

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 13, 2022**. The following members of the Council were present: Mayor Matt Robinson, Council Members Tyler Schena, Alison Webb, Hal Murdock, Lance Cox, and Owen Spencer. Also, present were City Manager Jason Brown, City Attorney Justin Wayment and City Recorder Anona Yardley. Mary Wignall from the Beaver County Journal, & Jackie and Mark Whittlesey, Julia & Jason Richter and family were also present.

The opening prayer, pledge and thought were offered by Recorder Yardley.

CITY COUNCIL MINUTES APPROVED

Minutes of the previous **regular council meeting** were presented. Council Member Webb motioned and Council Member Murdock seconded to approve the minutes of **August 9, 2022** 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 Webb seconded to approve the proposed bills for **August 16, 26 & Sept. 1, 2022** as presented. All voted in favor. None opposed.

CONFLICT OF INTEREST STATEMENT

The owner of Tushar Contracting is Mayor Robinson's brother.

FINANCIAL STATEMENT REVIEW – JUNE, JULY AND AUGUST, 2022

Treasurer Stacey Phelps presented the financial review for the end of the FY2022 fiscal year and the months of July and August in the FY2023. Auditors will be able to give an audit review in the first council meeting in October for the FY2022. A comparison of the three months was provided by graphs on a power point. Trends in the golf course, airport and general fund were discussed. The utility funds were scrutinized carefully to make sure the revenue was covering expenses. Mayor Robinson thanked Treasurer Phelps for her presentation.

KENNETH & REBECCA LUKINS – FENCE ORDINANCE DISCUSSION

Mr. and Mrs. Lukins met with the council to discuss the legality of a fence constructed by Jason and Julia Richter. Mr. Lukins provided information to the council concerning this fence. They presented pictures of the land before and after the fence was constructed. The pictures showed a fence constructed on a berm with a tarp extension on the top of the fence. The posts are higher than the fence as shown in the pictures. There was also a letter from Beaver City asking the Richters to bring the fence into compliance. The fence ordinance was also included and the building permit that was issued for the construction of the fence. Attorney Wayment also notified the Richters that the fence was out of compliance. Mr. Lukins requested that the fence be brought into compliance or removed. They offered the invitation to come and visit anytime. Attorney Wayment offered his opinion about the issue. He redrafted the ordinance so it would be less ambiguous. Manager Brown and Attorney Wayment have measured the fence. This issue has given to the Beaver County Attorney. The sheriff would need to sign the citation in order to issue it. Beaver County will not prosecute because the city's ordinance is too ambiguous. Rebecca Lukins also commented on the need to make the fence compliant or have it removed.

PUBLIC COMMENT

Julia and Jason Richter – Mrs. Richter showed a picture of the raised berm of the fence. She commented that they tried to follow the city ordinance while consulting with an attorney of their own. They erected an 8' fence to protect their animals and their children. There is a definite grade difference between the two properties. There is approximately 20 feet between the Lukins and Richters property that belongs to Jared Moss.

Kenneth Lukins had a rebuttal for the comment that the dirt for raising the property was brought in and packed down. They like to look at the wildlife and fowl.

Council Member Murdock asked about a public notice. There was only a building permit issued not a conditional use permit. An 8' fence needs to be engineered.

AIRPORT ROAD INDUSTRIAL PARK CCR'S

Attorney Wayment explained that the ordinances of Beaver City direct what kind of businesses will be allowed in the area. There are, however, particular items that should be addressed when establishing an industrial park. For example: What will the name of the park be? How much noise and/or vibrations will be allowed? Will fences be allowed and how high and what kind will be

allowed. What types of businesses will be allowed in the area? Will landscaping be required? What will the setbacks be? What kind of signs will be allowed? These questions will need to be addressed in order to make the industrial park a nice place to be located and keep property values high. The Council asked Attorney Wayment to draft some ideas for them to review so they can more easily move forward with determining what Beaver City should want in their Industrial Park.

OPERA HOUSE EXTERIOR GRANT

Manager Brown explained the bid given to Beaver City by Tushar Contracting. The total bid was \$137,338.00. Beaver City has been awarded \$49,000. The project would be a 50/50 grant match. The improvement would be taken out of the general fund. There was only one bid given to the city. The council members voiced their opinions about finishing the project. The bid was looked at to see if there were any parts that could be deleted from the bid and still complete the project. The funding is only good until December, 2022. The project will need to be finished by the time. Council Member Schena motioned and Council Member Webb seconded to move forward with the project using Tushar Contracting as the general contractor and appropriating funds to do the project from the General Fund. All voted in favor. None opposed.

BEAVER HIGH SCHOOL DONATION REQUEST

Beaver City received a basketball donation for \$150.00. In the past there have been multiple groups asking for donation from Beaver High. Manager Brown reminded the council that Beaver City could make one donation annually to Beaver High in the amount of \$400 and allow the high school to allocate it as they decide. The electronic video board is used to advertise for all events located in the KT Gym. Attorney Wayment reminded the Council that they are spending public money. Council Member Schena motioned and Council Member Cox seconded to donate \$400 to Beaver High with a letter explaining the donation and allowing the high school to allocate the donation as they see fit. All voted in favor. None opposed.

