

The **Beaver City Council** met in a **work session** at **2:00 p.m.** in the Beaver City Center on **August 13, 2013**. The following members of the Council were present: Mayor Mark J. Yardley, Council Members Chris Smith, Gary Brown, Connie Fails, Lynn Harris, and Craig Wright. Also present were City Manager Brent Blackner and City Recorder Anona Yardley.

Fire Chief Compensation for Business Licenses

Mayor Yardley addressed the requirements of business licenses having the building inspector and the fire chief inspect the business for compliance to their specific codes. Fire Chief, George Humphreys, was present and addressed the council about specifics on business fire compliance. He suggested a certain day and time of the week to do fire inspections. He felt Friday would be the best day to do business inspections. The fire inspection also depends on the building inspector's determination of compliance with building codes. He didn't feel there was a need to be compensated for his inspection time at present. He would appreciate at least two days advance notice for the inspections.

Fire Chief Humphreys also addressed the city resolution for the fire season. He would like to make sure the city codes that address fireworks and fire safety are followed. When the resolution is in its draft form, law enforcement will be asked to indorse and enforce the resolution.

Canyon Breeze Training Center- Race Track

Council Member Fails addressed the three year plan for the Canyon Breeze Training Center. She suggested relooking at progress at the race track. The cost, equipment, volunteers, insurance, and horses were discussed. The weather plays an important part in the condition of the track. Mayor Yardley asked that the golf course committee and the race track association have lunch to discuss some of the existing issues with joint use of the facilities. Council Member Wright suggested that the city hire a full-time employee to manage the golf course and race track as one complex.

Recreation Update – Randy Davis

Beaver City Recreation Director, Randy Davis, addressed the new recreation season with the council. Football and Volleyball are commencing this week. The Central Utah Football League may change in the future depending on the community size. We will be using the bleachers at the high school for the home tackle football games. The city will have to close 100 East to allow room for the bleachers. The Outlaw Run was held on Saturday, August 10th. There were 35 runners in the half marathon and fifteen runners in the 5k. Jacey Blackner won the race. Randy had lots of help with the race and thanks each of them for their help. Woman's softball is finished and Men's softball will be finished this week. There was discussion on the softball and baseball tournaments that Beaver City sponsors. There are organizations who will do the tournaments and use our fields. This possibility was discussed at length and the matter was left open for further investigation. Mr. Davis suggested that in the next 2 or 3 months Beaver City make a plan for the programs they can financially support in recreation and the way they plan to carry out that plan. This will require some changes and some very hard decisions to be made by 2014. Council Member Smith will help Mr. Davis with this plan.

Swimming Pool Discussion

The pool fees were discussed that were increased July 1, 2013. The purpose of the public hearing was to receive public comment on the length of the pool season. Manager Blackner will explain the revenues and expenditures and fees at the pool before the hearing begins.

The Beaver City Council moved into **regular session** at **4:00 p.m.** in the Beaver City Center on **August 13, 2013**. The following members of the Council were present: Mayor Mark J. Yardley, Council Members Chris Smith, Gary Brown, Connie Fails, Lynn Harris, and Craig Wright. Also present were City Manager Brent Blackner and City Recorder Anona Yardley.

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

CITY COUNCIL MINUTES APPROVED

Minutes of the previous **regular council meeting and closed session** of **July 9, 2013** were presented. Council Member Wright moved and Council Member Brown seconded to approve the closed session minutes as presented. All voted in favor. None opposed. Council Member Harris moved and Council Member Fails seconded to approve the regular council minutes for July 9, 2013 with corrections on the Paul Porter Lawsuit. All voted in favor. None opposed.

BILLS APPROVAL

Bills were presented and reviewed by the City Council. Council Member Brown moved and

Council Member Fails seconded to approve the proposed bills for **June 30, July 11, 12, 16, 17, 29, and 31, and August 13, 2013.** All voted in favor. None Opposed

Declaration of conflicts of interest, abstentions, or personal interests on any matter on the agenda.

No conflicts of interests were voiced for any portion of the agenda.

DUP MUSEUM – Bonnie Ames

Bonnie Ames, DUP Museum Curator, stated that the Tabernacle Bell which was displayed on the Main Street Park belonged to the Daughters of the Utah Pioneers and offered proof to that statement. No one was sure how Beaver City gained possession of the bell. Mrs. Ames handed out the requirements for displaying the bell. The bell must be identified as property of the DUP and have a historical plaque. An Eagle Scout project was suggested to design and build a way to display the bell. Ideas were discussed of ways to display the bell. There were concerns about its placing and preservation. The location was undetermined at this time. Mayor Yardley asked that the DUP bring their recommendations for displaying the bell to Manager Blackner for approval. The Council thanked the DUP members and Pete Goff for being present.

