

The **Beaver City Council** met in a **work session** at **5:00 p.m.** at the Beaver City Office located at 30 West 300 North on **Tuesday, January 12, 2021**. 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 Recorder Anona Yardley and City Treasurer Stacey Phelps.

FY2020 FINANCIAL AUDIT REVIEW – KIMBALL AND ROBERTS

Rick Roberts and Gabe Miller presented the particulars of the FY2020 Audit. The general fund was within the 4% that is required by the State. All the business funds were operating in the positive. There was one material finding and the non-material findings from the previous audit had been addressed. Management will work on the material finding and rectify this issue before the FY2021 audit. The long-term debt is being reduced each year because Beaver City has not recently bonded for large sums of money. The cash flow has been a little short in the water fund but should be rectified with a slight rate increase in July, 2020. The Council asked questions about the audit that were answered. Mr. Roberts and Mr. Miller were thanked for their time and expertise.

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, January 12, 2021**. 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 entered at 6:40 p.m., and City Recorder Anona Yardley. City Librarian Angela Edwards was also present. Planning and Zoning Members Owen Spencer, Jamie Smith, David Albrecht and Secretary Paula Fails were also present.

The opening of a prayer, pledge, and thought was presented by Manager Brown.

CITY COUNCIL MINUTES APPROVED

Minutes of the previous **regular council meeting** were presented. Council Member Cox motioned and Council Member Webb seconded to approve the minutes of **December 8, 2020** as presented. All voted in favor. None opposed.

BILLS APPROVAL

Bills were presented and reviewed by the City Council. Council Member Cox motioned and Council Member Bradshaw seconded to approve the proposed bills for **December 17 & 23, January 7, 2020** as presented. All voted in favor. None opposed.

CONFLICT OF INTEREST STATEMENT

No Conflicts were voiced at this time.

OPEN MEETING ACT TRAINING – ATTORNEY WAYMENT

Attorney Wayment gave this yearly training to Council Members and Planning and Zoning Board members. He began by explaining that Beaver City is run like a corporation and all members of the community are members of the corporation. They have the right to know what is happening in the government. Sometimes there are difficult decisions that must be made. These decisions effect lives of people. For this reason, it is very difficult to govern in small towns because of personal relationships, emotions, and the affect it has on people's lives. There have been many changes in how the government is required to conduct their business. Each time the legislature convenes, there are new laws that determine the way the public receives information and what information they should receive. Attorney Wayment addressed the changes that have occurred since the last legislative session that are now contained in the Utah State Code. To finish, he used Winston Churchill to illustrate the

moral and ethical conduct that should be present with all government officials.

PARAMETERS RESOLUTION FOR HYDRO PLANT #2 ELECTRIC REVENUE BONDS

Marcus Keller, representative of Zions Public Finance and Beaver City's Financial Advisor, presented the specifics of the Super Parameters Resolution prepared by Gilmore and Bell for the reconstruction of Beaver City's Hydroelectric Plant #2. This bond will be issued for capital improvements on the plant and the pipeline replacement if necessary. Zions Bank is considering purchasing the electric bonds for up to \$2.5 million not to exceed a 3% interest rate for no more than 16 years. These are maximum amounts and will likely be lower. Council Member Bradshaw moved and Council Member Murdock seconded to approve the Electric Revenue Bond Series 2021 Parameter Resolution 1-12-2021 as presented. Council Members Cox, Murdock, Webb, Schena and Bradshaw voted yea by roll call vote. The motion passed with a unanimous vote.

PARAMETERS RESOLUTION FOR CIB BEAR SPRING PROJECT WATER REVENUE BONDS

The Community Impact Board would be the purchaser of this bond. The preliminary allocations for the Bear Springs project is 50/50% loan to grant with 1% interest. The parameters for the resolution are up to \$1.3 million for 32 years with no more than a 2% interest rate. These are higher parameters than we would hopefully need. This gives flexibility for the city to work with a worse-case scenario. Council Member Webb moved and Council Member Schena seconded to approve resolution 1-12-2021A as prepared by Gilmore and Bell. Council Members Cox, Murdock, Webb, Schena and Bradshaw voted yea by roll call vote. The motion passed with a unanimous vote.

PARAMETERS RESOLUTION FOR MBA TO ADOPT LEASE REVENUE AND REFUNDING BONDS FOR BEAVER VALLEY HOSPITAL IMPROVEMENTS.

Mayor Robinson explained that the reason for bonding is because there is a large amount of restricted cash in the hospital and it is not available for improvements at the hospital. The parameters of this resolution are funding not to exceed \$15 million over 25-years and not to exceed 7.5% interest. These are high parameters and should be much less. The Municipal Building Authority has passed this resolution and because of the liability to Beaver City, the Council must also adopt this resolution because Beaver City is the funding component of the Municipal Building Authority. Council Member Cox motioned to adopt Parameters Resolution 1-12-2021B with a second by Council Member Schena. Council Members Cox, Murdock, Webb, Schena, and Bradshaw voted yea by roll call vote. The motion passed with a unanimous vote.

REVIEW OF THE DRAFT CARGO CONTAINER ORDINANCE

This ordinance review was tabled until the next council meeting.

BUILDING RENTAL FEE CHANGE RESOLUTION

Manager Brown presented the recommendation of the staff to increase building rental fees from \$40 and \$30 to \$50 for four hours rental on all buildings with \$100 for a full day, keeping the \$200 cash deposit for all buildings. This change would be reflected on the fee schedule. Council Member Cox motioned and Council Member Schena seconded to approve the change to the building rental fee as recommended by the staff members. All voted in favor. None opposed.