2022-2023 YOUTH CITY COUNCIL

Council Member Schena announced the names of the members for the 2022-2023 Beaver City Youth City Council. Mayor – Jonathan Webb. Council Members: Jaren Webb, Ryleigh Ure, Caleb Moffett, Ava Moffett, Elsie Hollingshead, Kimberlain Oakden, Serena Bracamontes, JayDee Schena, Gabriel Robinson, Taytum Gale, Lindey Williams, Gentry Brown, and Myanne Vasquez.

RODEO GROUNDS

Council Member Schena mentioned that the rodeo grounds could use more attention than a nickel and dime effort. He suggested that a facility be built where there is parking, and room to expand if needed. Use the existing rodeo ground to construct more ball fields and make a new rodeo facility in the south by I-15. This possibility needs to be on the list to search for grants to help build a new facility. Council Member Murdock stated that the rodeo grounds committee be formed with Page Rollins, Chanda Gardner, Brennen Fails, Matt Robinson be on the committee. Mayor Robinson stated that we need a strategic plan to make progress in constructing facilities. A Master Plan for the Fort Cameron area would be needed that could give the council some direction in seeking funding. A discussion with the new Beaver County Economic Development Director would be a good idea to get some extra help in securing funding for a project of this kind.

TRUNK OR TREAT EVENT DISCUSSION

Council Member Spencer sent out the draft of the flyer advertising the Trunk or Treat event. The Prevention Coalition wanted to give out the cupcake kits to help families bond at the park like they did last year. If there are any other organizations that want to come, they are welcome. Council Member Schena suggested that some instruction on parking would be needed. Participants need to be reminded not to park vehicles and leave them there. Vehicles need to be removed when treat distribution is finished.

FEE SCHEDULE REVIEW

There was another discussion on the cemetery fees. The electric fees were changed last council meeting. Manager Brown showed the scenarios for cost plus a percentage for all utility funds in order to give the council an idea of where utility rates need to be set. A moratorium on the purchase of cemetery plots was suggested but not implemented.

ADMINISTRATIVE/COMMITTEE REPORTS

Council Member Murdock:

Rodeo Committee – This committee should meet quarterly and during the summer, more often. Mayor Robinson will serve on the committee.

Hospital – Council Member Murdock had a tour this afternoon of the Beaver Valley Hospital reconstruction site. The Helipad, Behavior Science and Maternity portions of the hospital are moving

forward nicely. There are delays that are frustrating. It will be very nice when it is finished.

Veterans Dinner on a Friday – Renae White has been contacted about a Wall of Honor possibly located at Mikes Food Town. Jen Rubio will be catering the dinner.

Council Member Spencer:

ULTC Annual Conference in Salt Lake City – Council Member Spencer can attend this conference but has a conflict on October 7th.

Utah Water Summit. – Manager Brown would be unable to attend this summit and wondered if Council Member Spencer would be interested in attending. It will be held in Layton on Tuesday, Oct. 18, 2022. Recorder Yardley will register Council Member Spencer for this summit.

Council Member Webb:

Trees on Main Street – The trees on Main Street are in need of more water to keep them alive. There could be other underlying causes for the problem such as root bound trees and vandalism. Beaver City has a grant for 50 trees in the near future to help replace some of them.

Economic Dev. – Council Member Webb asked that Manager Brown attend as she will be out of town that day.

Dowdle Puzzle Project – A draft picture was given to Council Member Webb and Manager Brown. They made a few changes and Manager Brown will email them to Eric.

Council Member Cox:

No report given.

Council Member Schena:

No report given.

Manager Brown:

Bear Spring Project – The water from Bear Spring has been tested with an 8-week test. Manager Brown brought water from the spring to share with all.

Mayor Robinson:

Beaver Housing Authority - Max Anderson will be retiring at the end of the 2022 year. The Beaver Housing Authority Board is short member. Max Crandall and Brent Blackner have been appointed to serve a 2-year term on the Beaver Housing Authority Board. A new director will be hired before the end of the year.

CLOSED SESSIONS: Council Member Cox motioned and Council Member Murdock seconded to move into closed session to discuss pending or reasonably imminent litigation. Council Members Schena, Cox, Webb, Spencer and Murdock voted yea by roll call vote. Motion passed with a unanimous vote. The Council moved into closed session at 9:25 p.m. and moved out at 10:10p.m.

Council Member Schena motioned and Council Member seconded to move into closed session to discuss the character, professional competence, or physical or mental health of an individual. Council Members Schena, Cox, Webb, Spencer and Murdock voted yea by roll call vote. Motion passed with a unanimous vote. The Council moved into closed session at 10:12 p.m. and moved out at 10:35 p.m.

Council Member motioned and Council Member seconded to adjourn the meeting. All voted in favor. None opposed. The Council Meeting was adjourned at 10:45 p.m. The next scheduled regular Council meeting will be held September 27, 2022 at 7:00 p.m.



APPROVED: _____

MATTHEW ROBINSON

MAYOR

ATTEST: _____

ANONA S. YARDLEY

CITY RECORDER