for a portion of the line is asking for a recovery fee on the end of the line connection. There is a question on whether the recovery fee extends to the extension on the ends of the line. Beaver City Code prohibits recovery fees on ends of utility lines. Recovery line agreements have an ending date after which no fees can be recovered. The North Sewer SAA also has a recovery agreement.

City Center Update and Usage Fees

The New City Center does not have a rental (usage) fee for the facility. The City would like to cover the cost of the utilities with the rental fee. The cleaning deposit would need to be held for five days and not be returned until a thorough inspection of the building is made. The conference room could also be rented. All the city building fees were reviewed and discussed.

The Beaver City Council moved into **regular session** at **4:00 p.m.** in the Beaver City Center on **January 8, 2013**. The following members of the Council were present: Mayor Mark J. Yardley, Council Members Connie Fails, Chris Smith, Gary Brown, Lynn Harris, and Craig Wright. Also present were City Manager Brent Blackner and City Recorder Anona Yardley. City Attorney, Justin Wayment, entered the meeting at 4:05 p.m. Council Member Wright was excused at 5:45 p.m.

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

CITY COUNCIL MINUTES APPROVED

Minutes of the previous regular council meeting of **December 11, 2012** were presented. Council Member Smith moved and Council Member Fails seconded to approve the minutes with the corrections. Council Members Brown and Harris abstained. Council Members Harris, Wright and Smith voted in favor. Motion carried by a majority vote.

BILLS APPROVAL

Bills were presented and reviewed by the City Council. Council Member Fails moved and Council Member Brown seconded the proposed bills for December 26th be approved. All voted in favor. None Opposed. Council Member Brown moved and Council Member Fails seconded to approve the bills for January 8, 2013. All voted in favor. None opposed.

WATER AND SEWER RECOVERY AGREEMENT – Steve Kinross

Mr. Steve Kinross presented a utility recovery agreement executed in 2005 between Beaver City and Mr. Kinross. Mr. Kinross gave the Council some history on this agreement. He also had a map showing the lines and extensions that have been done since the agreement. Attorney Wayment delivered his opinion on the agreement. Mr. Kinross isn't asking for a payment but he would like to trade for a water or sewer connection. The situation was discussed and Mayor Yardley asked that the situation be tabled so the City Attorney could research the agreement and the ramifications of the agreement. Mr. Kinross was thanked for his visit and the information. Mr. Kinross asked that he be notified when the council discussed the agreement in future meetings. Mayor Yardley stated that the City Recorder would notify Mr. Kinross when this agreement was on the agenda for discussion again.

WATER CONNECTION FEES – Andy Adams

Mr. Adams was unavailable to meet with the Council because of illness. Mr. Adams has discussed his outstanding pump bill with the City. Council Member Smith and Mr. Adams have

met with the City Manager to discuss the situation. Mr. Adams will be put on the agenda in February.

NEW AND UNFINISHED BUSINESS

Appointed Officials Ratification

Council Member Brown abstained from the discussion and was excused. Mayor Yardley made the recommendation to appoint Mr. Paul Barton for the City Treasurer position when the current City Treasurer, Gail Harris, retires. Wages were discussed for the position. Council Member Harris moved and Council Member Wright seconded to accept the recommendation of the Mayor of appointing Paul Barton as the City Treasurer. Council Member Harris, Wright, Fails, and Smith voted in favor of the appointment. Council Member Brown abstained. Ratification passed by a majority vote.

City Building Rental Fees

Council Member Wright moved and Council Member Harris seconded to set the fees for the City Center at \$40 for four hours or less and \$100 for any time over the four hours up to a 12 hour block. The conference room would be rented on an hourly rate \$10/ hour or \$60 for a day. The fees for the Opera House and Community Center would stay at \$30 for four hours and \$80 for 12 hours. The security deposit for all buildings will be \$150 and will be retained up to five business days until cleared by City staff. All voted in favor. None opposed.

LEGAL COUNCIL

Utility Ordinance – The utility clerks will give the corrections to Manager Blackner tomorrow morning.

Annexation – Mr. Wayment gave the City a step by step checklist to use with the City's policy for future annexations.

