

The **Beaver City Council** met in a **work session** at **4:00 p.m.** in the Beaver City Center located at 30 West 300 North on Tuesday, **March 13, 2018.** The following members of the Council were present: Mayor Matt Robinson, Council Members Connie Fails, Tyler Schena, and Robin Bradshaw. Council Member Alison Webb was attending electronically. Also present were City Manager Jason Brown, City Attorney Justin Wayment, and City Recorder Anona Yardley. UAMPS Representative Les Williams, UAMPS spokesperson Jackie Coombs, Beaver City Electric Superintendent David Martin, Hal Murdock, and Nick Dotson were also present.

UAMPS DISCUSSION ABOUT BEAVER CITY PROJECTS – UAMPS Personnel

Mayor Robinson began the discussion by explaining Beaver City's relationship with UAMPS. UAMPS buys and sells power for Beaver City and helps provide electricity for Beaver City Citizens. Ms. Jackie Coombs presented Beaver City's portfolio to the Council. Beaver City's covenant obligation on all their existing projects are a take or pay which means we pay our portion as long as the debt on that project exist. Most of Beaver City's UAMPS projects have no debt so they only pay for the power they use. The CFPP is the same. If there is not a certain portion of the UAMPS members interested in this project, it will not move forward. After this percent is met, UAMPS will move forward with the phase of licensing. After this phase is finished, there will be another option to withdraw from the project. Beaver City has paid \$9,585 for Phase One. Beaver City has also paid \$9,962 in the last year. In the next year Beaver City would be obligated to pay \$21,000 until March, 2019. UAMPS members will only pay 25% of the cost of this project. DOE is paying 50% of this project at this point and more funding is being considered. NuScale will also pay 25%. Beaver City's power portfolio was reviewed. Most of the projects that Beaver City is part of are coal fired plants. Questions were asked about renewable energy options. The recommended signing date of the CFPP power sales agreement is May 1, 2018. There are options for the amount of power Beaver City can be involved in for this project. Former Mayor Wright, who entered the meeting during this discussion, commented that the 2.1 MW that was elected for Beaver City's portion of this project was determined in order to provide power for future growth. Beaver City decided to wait on consideration of a solar project for technology to become less expensive and to improve. There being no further discussion or questions, the Council thanked UAMPS representatives Les Williams and Jackie Coombs for their help in better understanding Beaver City's power needs and energy possibilities in the future.

WILDLAND FIRE PARTICIPATION COMMITMENT

Fire Marshall George Humphreys presented the contract for the State Wild Fire participation to the Council. Beaver City met their commitment for the 2017 Participation commitment and has started on measures to meet their 2018 commitment. In order to move forward, Beaver City needs to sign the contract. Mike Melton addressed the reason for fire hazard levels on the map of Beaver City that determines the amount of commitment to mitigate wild fires. The Fire District signed the contract with the State of Utah last year. But they have already contracted with Beaver City to provide fire protection services. The law has not changed but the governing body and taxing entity, Beaver City, are combining with the fire districts to prevent wildfires so they are the entity that needs to sign the agreement, not the Fire District. The State Director of this initiative is against opening the code to change or make code changes. The deadline for signing the agreement is as soon as possible. The Council thanked Mr. Melton and Mr. Humphreys for their help in understanding this program.

CHRISTMAS LIGHTS ON CITY BUILDINGS – LIABILITY

The existing lights on the buildings down Main Street are getting old. There is discussion on whether or not to replace the lights on Main Street buildings. Council Member Bradshaw would like a letter sent to all the businesses on Main Street to explain the willingness of Beaver City to replace the lights and the business would need to sign a waiver to hold Beaver City harmless. LED lights would be the preference purchase to replace the old lights. Would like about 300 lights per pole on the ends of Main Street in one year and maybe a decoration on the pole the next year. There is need for power consumption savings to reduce the load on the circuits. Superintendent Martin voiced his concern with the added load the lights on the poles would have on the present Christmas electric circuits. The City will move forward with ordering LED light to wrap the light poles at both ends of Main Street.

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, **March 13, 2018.** The following members of the Council were present: Mayor Matt Robinson, Council Members Connie Fails, Tyler Schena, and Robin Bradshaw. Council Member Alison Webb attended electronically. Also present were City

Manager Jason Brown, City Attorney Justin Wayment, and City Recorder Anona Yardley. Nick Dotson was also present at this time.

The opening was conducted by Mayor Robinson.

CITY COUNCIL MINUTES APPROVED

Minutes of the previous **regular council meeting** were presented. Council Member Schena moved and Council Member Fails seconded to approve the minutes of **February 27, 2018** as presented. All 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 Bradshaw seconded to approve the proposed bills for **March 13, 2018** pending the removal of the stumps at Doug Erickson's by All-Pro Tree Service. All voted in favor. Motion carried by a majority vote.

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.

