

The **Beaver City Council** met in a **work session** at **6:00 p.m.** at the Beaver City Office located at 30 West 300 North on **Tuesday, September 8, 2020**. The following members of the Council were present: Mayor Matt Robinson, Council Members Lance Cox, Tyler Schena, Robin Bradshaw, Alison Webb and Hal Murdock. Also present were City Manager Jason Brown, City Treasurer Stacey Phelps, and City Recorder Anona Yardley. City Attorney Justin Wayment entered the meeting at 6:15 p.m.

### **JULY, 2020 FINANCIAL STATEMENT REVIEW**

Treasurer Phelps presented the council with a two-month comparison consisting of revenues and expenses for July and August, 2020 compared to July and August, 2019. The FY2021 electric fund is operating in the red for August because of the recent bond payment. The general fund operates in the red for July and August until Sales Tax for July is received. Treasurer Phelps also handed out a July comparison from 2019 and 2020. This helped break down the month of July from the two-month comparison.

### **REVIEW OF GROVE WATER SERVICE AREA**

The Grove Water Service Area map was discussed. Manager Brown showed a map of the water lines in the Grove from Jones and DeMille Engineering identifying fourteen deficient areas. If all the deficiencies were updated, the approximate cost would be \$300,000. This does not include reconnecting existing water service lines. After reviewing the Grove Water Service Area, there were many questions about line ownership, maintenance, and fire protection. The total amount for revamping the water system would be approximately \$500,000. The new law that requires Beaver City to declare a water service district by January 1, 2021 has caused many concerns and questions about what is required of Beaver City. An agenda time for Beaver City on the County Commission's meeting agenda may help to formulate a plan to move forward. The future acquisition of water was discussed at length.

The **Beaver City Council** met in a **regular session** at **7:00 p.m.** in the Beaver City Center located at 30 West 300 North on **Tuesday, September 8, 2020**. The following members of the Council were present: Mayor Matt Robinson, Council Members Lance Cox, Robin Bradshaw, Tyler Schena, Alison Webb, and Hal Murdock. Also present were City Manager Jason Brown, City Attorney Justin Wayment, and City Recorder Anona Yardley. City Librarian Angela Edwards and James Nay were also present.

The opening was conducted by Council Member Cox.

### **CITY COUNCIL MINUTES APPROVED**

Minutes of the previous **regular council meeting** were presented. Council Member Schena motioned and Council Member Cox seconded to approve the minutes of **August 26, 2020** as presented. All voted in favor. None opposed.

### **BILLS APPROVAL**

Bills were presented and reviewed by the City Council. Council Member Bradshaw motioned and Council Member Cox seconded to approve the proposed bills for **August 27 & 31, 2020** as presented. All voted in favor. None opposed.

### **CONFLICT OF INTEREST STATEMENT**

A Conflict of Interest Statement was given to all elected and appointed officials as required by law. No other conflicts were voiced at this time.

## **OUTSIDE THE CITY WATER APPLICATIONS – BONNE FLAMER, DALE RUISCH, LANCE SMITH**

Rowland Yardley was in attendance representing Dale Ruisch. The line that Mr. Ruisch wants to connect to needs to be changed from a 6” line to an 8” line. The cost of the line from the main line to Mr. Ruisch’s property would be covered by Mr. Ruisch. Each water application was reviewed and discussed. Council Member Bradshaw motioned and Council Member Schena seconded to approve the three water applications, Bonnie Flamer, Dale Ruisch, and Lance Smith when all fees are paid, all water lines that are needed be run, and if Mr. Ruisch wants to deed water to Beaver City in lieu of paying the Water Acquisition Fee, it will need to be water that Beaver City can use and it is transferred. All voted in favor. None opposed.

## **EAGLE PROJECT REPORT – KYSON ATKIN**

Kyson Atkin met with the council to report on his project of putting in two barbeques at the Tushar Mountain Ball Complex and wood chips at the Pioneer Park playground. He showed pictures of the project before and after it was finished. The Council thanked Kyson for his project. It was a much-needed project in a very visible part of town.

## **RESIDENTIAL AND NUISANCE ORDINANCE REVIEW – RITA DEAN**

**Rita Dean** - Rita presented her views and interpretation of the current city code of animal rights and the nuisance ordinance. Rita stated that she and Mr. Nay had talked and come to a conclusion of how to resolve some of the problems.

**Shirlene Willden** discussed the problem of Shirley Wright’s fence. There are slates in her fence that have been replaced by Mr. Nay. Shirley was also in attendance. It was suggested that Mr. Nay come to discuss this issue with her as well. There needs to be communication with local relators with information about animal rights.

**James Nay** – He stated that he would be happy to work things out with the neighbors. Rita Dean and Shirley Wright are his neighbors. He reminded the Council that he does have enough room and he said that he is not in violation of the law. He says that there are many items in the ordinance that need to be defined and to clarify. Council Member Murdock stated that when you have a horse on a property all the time, the grass will not grow back. The animal needs to be rotated to other pastures or locations to allow the grass to grow back.

**Cory White** – Mr. White stated that he was picking apples and peaches at Mr. Nays on Sunday and he didn’t smell a very strong scent of manure. He pointed out that the ability to produce and raise food for ourselves needs to be protected.

**Rowland Yardley** – Mr. Yardley stated that he would like to have some input on the changes from the Planning & Zoning.

**Ron Barney** – He stated that in his opinion the reason for the ordinance is to protect all citizens.

**Tim Joseph** – He would like to have input when the change of this ordinance is discussed. He has horses and wants to make sure that the ordinances are correct when they are passed. Animal rights need to be protected.