Conditional Uses – The State Code for nonconforming uses has changed. Conditional uses in the ordinances are allowed where the building zone does not allow for the use. Some cities have done away with conditional uses. The planning and zoning commission will have to review the new codes and make recommendations whether conditional uses will be permitted and what conditional uses will be used for. When conditional uses are discontinued they are ternate and must be reconsidered if applied for at another time.

Century Link – Mr. Wayment handed out a draft letter to CenturyLink addressing concerns for pole use rental. The contract for CenturyLink was discussed and changes were made. He will send the letter and the contract as they now are stated.

ADMINISTRATIVE AND COMMITTEE REPORTS

Manager Blackner:

Retreat – Manager Blackner recommended a retreat to do some training for Council members on building a budget, revenue and expenditures, and city projections for the next four years. To be successful, it needs to be held out of town to get rid of the distractions of home. He suggested two days and maybe two nights sometime in March.

Council Member Brown:

Barney Trucking – Manager Blackner visited with their CEO today. They would like to review the City's proposal with Manager Blackner at the end of the month. They are looking at the internal costs of building a facility. They are still looking at other options.

Council Member Smith:

Tree USA – The City Tree Ordinance and the Tree USA Application are completed and submitted.

Mountain Shadow Subdivision – As far as is known, everything is on hold with this subdivision.

Opera House – There have been several problems with getting cable television in the Opera House. Satellite dish is being considered.

Snow plow – The city purchased a new used snow plow. The brand new plow is still being built. The old plow is also working as a standby. The Council asks that citizens be courteous and slow down until the roads melt.

Council Member Fails:

Veterans Memorial – There are over 2100 veteran's names for the memorial. There are still several veterans that we don't have branches of the service. These veteran's names will still be on a monument. We would like to thank the committee, ladies in the office, and especially Ron Barney for the many hours of work put in to collecting the veterans names and branches of service.

Council Member Wright:

Golf Committee – The golf committee will be meeting on Thursday at 4:00 p.m. to narrow down the applicants for golf course concessionaire interviews.

City Building – The front counter in the current city office was built by Louis Lessing. His family has asked that the city consider giving back the counter top to the family. The Council was in agreement to give it back to the family.

Council Member Harris:

Waste management – The Waste Management Special Service District had their annual budget meeting. They are financially secure and will be continuing to do business as usual.

Frozen Water Lines – All citizens are encouraged to run water through their taps at night to prevent water lines from freezing. The furthest taps from the meter are most important to keep running.

Swimming Pool – There were twelve applicants for the pool manager position. Interviews will be done on Wednesday, January 9, 2013 at 3:00 p.m.

Mayor Yardley:

Power Generation – The Power Plants are running at approximately 35 % of capacity at present. The winter storms will be invaluable for summer water availability. The snow that is on the mountain now will be the last water to come off the mountain.

Beaver Beautification – Beaver Beautification is the theme for this year. After a visit with the community ecclesiastical leaders, Mayor Yardley received their pledge of support for this year's theme. They have asked that the cleanup notice be in the paper sooner this year with extra clean up days.

Radon Committee – The Beaver City Radon Committee received a State award for community involvement and helping citizens become more aware about radon and its affects. Governor Herbert has declared the month of January as Radon Awareness Month. He has challenged all state employees and leaders to test their homes for radon this month.

Committee Appointment - Mayor Yardley has been asked to be on the American Red Cross Heroes Selection Committee.

Cold Weather - Mayor Yardley hopes everyone will take precautions so they can have protection from frozen pipes and the cold weather. All citizens are urged to leave the tap that is the furthest from the waterline inlet to the house running.

EXECUTIVE (CLOSED) SESSION

Council Member Smith moved and Council Member Harris seconded to move into closed session in order to discuss pending and current litigation. Council Members Brown, Smith, Fails, and Harris voted yea. Council Member Wright was excused. The motion passed by a majority vote. The Council moved into closed session at 6:20 p.m. The Council moved out of closed session at 6:43 p.m.

Council Member Fails moved and Council Member Harris seconded to adjourn the meeting. All voted in favor. None opposed. The Council meeting was adjourned at 6:45 p.m. The next Council meeting will be held Tuesday, January 22, 2013 at 2:00 p.m.

APPROVED: _____
MARK J. YARDLEY
BEAVER CITY MAYOR

ATTEST: _____
ANONA S. YARDLEY
CITY RECORDER