PLANNING & ZONING RECOMMENDATION TO REZONE A PORTION OF BLOCK 14 PLAT 4 FROM R1 TO MR

The Planning and Zoning Board recognized a zoning issue with a portion of Block 14 on 200 East and 100 South. It is zoned for Multi Residential use. The current MR property location is located on the opposite corner. The Planning and Zoning Board recommend that the original MR zone be changed to R-1 and the opposite corner be changed to MR allowing for two units that are presently constructed. Max Crandall, neighbor, wrote a letter in the affirmative to the Planning & Zoning

Board's recommendation, but was OK with three units as proposed by David Moore. A neighbor, Jayden Edwards, was in favor of the zone change. David Moore, prospective buyer, addressed the council stating that he would like to purchase the property as an investment property. He stated that there would be enough off-street parking for three units and the building inspector had given his opinion that the garage could be turned into a third unit and still be within the code. Mr. Moore requested that it be zoned for three units and not just two units. Attorney Wayment asked the Council how this change is addressed in the general plan. Was this area recommended for multi-residential housing in the general plan? Council Member Bradshaw motioned that this item be tabled for further review by the Planning and Zoning Board with the following recommendations to come before the Council: 1. This change is consistent with the General Plan and give the reason for this exception. 2. Discuss this change with the Building inspector to make sure the distance between the buildings is sufficient to stay within the recommended building codes. Council Member Murdock seconded the motion. All voted in favor. None opposed. Mayor Robinson encouraged Mr. Moore to stay in touch with the Planning and Zoning Board and be involved with their discussions.

BEAVER CITY HOUSING AUTHORITY – 400 WEST PHASE 2 DEVELOPMENT PROJECT

Manager Brown stated that the Planning and Zoning Board discussed at length this Multi-Family subdivision with ten duplex housing units. They are recommending that this development be considered a subdivision which would require underground water rights to be provided by the developer as required in section seven (7) of the Subdivision Ordinance. These units will be built in townhouse style, each with a garage. All units are not the same size. These are for low to medium income households. Cache Valley Bank is the long-term lending institution. Beaver City Housing Authority Director, Max Anderson, was concerned with the stipulation of being considered a subdivision and having to provide water for the development. He asked the Council to approve the development because the funding has already been secured for this project using 2020 Tax Credits. Construction is tentatively scheduled to begin in April, 2021. Mr. Anderson will look into purchasing underground water rights to transfer to Beaver City. Council Member Schena motioned and Council Member Cox seconded to approve the plans of the Beaver Housing Authority for the 400 West Phase Two Development (Beaver Meadows). All voted in favor. None opposed.

JUDGEMENT DECISION FOR UTILITY DEBT

Attorney Wayment asked the Council if they wanted to pursue a judgment on an outstanding utility account for approximately \$6,000. After discussion on the whereabouts of the individual and the circumstances surrounding this case, the Council decided to write off the amount as uncollectable and to not pursue judgment.

ADMINISTRATIVE/COMMITTEE REPORTS

Manager Brown:

No report at this time.

Council Member Bradshaw:

Water – 2020 was the driest year on record in the State of Utah with an average of only 7.23 inches of water. The Beaver Water Area only recorded 6.33 inches. Ninety percent of the State of Utah is in extreme drought. Beaver City needs to plan ahead for next summer so residents will know what they will be able to water and for how long. At present, Big Flat only has 3” of water.

Council Member Schena:

No report at this time.

Council Member Webb:

Opera House Open House – The invitations are complete and will be sent in the next couple of weeks to all donors and dignitaries. Council Member Webb will ask Beverly Carter if she will consider making cookies as refreshments for this event.

Swimming Pool – The pool is looking to hire more life guards. Sand Filters and piping need to be put in the budget for next fiscal year so they can be upgraded.

Council Member Murdock:

City Rodeo Arena – Users of the arena at the Fort Cameron Complex would like the city to schedule people using this facility. New restrooms at this facility are very much needed.

Library – The library board is in need of one more member.

Council Member Cox:

Golf Course – There are some items that need to be changed at the golf course. Manager Brown and Council Member Cox will make a visit with golf course staff and start on a list of recommendations.

Mayor Robinson:

Council Annual Retreat – The 2021 Council Retreat will be held on Wednesday, January 20 at 9:00 a.m. at the golf course club house. Mayor Robinson and Manager Brown will decide on the agenda items. Lunch will be served and the retreat will finish in the afternoon.

Thanks – Mayor Robinson publicly expressed his thanks to former Commissioner Mike Dalton for his help and support to Beaver City with his influence on the CIB Board. He was a great advocate for Beaver City. He suggested that former Beaver City Council Member and Beaver County Commissioner Mike Dalton be considered for a place on the special recognition board for his service to Beaver City Citizens.

CLOSED SESSION

The Council closed a portion of the meeting to discuss sale of property. Council Member Schena motioned and Council Member Cox seconded the motion to move into a closed session for the above-mentioned reason. Council Members Cox, Murdock, Webb, Schena and Bradshaw voted yea by voice vote. The motion passed with a majority vote. The Council moved into closed session at 9:02 p.m. and moved out at 9:27 p.m.

Council Member Bradshaw motioned and Council Member Murdock seconded to adjourn the meeting. All voted in favor. None opposed. The Council Meeting was adjourned at 9:43 p.m. The next scheduled regular Council meeting will be held Tuesday, January 26, 2021 at 5:00 p.m.



APPROVED: _____

**MATTHEW ROBINSON
MAYOR**

ATTEST: _____

**ANONA S. YARDLEY
CITY RECORDER**