

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, April 27, 2021**. The following members of the Council were present: Mayor Matt Robinson, Council Members, Alison Webb, Lance Cox, Robin Bradshaw, Tyler Schena, and Hal Murdock. Also present were City Manager Jason Brown, and City Recorder Anona Yardley. City Attorney Justin Wayment entered the meeting at 6:25 p.m. Golf Course Manager Chanda Gardner and Brian Gierisch were also present.

The opening of a prayer, Pledge of Allegiance and thought was given by Council Member Bradshaw.

### **CITY COUNCIL MINUTES APPROVED**

Minutes of the previous **regular council meeting** were presented. Council Member Schena motioned and Council Member Murdock seconded to approve the minutes of **April 13, 2021** 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 **April 12 & 27, 2021** as presented. All voted in favor. None opposed.

### **CONFLICT OF INTEREST**

No conflicts were voiced at this time.

### **MARCH, 2021 FINANCIAL STATEMENT**

Treasurer Phelps presented the financial statement for March, 2021 beginning with the general fund revenues and expenses. This financial statement also is representative of the third quarter of FY2021. There are three months left in the fiscal year. The budget percentage should be at 75%. There were some specific changes that Treasurer Phelps reminded the Council. 1. General Fund is operating in the black. 2. Bond payments were credited to the liability instead of the expense. 3. Perpetual Care policy should be amended to include equipment to care for the cemetery. 4. Pressurized Irrigation fees need to increase in order to cover payroll, benefits and pump costs. The balance in the PTIF is a little over \$5,000,000. All enterprise funds are operating with positive balances. Recorder Yardley will look at the Perpetual Care Ordinance to see what it says about the use of perpetual care funds.

### **GOLF COURSE POINT OF SALE SYSTEM – CHANDA GARDNER**

Golf Clubhouse Manager, Chanda Gardner, showed the Council a new point of sale system that she has been investigating. The cost of the system is based on the first Tee time that is booked each day on line. The system keeps track of inventory and all tournament winnings. All sales are recorded through this system. When it is running properly, it can be used as a notification system for specials, course closures, advertising the course in general, etc. The council would like to try the system for a year to see how it works. If it doesn't meet our needs, we can do something different.

### **OUTSIDE CITY LIMITS WATER CONNECTIONS DISCUSSION**

Mayor Robinson explained that there is a moratorium on outside city water connections. Brian Gierisch addressed the council about a water connection on Cotton Tree Lane. He wants to build a home East of Noal and Linda Robinson. The Cotton Tree Lane line needs to be upgraded to an 8" line. Presently it is a 6" line then reduces to a 2" line. From the fire hydrant east needs to be upgraded to an 8" line and then looped. The city water moratorium has been in place for nearly six months. It will be reviewed at the next council meeting. Mr. Gierisch will be ready to start

construction within four weeks. He wanted to know if bringing water rights to the table would affect the water moratorium. There is a requirement that he would need to bring a water right with him if the city provided him with water. The conditions of bring water rights to Beaver City and paying for their share of upgrading the line were discussed. A water right that is deeded to Beaver City will need to be investigated and the Utah Division of Water Rights will need to approve it before Beaver City can accept the right. The water owner should instigate the change order. Mr. Gierisch will check with his neighbors to see if they will help with the cost of upgrading and looping the 6” line to an 8” line. Beaver County has written a letter that will be sent to all residents in the Grove Area explaining the situation. Attorney Wayment has approved the letter and hoped that the council members have also read it and could make a decision on it during the meeting. This matter will be placed on the next council agenda.

#### **SIDEWALK REPLACEMENT DEISCUSSION**

Manager Brown pointed out that many of the sidewalks, curb and gutter need to be replaced next to state highways within the city limits. UDOT does not replace sidewalks. The question is, “who pays for the sidewalk replacement on state highways?” On city streets, it has been the policy that if there is sidewalk in front of your property, the property owner is responsible to replace it. Manager Brown is asking what should commercial property owner’s responsibility be in replacing existing sidewalk? There is a serious liability with broken and crumbling sidewalk. The council may need to have some time to come up with some kind of solution to this question.

#### **CITY CLEAN-UP**

There are four items that are not being picked up this year; batteries, glass, tree limbs, and tires. This will probably not be long-term. Beaver County pulled out of any city clean-up projects this year. Hopefully, Beaver County will be able to join back in for next year’s clean-up.

#### **PLANNING & ZONING AND BOARD OF ADJUSTMENTS UPDATE**

Beaver County did issue a Conditional Use for the beef harvesting plant in Beaver County. Rocky Mountain Power will be considering the supply of power to this location. The Board of Adjustments will be considering a variance on a carport at a home located at 200 West in their meeting in May.

#### **RESIDENTIAL 1 ZONE – ANIMAL ORDINANCE REVIEW**

As the Council reviewed this proposed ordinance again, the following items needed to be changed: 1. The specific conditional uses need to be listed in the ordinance. 2. Conditions for feeding animals needs to be quantified. The parameters for making these conditions need to be explained in the ordinance. 3. Redefine pasturing and grazing or delete it. Attorney Wayment reminded the council that intense living is not compatible with raising animals. The nuisance ordinance is the last resort for taking care of an issue. You want to be proactive to prohibit the problem. Manager Brown reminded council members that the usable space is a very important part of this ordinance. Attorney Wayment will find some language for conditional uses in feeding and raising animals within a city.

#### **CARGO CONTAINER ORDINANCE REVIEW**

The temporary placement of containers was discussed. This portion of the ordinance needs to meet the conditions of all zones because of construction done in all the different zones. Manager Brown made the changes that the Council and Planning and Zoning Board suggested. Time ran out before much could be discussed on this ordinance.

#### **FY2022 BUDGET REVIEW**

The FY2022 budget will be reviewed at the approximate council meeting in May.

#### **COUNCIL REPORTS**

Council Member Webb commented that Utah is the fastest growing state in the union. The voting districts will be redone in the near future. Council Member Schena would like the city to check into starting blocks for the swimming pool. Council Member Webb will contact SUU to see if their starting blocks are available to purchase.

**CLOSED SESSIONS**

Council Member Schena motioned and Council Member Cox seconded to move into closed session to hold a strategy session to discuss pending or reasonably pending imminent litigation. Council Members Cox, Murdock, Webb, Schena and Bradshaw voted yea by voice vote. The vote was unanimous. The Council entered closed session at 9:18 p.m. They moved out at 9:23 p.m.

Council Member Webb motioned and Council Member Schena seconded to enter closed session to discuss the character, professional competence, or physical or mental health of an individual. Council Members Cox, Murdock, Webb, Schena, and Bradshaw voted yea by roll call vote. The motion passed with a unanimous vote. The Council moved into closed session at 9:25 p.m. They moved out at 9:50 p.m.

Council Member Bradshaw motioned and Council Member Murdock seconded to adjourn the meeting. All voted in favor. Motion passed with a majority vote. The Council Meeting was adjourned at 9:55 p.m. The next scheduled Council meeting will be held Tuesday, May 11, 2021 at 6:00 p.m.



**APPROVED:** \_\_\_\_\_  
**MATTHEW ROBINSON**  
**MAYOR**

**ATTEST:** \_\_\_\_\_  
**ANONA S. YARDLEY**  
**CITY RECORDER**