LEGAL COUNSEL – Justin Wayment

Business License Ordinance – Transient Room Tax is an issue with Air B&B's. The question was asked about Business Licenses for home businesses. No decision was made. The Council members will visit this issue again on March 27, 2018 in the work session.

Purchasing Policy – State law has changed requirements for purchasing so the City will need to update their purchasing policy to match or exceed the State Code.

PUBLIC HEARING – REPEAL FIREWORKS PERMIT TITLE 3, CHAPTER 4

Council Member Bradshaw moved and Council Member Schena seconded to move in to public hearing at 6:45 p.m. to accept public comment on repealing the Beaver City Code Title 3, Chapter 4, Fireworks Permit. All voted in favor. Motion passed by a majority vote. Mayor Robinson asked Attorney Wayment to explain the reason for repealing the ordinance. It is obsolete and has never been used. There being no public comment, Council Member Fails moved and Council Member Schena seconded to move out of public hearing. All voted in favor. Motion carried by a majority vote. The Council moved out of public hearing at 6:47 p.m.

OPERA HOUSE ARCHITECTURAL CONTRACT – Von Christiansen

Tabled until next council meeting. Project Scope Meeting on March 20, 4:00 p.m.

COUNCIL MEMBER CANDIDATE PRESENTATIONS

Mayor Robinson welcomed all the candidates and visitor to the meeting and with the help of Attorney Wayment explained the procedure for this process. Each candidate was given five minutes to address the Council with any information they would like. The order was in alphabetic order by last name. **Ray Baldwin, Darrell Davis, Tracy Davis, Nicholas Dotson, Reza Kia, Harold Murdock, Michael P. Smith.** At the end of the time, each Council Member would cast a ballot. Council Member Webb would text her vote to Attorney Wayment. Recorder Yardley would gather the votes and Attorney Wayment and Recorder Yardley would count the votes. At the end of the first round of voting there were four individuals that moved to the next round of voting; Darrel Davis, Tracy Davis, Nicholas Dotson, and Hal Murdock. Ballots were cast again and the list was narrowed to two; Nick Dotson and Hal Murdock. At this point the Council cast another ballot and the vote was the same. Attorney Wayment then read the Utah State Code governing a deadlock vote. The candidates would draw lots to determine the winner. Attorney Wayment, Mayor Robinson and Recorder Yardley left the room to determine the way the lot would be drawn. Mayor Robinson reentered the Council Chambers with two pencils. The person drawing the sharpened pencil would be the new Council Member. There were numbers drawn from a hat to determine who drew the pencil. Mr. Murdock drew first and drew #2 so Mr. Dotson drew the pencil. He drew the unsharpened pencil which meant that Hal Murdock would be the new Council Member. Mr. Murdock was sworn into office and took his seat as the newest member of the Beaver City Council. Mayor Robinson and Attorney Wayment confirmed that the process was followed according to the law and to their best interpretation.

HONORARY CITIZEN DISCUSSION

Tabled until March 27, 2018.

FIREWORKS ORDINANCE REPEAL

Council Member Bradshaw moved and Council Member Schena seconded to repeal Title 3, Chapter 4 of the Beaver City Code, Firework Permit. Council Members Bradshaw, Fails, Schena, and Webb voted yea by voice vote. None opposed. Motion carried by a majority vote.

HISTORICAL GRANT – DIGITIZING THE BEAVER PRESS FROM 1929 TO 2008

Recorder Yardley led the discussion stating that the historical grant that Beaver City has will be ample money to digitize the Beaver Press from 1929 to 2008. The University of Utah is working with a company that will do the work. The editions of the Beaver Press are contained on microfilm rolls at the University of Utah and are ready to digitize. The Beaver Press still contains a copywrite and will need permission to move forward from the owners of the copywrite. The grant will need to be used by August, 2018. Digitizing this information will make it accessible on the internet for all to use. The Council thanked Recorder Yardley for her report.

PLANNING & ZONING RECOMMENDATIONS

Tushar Springs Subdivision - Joe White, Chairperson for the Planning & Zoning was in attendance. Manager Brown discussed the simple subdivision proposed by Phil & Collette Jolley. There are regulations for septic systems that are outlined by the State Division of Drinking Water, and the Public Health Department. The residence must be on a minimum lot of one-acre in order to have a septic system. This subdivision has no sewer system available so the lots would need to be at least one acre. When the city sewer system becomes available in that area, residents will need to be connected to the sewer system. There is no power service in the area. Rocky Mountain Power will provide power to the subdivision until Beaver City Power comes within 300 ft. Beaver City will provide culinary water to the subdivision. Fire hydrants will need to be installed. This subdivision is in a rural area. Street Lighting is something that is in question. The North Creek road is a County Road. The Planning & Zoning Board recommendation is to accept the subdivision as proposed with the conditions. Council Member Fails moved or Council Member Bradshaw seconded to accept the subdivision with the conditions contained in **Exhibit 3-13-2018**. All voted in favor. None opposed.

