

The **Beaver City Council** met in a **work session** at **5:00 p.m.** in the Beaver City Center located at 30 West 300 North on Tuesday, **August 14, 2018.** The following members of the Council were present: Mayor Matt Robinson, Council Members Robin Bradshaw, Alison Webb, Connie Fails, and Hal Murdock. Council Member Tyler Schena was attending electronically. Also present was City Recorder Anona Yardley. City Attorney Justin Wayment entered the meeting at 5:27 p.m. City Manager Jason Brown was attending electronically.

#### **DAYTIME CURFEW ORDINANCE**

This ordinance is being brought before the council to help law enforcement combat school truancy. The school would like to have something to help students understand how important it is to be in school. Beaver County recently passed a daytime curfew ordinance and is encouraging the cities to also pass a similar ordinance to allow law enforcement to have jurisdiction inside the city also. The council asked questions about why Beaver City should be involved in this issue. HB239 makes it so truant students can't be prosecuted. Discussion continued about the specifics of this ordinance. The Council would like to have the city attorney work through some of the specifics of this ordinance. The Council will discuss it further at the next Council Meeting.

#### **PRESSURIZED IRRIGATION EXTRA CHARGES FOR PUMPING WELLS**

City Manager Brown figured the average charge per irrigation water user based on the Center Street Well and Cemetery Pump utility bills. These figures were presented to the council for their consideration in how much to pass on to the pressurized irrigation customers. The question was brought up as to how the pumping costs would be covered. The costs could be spread over the year by raising the cost by \$.50 a month permanently or raising it by \$2 for a couple of months. The issue of raising the fee will be put on the agenda for the first council meeting in March.

#### **CEMETERY FENCE**

Brennen Strong submitted a bid for a rod iron fence on the North side of the cemetery. This was so we could get an idea of what the cost could be. An advertisement will be going to the paper to accept more bids for this project. The fence would be very simple. It should be done in the fall. The sidewalk, curb and gutter on 600 North should go in at the same time as the fence so the location will only need to be torn up one time. The pink rock pillars would be at the two entrances on the North only. The Council debated the priority of the fence and the sprinkling system. Manager Brown will work on getting some bids for the fence and costs for the concrete work.

#### **LAW ENFORCEMENT TAX RESOLUTION DISCUSSION**

This discussion was tabled for later in the meeting.

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, **August 14, 2018.** The following members of the Council were present: Mayor Matt Robinson, Council Members Hal Murdock, Alison Webb, Connie Fails, and Robin Bradshaw. Also present were City Attorney Justin Wayment and City Recorder Anona Yardley. Council Member Tyler Schena and City Manager Jason Brown attended electronically.

The opening was conducted by Council Member Webb.

#### **CITY COUNCIL MINUTES APPROVED**

Minutes of the previous **regular council meeting** were presented. Council Member Webb moved and Council Member Murdock seconded to approve the minutes of **July 10 & July 31, 2018** as presented. All voted in favor. None opposed.

#### **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 **July 12, 18, 19, 25, 26, 27, 31, August 7 & 8, 10 & 14, 2018.** All voted in favor. None opposed.

#### **CONFLICT OF INTEREST STATEMENT**

No conflicts were voiced at this time.

#### **CHILDREN'S JUSTICE CENTER GOLF TOURNAMENT – LeeAnn Dalton**

Jenny Atkin, LeeAnn Dalton and Teresa Wood expressed their thanks and appreciation to the Council for donating the golf course and staff for the recent Children's Justice Center first golf tournament. There were 18 Teams that played 18 holes on a beautiful 9-hole golf course. The golf course crew were wonderful to work with. They were helpful and stayed with everyone through the whole tournament. There were teams from Delta, Richfield, Cedar City, Milford, and Beaver. It was a very successful tournament and many funds were raised for the center.

#### **FY2018 BAD DEBT WRITE OFF LIST APPROVAL**

After review of the Bad Debt List, Council Member Murdock moved and Council Member Fails seconded to approve the list as presented. The amounts on the list may be written off but at some

future date, they may still be collectible. All voted in favor. None opposed.

#### **UAMPS OPERATING MARGIN REFUND**

UAMPS Representative Les Williams has requested a check be sent to Beaver City in the amount of \$49,137.94. It will be used to offset the purchase of power.

#### **4-H/FFA LIVESTOCK DELEGATION REQUEST FOR DONATION**

Jordan Collings was the designated spokesperson representing the Beaver County Livestock Fund participants. Justice Gale, Kamarie Anderson, Jacey Webb, Johnathan Webb, Kinley Anderson, Blaze Gale, and Hank Smith with their parents and leaders Carmen Gale, Sandy Collings, and Justin Smith were in attendance. The participants asked if they could do a service project of picking up trash in return for a \$400 donation to the livestock fund. This fund helps sell many of the 4-H and FFA livestock projects at the Southwest Jr. Livestock Show auction. Council Member Fails motioned and Council Member Bradshaw seconded to approve the donation of \$400 to the Beaver County Livestock Fund contingent on the completion of the service project. All voted in favor. The motion passed by a majority vote.

#### **LEGAL COUNSEL – Justin Wayment**

**Smoking Ordinance** – Attorney Wayment has written this ordinance to bring the Beaver City Code in accordance to the Utah State Code. A public hearing will be advertised for Tuesday, Sept. 12, 2018 at 6:30 p.m.

**Kents Lake vs. Rocky Ford** – There is nothing new to report on this lawsuit because the Supreme Court is on vacation.

**Curfew Ordinance** – The nighttime curfew that already exists in the Beaver City Code needs to be rewritten. Upon review of the Daytime Curfew Ordinance that was presented to the Council for the first time, it was questioned whether it should be a truancy law or a curfew law. This law is to help prohibit truancy and vandalism. Beaver County has passed this ordinance and they are asking the cities and towns to pass the ordinance in their jurisdictions. The City Attorney and the Council will continue to review this proposed ordinance and make recommendations in the next council meeting on August 28, 2018. After further review, a public hearing could be scheduled on Tuesday, Sept. 12, 2018.