**Mayor Robinson** stated that the ordinance is under review by the Planning & Zoning Board. In order to change an ordinance, there must be a public hearing for all people to voice their opinions. This issue will take some time because there is a process that needs to take place before an ordinance can be changed. Public comment is always welcome at any public meeting. Mayor Robinson thanked all those who spoke and encouraged them to come to the public hearing that would be held on this issue. Attorney Wayment will be working on this ordinance also.

## **CARES SECOND ROUND APPLICATION & PROCEDURES**

Mayor Robinson felt that there needed to be more specific information in Question 10 on the round

two CARES application on how COVID has affected their business and what the businesses future plans are for staying open. There needs to be enough information that we can justify the payment of funds. A shorter application would be good to have for the second round. Application information could be from March to September. Spencer White spoke as a representative of the business community reiterating that businesses in Beaver County have had a great summer. The second-round application should show a year for year comparison, March 1 – Sept 1, 2019 to 2020. If this information is not available, a percentage comparison of revenue from 2019 to 2020 would be needed. We need to have some kind of numbers to justify awarding the funding. After the new second round application is ready, it needs to be advertised in the Beaver County Journal and on Facebook. The CARES money has been given to Beaver City to do with as they see fit. Beaver City has chosen to give back to the business districts to help them rebound from the impact of COVID-19.

### **ADMINISTRATIVE/COMMITTEE REPORTS**

#### **Manager Brown:**

**COVID Information** – Attorney Wayment explained that no eviction from homes can take place until January 1, 2021. Landowners that have renters that can't pay their bills may have the option to apply for some of the CARES funding. More information is forthcoming.

#### **Council Member Bradshaw:**

**City Employees** – Council Member Bradshaw commented on what a good employee Beaver City had with John Lustica.

**Water** - Water has been released from LaBaron and will start turning out water from Kents Lake.

**Ambulance Rental** – It now costs \$100 for the ambulance to offer services at football games.

#### **Council Member Schena:**

**Youth City Council** – BHS students were informed two weeks ago that anyone interested in being on the Beaver City Youth City Council should hand in a paragraph of why they want to serve on this council. Fifteen applications were submitted. Council Member Schena recommended that all applicants be accepted. He would like to have this item on the agenda for next council meeting.

**Rodeo Ground Improvements** – Grants need to be checked on for the concession stands and restrooms on the rodeo grounds. Possibly get some more bleachers with the CARES money to help social distance, possibly portable bleachers could be justified. Council Member Schena asked if there was a way of using the ball fields at the For Cameron Fields for a permanent parking lot. A new drag to train horses is much needed.

#### **Council Member Webb:**

**USDA Rural Development** – A \$50,000 grant for the Opera House was awarded to Beaver City. 360 Degree virtual walkthrough on our website. Rural Development personnel would like to be present during the open house. The remaining items for completion of the renovation are: 1. Replacing the rear double doors; 2. Concrete access ramp/steps; 3. Connect the phone and internet systems; 4. Other punch list items.

**Events on Calendars** – The City events of Veterans Day, the City Christmas Party, and the Christmas Parade need to be put on the calendar. It was decided that Nov. 28, 2020 would be the Santa Parade and visit. Santa will be stationed in the door of the lobby. These need to be on the agenda to plan. It was suggested that Beaver City have a trunk or treat on Halloween Night from 5:00 to 8:00 p.m. and close Main Street. This will also be on the agenda to discuss particulars.

#### **Council Member Murdock:**

**Library Board Appointments** – The library board are considering two new members. The library staff has been very busy with summer programs and preparing for fall reading programs. City

Librarian Angela Edwards told the Council that the library staff are the some of the best they have had for a while. The staff is one short and the employees now working at the library need a raise so they will stay and not look for other higher paying jobs.

**Hospital** – A dialysis treatment center is being worked on for Beaver Valley Hospital. This is something that has been talked about for several years.

**Rodeo Grounds** – There have been horses at this location. They were moved from the race track on a temporary basis. The drag needs to be replaced. The rodeo committee may be able to help find a solution to this problem.

**Council Member Cox:**

**Golf Course** – The Men’s League tournament and the Twilight League were great and they were grateful to be able to play. The course is dry but it has been good to play on. Cart Rental Agreement will be redone in the winter.

**Mayor Robinson:**

No report at this time.

**CLOSED SESSION**

The Council closed a portion of their meeting to discuss the purchase or sale of property. Council Member Bradshaw motioned and Council Member Schena seconded the motion to move into a closed session for the above-mentioned reason. Council Members Bradshaw, Schena, Webb, Murdock, and Cox voted yea by roll call vote. The motion passed with a unanimous vote. The council moved into closed session at 8:50 p.m. They moved out at 8:58 p.m.

The Council closed another portion of the meeting to discuss pending or reasonably imminent litigation. Council Member Webb motioned and Council Member Schena seconded the motion to move into a closed session for the above-mentioned reason. Council Members Bradshaw, Schena, Webb, Murdock, and Cox voted yea by voice vote. The motion passed with a unanimous vote. The Council moved into closed session at 8:59 p.m. and moved out at 9:05 p.m.

Council Member Bradshaw motioned and Council Member Cox seconded to adjourn the meeting. All voted in favor. None opposed. The Council Meeting was adjourned at 9:07 p.m. The next scheduled. Council meeting will be held Tuesday, September 22, 2020 at 6:00 p.m.



**APPROVED:** \_\_\_\_\_

**MATTHEW ROBINSON  
MAYOR**

**ATTEST:** \_\_\_\_\_

**ANONA S. YARDLEY  
CITY RECORDER**