Mayor Robinson removed himself from the meeting at this time stating a conflict with his brother's subdivision.

Cottonwood Tree Subdivision – Nate Robinson has proposed developing a subdivision South of the elementary school. The infrastructure is available. There is available sewer, water and power lines. The curb, gutter and sidewalk will need to be extended on the North of the subdivision. The water lines will cross the road several times and the power lines will be underground. The existing water mainline will be extended and the recommended fire hydrants will be placed. Street lighting will be required on the south side of the road. The Planning and Zoning Board recommends the Council approve the Cottonwood Tree Subdivision with the conditions outlined in **Council Exhibit 3-13-2018A**. Council Member Murdock moved and Council Member Webb seconded to accept the recommendation of the Planning & Zoning Commission and accept the plans for Phase One of the Cottonwood Tree Subdivision as proposed by Nate Robinson with the attached conditions in **Exhibit 3-13-2018A**. All voted in favor. None opposed.

2018 WATER OUTLOOK/RECOMMENDATIONS

The Beaver City Water Committee met and made recommendations for water conservation for the coming water year. They will be released to the public as soon as possible so citizens can make decisions on planting and maintaining their yards. Based on water data that has been collected by water collecting agencies, this will be a dry year and everyone will need to be good stewards of the water we have. Recommendations for water use have been compiled in **Exhibit 3-13-2018B**. The water committee will meet again on June 1st to reevaluate the water levels. These recommendations can be changed and adjusted as the season continues. The weather will dictate when the irrigation water will go into the system.

CONSENT ITEM: SFW Donation – Golf Passes

Council Member Webb moved and Council Member Fails seconded to approve two gift certificates for an 18-hole round of golf with cart for two people for SFW Banquet to give as prizes. All voted in favor. None opposed.

Council Member Bradshaw moved and Council Member Schena seconded to approve two gift certificates for an 18-hole round of golf with cart for two people to be given to Mid-Utah Radio for prizes to help stimulate activity on the golf course. All voted in favor. None opposed.

ADMINISTRATIVE/COMMITTEE REPORTS

Manager Brown:

Electric Department – The Hydro Plant #3 project is moving forward fast.

Community Impact Board (CIB) – A CIB Project Prioritizing meeting was held today. There are several 1-year projects throughout Beaver County that are on this list. The Opera House is third on this list in priorities because it is not quite ready for funding approval.

Council Member Bradshaw:

2018 Utah Legislative Session – SB204 requiring all secondary water systems with more than 500 users to be metered did not pass the Senate committee. Mike Noel will be retiring from the

Utah State House of Representatives in 2018. He was publicly thanked for his service during the session. Beaver City has been promised \$200,000 to find a resting place for the Philo T. Farnsworth statue that was in the Nation's Capital.

Council Member Webb:

Easter Egg Hunt – The 2018 Easter Egg Hunt will happen on Thursday, March 29, 2018 at the Tushar Mountain Complex. Flyers and signs are around time and on the City's Facebook page.

Economic Development – The Economic Development meeting for March will be held Thursday, the 15th in the City Center at 8:00 a.m.

Council Member Fails:

Beautification – The sidewalk is crumbling on Main Street between Beaver Drug and Mikes Food Town. It needs to be repaired or replaced.

Honorary Citizens – This subject will be discussed in the next Council Meeting.

Council Member Schena:

No report at this time.

Mayor Robinson:

Beaver Chamber Commerce – The Chamber will be meeting with the Council during the next meeting on March 27, 2018.

Council of Governments – Nolan Davis will be chairing this group's meetings. He met with Mayor Robinson to decide who to invite. They will be working together to reorganize this group.

DFA & Valley Pack – Beaver City has been very active in working with both parties. April 11, 2018 will be the ground-breaking ceremony.

Hospital audit – It is undetermined when the hospital audit will be finished.

Elected Official Recognition – Mayor Robinson expressed a special thanks to Mike Noel for his service in the Utah House of Representatives. He would like Beaver City to write a letter expressing our thanks to him.

CLOSED SESSION

The Council will close a portion of their meeting to discuss the purchase, exchange, or lease of real property. Council Member Bradshaw moved and Council Member Schena seconded to move into closed session for the above-mentioned reasons. Council Members Bradshaw, Webb, Fails, and Schena voted yea by voice vote. Motion carried by a majority vote. The Council moved into closed session at 9:40 p.m. They moved out of closed session at 10:00 p.m.

Council Member Murdock moved and Council Member Fails seconded to adjourn the meeting. All voted in favor. None opposed. The Council Meeting was adjourned at 10:02 p.m. The next scheduled Council meeting will be held Tuesday, March 27, 2018 at 5:00 p.m.

APPROVED: _____ **ATTEST:** _____
MATTHEW ROBINSON **ANONA S. YARDLEY**
MAYOR **CITY RECORDER**