PUBLIC HEARING – Nonconforming and Conditional Uses

Council Member Brown moved and Council Member Harris seconded to open the public hearing on conditional uses and nonconforming land uses. All voted in favor. None opposed. Mayor Yardley opened the public hearing at 5:02 p.m. Manager Blackner discussed the importance of conditional and nonconforming uses in zoning and land use. He discussed the types of uses for properties. Each zoning area has some conditional and nonconforming issues. There were questions on city ordinances allowing animals on properties and the number of animals on each property. The proposed ordinance changes will be discussed at the planning and zoning meeting on Thursday, August 15, 2013 at 7:00 p.m. There being no more public comment, Council Member Fails moved and Council Member Wright seconded to move out of public hearing. All voted in favor. None opposed. The council moved out of public hearing at 5:15p.m.

PUBLIC HEARNG – Swimming Pool

Manager Blackner explained to the group the current swimming pool rates. He also addressed the revenue and expenditures of the pool for three years, FY2010 through FY2012. Former County Commissioner, Chad Johnson, explained the county's contribution to the county swimming pools. Council Member Wright moved and Council Member Smith seconded to move into public hearing in order to receive public comment on the future season of the swimming pool. All voted in favor. None opposed. The council moved into public hearing at 5:24 p.m. Mayor Yardley asked that speakers take less than 2 minutes each. The following citizens spoke. Doug Blackner, Robbie Bradshaw, Roberta Stoker, Vickie Waters, Jamie Myntti, Tessa Ashworth, Michelle Evans, Dezra Munez, Wendy Macdonald, Kari Draper, Kathy Anderson, Kashden Limb, Bob Davidson, Lisa Jessup, Paul Elieson, Ann Marshall, Kyle Evans, Carol Giesing, Don Roberts, Marjorie McWilliams, Joan Ruplinger, Jordan Collings, Marion Harmon, Ron Bird, Alan Blomquist, and Sparky Horaczko. The items covered in the discussion are as follows: 1. The pool has many uses both in summer and winter. Some uses addressed were: conditioning for the BHS wrestling team, physical therapy after replacement surgery, injury, and illness, athletic conditioning, aerobics, scout merit badges, and swim team. 2. Concerns were voiced over the high price of swimming lessons by uncertified instructors. The possibility of having lessons during the winter months was suggested. 3. The new prices were prohibiting some citizens from using the pool. 4. The pool should be left open all year with a consistent, well publicized schedule. . 5. The pool is a service to our community. 6. It is not a money making endeavor. 7. The new ADA lift helps with the access into the pool. 8. Swim Team is a great opportunity for youth to learn to swim correctly and compete. The possibility of having swim team year round and have the school involved was discussed. Water Polo was also suggested. 9. The family pass is a great deal because you can add additional family members for only \$5. 10. The chemicals at the pool are very consistent and the life guards are better trained. 11. Donations from individuals and the hospital were suggested to offset the cost of maintaining the pool. 12. Some of the money now used for parks and ball fields should be moved to the pool budget to improve the pool. 13. It is hard to have swimming lessons during the winter because the life guards are in school and participate in athletics after school. Mayor Yardley thanked all for coming. There being no further comments, Council Member Smith moved and Council Member Brown seconded to move out of public hearing. All voted in favor. None opposed. The council moved out of public hearing at 6:07 p.m. After the council chambers cleared, the council discussed the outcome of the hearing. A swimming pool committee was suggested to make recommendations to the council.

LEGAL COUNSEL

School District – Mr. Wayment and Manager Blackner will be talking to the city's insurance company and Beaver County School District to further clarify what needs to happen to allow Beaver City and the Beaver School District to use the football field, bleachers, and close 100 East for the football games. There was discussion on raising the coverage to \$1,000,000 for special events.

Race Track Lawsuit – Beaver City has received a Notice of Claim from the law firm One Law on the jockey accident at the race track in the 2012 racing season. The notice was sent to the wrong mayor. There are two notices of claim. The city may need to wait a full year to see what happens. .

Kents Lake – The district courts may not allow Beaver City to intervene in the lawsuit.

NEW AND UNFINISHED BUSINESS

Airport Deicer – Council Member Smith moved and Council Member Wright seconded to accept the contract from the DOT to purchase the deicer with a 50/50 payment option. Council members Fails, Wright, Smith, and Brown voted for. Council Member Harris opposed. Motion carried with a majority vote.

Fire Chief Compensation for Business Licenses – After meeting with Fire Chief Humphreys, compensation for business license inspections was decided against.