#### **LAW ENFORCEMENT TAX RESOLUTION**

After review and discussion on this resolution in past council meetings, Attorney Wayment modified the final draft that is being considered in this meeting. Council Member Murdock motioned to approve Resolution No. 8-14-2018 as written to inform the Beaver County Commission of Beaver City's position on the matter of a countywide law enforcement tax. Council Member Bradshaw seconded the motion. There was no discussion on the motion. A roll call vote was taken. Council Members Murdock, Fails, Bradshaw, and Webb voted in favor of the resolution. Council Member Scena was absent. The motion passed by a majority vote.

#### **SUBDIVISION MORATORIUM AND ORDINANCE REVISION**

City Manager Brown and City Attorney Wayment have reviewed the present Beaver City Subdivision Ordinance. They are requesting a three-month moratorium on approving any new subdivision to allow the City to update the current subdivision ordinance. The present ordinance does not comply with state law. Council Member Webb motioned to impose a 90-day city wide subdivision moratorium to revise Beaver City's Subdivision Ordinance. Council Member Fails seconded the motion. All voted in favor None opposed. The effective date is August 14, 2018 until November 14, 2018.

#### **PRESSURIZED IRRIGATION INCREASE FOR PUMPING WELLS**

Council Member Bradshaw moved and Council Member Murdock seconded to increase the pressurized irrigation bill \$2.00 for August to \$8.50 and revisit the matter in September for the next month's bill. All voted in favor. None opposed.

#### **POSSIBLE NOMINATION FOR ULCT BOARD**

Eleven ULCT Board openings are available this year. Council Member Bradshaw is considering serving on that board. He has a conflict during the summer months. He will do some checking and find out a little more about serving. Council Member Murdock will get Council Member Bradshaw the information and he will need for the nomination.

#### **ADMINISTRATIVE/COMMITTEE REPORTS**

##### **Manager Brown:**

**Power generation update** – Plant #1 has a floor valve leak and is turned off until it can be repaired. The Council will have a tour of Plant #3 when it is completed.

**Roads** – The City has chipped sealed approximately two miles of road. Crack sealing will be done in November. The material was purchased last fiscal year. Advertisement for a contractor to put the crack seal down will be out soon for the roads to be chip sealed next year. These streets are 400 North to the Cemetery, 200 West from Center to 600 North, 500 East on new asphalt and

200 or 300 East. The construction of 500 West began yesterday. It should be paved the last part of September.

**Culinary Water** – The springs have been running 348 gallon/minute for the last 4 or 5 months. This amount is low because of the lost snow pack.

**Council Member Bradshaw:**

**Poles for “Merry Christmas” banners** – Manager Brown is working on securing the poles. The Travel Council has been billed for these poles. The donation pledges for Christmas lights on Main Street is up to \$25,000. Council Member Bradshaw is still asking other people for contributions.

**Trash Bids Awarded** – Hughes & Sons was awarded the contract for the next 5 years with a 3-year optional extension.

**Council Member Webb:**

**Donation for Christmas lights** – White Insurance has said that they will donate and Surewood Forest donated \$100. Eagle Point is considering a donation and DFA will consider a donation if they can use a credit card.

**Economic Development** – They will meet next week.

**Travel Council** - Travel Council Donation requests for 2019 need to be in to them by Friday, August 24, 2018. Applications must be submitted online through the Beaver County website.

**Swimming Pool** – The Fall Schedule started on Monday. Council Member Webb asked that the floors in the dressing rooms be redone this winter when it closes.

**Council Member Fails:**

**July 4 Activities** – A Quarter Dive on the bottom of the pool for kids to dive for during the free swim was suggested. A fan could be used with a drum of soap as a foam machine.

**Library Board** – Becki McNeil has accepted a position to serve on the Library Board. Council Member presented her to be ratified as a board member. The Summer Reading activities have come to a close. It was a very fun and successful summer. The Beaver City Library will be hosting the State Library Board meetings in August and September.

**Beautification** – The flowers on Main Street are very beautiful this year. Pink is a preferred color. Thanks to those who have diligently taken care of them this summer. The park supervisor and City Manager are looking at options for replacing this fence.

**Rodeo Grounds** – Thanks to Council Member Murdock for all his help preparing the grounds for the rodeo.

**Football Parking** – Suggested changes for the drawing are to charge \$10 for the drawing and you need to be present to win. The \$10 might cover the cost for the signs and the rest of the money could go to the high school.

**Council Member Schena:**

Excused.

**Council Member Murdock:**

**Rodeo Committee** – The rodeo committee is a great committee who are passionate about this sport. They need a small tractor at this facility that they don’t have to share with the race track. They will be preparing a list of needs for the council to consider in the fall so the group can work toward them during the winter.

**Mayor Robinson:**

Fantastic Summer – It has been a fantastic summer with all the events and activities. A summer party will be planned.

**CLOSED SESSION**

Council Member Webb motioned and Council Member Fails seconded to move into closed session to discuss the purchase, exchange, or lease of real property. Council Members Murdock, Fails, Webb, and Bradshaw voted yea by roll call vote. The motion passed with a majority vote. The Council moved into closed session at 8:17 p.m. They moved out of closed session at 8:33 p.m.

Council Member Fails moved and Council Member Murdock seconded to adjourn the meeting. All voted in favor. None opposed. The Council Meeting was adjourned at 9:09 p.m. The next scheduled Council meeting will be held Tuesday, August 28, 2018 at 5:00 p.m.

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