URS 2013-2014 – Council Member Wright moved and Council Member Brown seconded to accept and adopt the FY2014 URS Retirement Rate as presented. All voted in favor. None opposed.

Road Closure Contract BHS – Item was tabled for further negotiations with the school district.

ADMINISTRATIVE AND COMMITTEE REPORTS

Manager Blackner:

ULCT Conference – The Utah League of Cities and Towns Conference will be held September 11-13 in Salt Lake City. Motel reservations need to be made for those who will be attending.

City Summer Party – The City Summer Party will be held on Tuesday, Aug. 27th after council meeting at the Telluride at 6:00 p.m. The work session will begin at 3:00 and the public meeting at 4:00 until the business is finished.

Financial Audit – The FY2013 annual financial audit was conducted last week. The auditors had a positive first impression. They were here for three and a half days.

Council Member Brown:

Business Survey – The business survey was conducted and the results of the survey will be presented next council meeting. At present there has been a 10% return.

Council Member Smith:

Airport – After discussion of ways to cover the cost of the deicer, it was the consensus of the Council that Beaver City would incur the cost of the truck, chemical, and two on call persons to run the operation because Beaver City will be billing for the use of the deicer.

Race Track – The Canyon Breeze Racing Association will be hosting a dinner for all involved with this year's racing season at the race track on Wednesday, August 21st at 7:00 p.m.

Eagle Project – Dillon Smith will be planting trees at the fourplex for his project. It will be finished before next council meeting.

Council Member Fails:

Library – The Library Board had their monthly meeting. Budget restraints were discussed. Use of the endowment fund was also discussed for use to cover program expenses. The library has purchased Ipods that can be checked out with books that can be listened to.

Youth Mayor - Naomi Sawyer will be the 2014 youth mayor. Council Member Fails met with her yesterday. She will choose two seniors to serve with her. Together, they will choose two juniors, two sophomores, and two freshmen to serve on the Mayor's Youth Council. Their installation will be on Tuesday, Sept. 10, 2013. Angela Edwards will volunteer to help with the youth council.

Trees on Main Street – The trees on Main Street need to be pruned on the sidewalk side to match the Main Street side.

Empty Space – There is a weed patch between the new elementary school and the ball field fence that belongs to the city. One of the light poles for the complex will be installed there. After the light pole is installed, Council Member Fails suggested grass should be planted to make it look the same as the elementary surroundings.

Council Member Wright:

Ice Machine at Golf Course – The ice machine at the golf course club house was addressed. When the club house is remodeled, an ice machine will be installed.

24th of July Fireworks Show – The show was a little late. Rain was a hindrance. The show was very good. The finale went off without a hitch.

Fire Season - Fire restrictions were lifted on July 23rd with the moisture that was received. The fire chief and Council Member Wright liked Brian Heads fire ordinance. They will send it to legal

counsel and discuss it at the next council meeting.

Council Member Harris:

Swimming Pool – Council Member Harris is working with the pool manager on forming a committee for the pool.

Mammoth Canal Cleaning Billing Breakdown – Council Member Harris passed out a percentage breakdown for all the ditch companies that receive water from the Mammoth Canal. break down for the cleaning of the ditch. He will deliver these breakdowns to the water master and all the ditch companies. The Mammoth Canal secretary will be doing the billing in the future.

Mayor Yardley

Thanks – Mayor Yardley expressed his thanks for the rain. It has been a blessing for the community. Thanks to all who make the July 24th celebration a wonderful success each year.

Crusher in the Tushar - Tim Mathews, three time winner of the Crusher in the Tushar in his division loves the race. Mayor Yardley thanks all the volunteers who help with the race, especially Burke Swindlehurst, the organizer. Reviews of the race have been wonderful.

Kawasaki International – Kawasaki International will unveil their new side by side in at the Beaver Main Street Park starting Sunday August 18 until Thursday, August 22. There will be national news media present during that week. A big display will be at the park.

Roads – If there are any chuck holes that need to be filled in, please contact the City Office with the location so they can be patched.

Ball Field Lights – After talking with Gordon Roberts, Mayor Yardley suggested considering contracting with someone to install the lights. ECSource has a drill to make the holes. The goal is to have the poles and lights in by November 1, 2013.

Business Survey – Governor Herbert sent a letter thanking Beaver City for doing the business survey.

Council Member Wright moved and Council Member Harris seconded to adjourn the meeting. All voted in favor. None opposed. The council meeting was adjourned at 7:30 p.m. The next Council meeting will be held Tuesday, August 27, 2013 at 3:00 p.m.

APPROVED: _____
MARK J. YARDLEY
BEAVER CITY MAYOR

ATTEST: _____
ANONA YARDLEY
CITY RECORDER