

The **Beaver City Council** met in a **regular session** at **5:05 p.m.** in the Beaver City Center located at 30 West 300 North on **Tuesday, February 28, 2023**. The following members of the Council were present: Mayor Matt Robinson, Council Members Tyler Schena, Alison Webb, Owen Spencer, Hal Murdock, and Lance Cox. Also, present were City Manager Jason Brown, City Attorney Justin Wayment, and City Recorder Anona Yardley. Public present were Jackie and Mark Whittlesey and Mary Wignall from the Beaver County Journal.

The opening prayer, pledge and thought were offered by Council Member Murdock.

CITY COUNCIL MINUTES APPROVED

Minutes of the previous **regular council meeting** were presented. Council Member Murdock motioned and Council Member Spencer seconded to approve the minutes from the **Retreat February 1, 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 **February 27, 2023** as presented. All voted in favor. None opposed.

CONFLICT OF INTEREST STATEMENT

No conflicts of interest were voiced at this time.

MAIN STREET BANNER DISCUSSION – COUNCIL MEMBER SCHENA

Council Member Schena reminded the council that in the last council meeting there was discussion about new banners on Main Street. It was suggested that we put pictures of senior athletes on the Main Street banners. These would need to include all seniors in the class. Council Member Schena proposed that the parents of the Senior on the banner would pay for the banner, not the city or the school. It would need to be offered to every senior. There was concern about the students that don't play sports or participate in other extra-curricular activities. Mayor Robinson loves to recognize all students. There are 39 poles on Main Street. It was suggested that maybe a new city banner could be hung at another time of year and the student banners in May during graduation. The refreshing of the banners was deemed a good idea. There was a suggestion of putting something on Championship Way (100 East) and Beaver Blvd. Center Street). Council Members Cox and Schena will be taking charge of this project. The council agreed to move forward with the senior picture banners. Council Member Schena will go back to the school for their thoughts on how to proceed with this matter.

OUTSIDE THE CITY WATER CONNECTION FORM REVIEW

Manager Brown showed the current Outside the City Water Application to council members. There is new language that Manager Brown proposed for the application for those water applicants inside the water service boundary but outside the city boundary. The water service area boundary has been submitted to the State of Utah. Attorney Wayment helped with the legal language to be in conformance to the state law. With that submission there was an application, a Water Service map, and the agreement for doing a water change application. The applicant must do the water source change application. Manager Brown explained that approval from the council was needed to change

the form. Council Member Schena motioned and Council Member Cox seconded to change the form with Attorney Wayments adjustments. All voted in favor. None opposed.

CEMETERY ORDINANCE REVIEW

Manager Brown reviewed the changes in the existing ordinance. There was an addition to the beginning of the ordinance and the deletion of the legal description. There was also clarification to the number of plots that could be purchased at one time and that all unwanted plots would be resold to Beaver City for the original sale amount. The City Office record was substantiated as the official cemetery record and a penalty was added for vandalism in the cemetery. There were a few other minor changes and clarifications to the existing ordinance. A copy of the changes will be given to Shawn Limb, Sexton, for his review and a public hearing will be scheduled on March 14, 2023 at 6:00 p.m.

CEMETERY SALE OF PLOTS MORATORIUM

Mayor Robinson reviewed the ordinance with the council. It was determined that the Ordinance would be sufficient to get the cemetery ordinance in place. Council Member Spencer motioned and Council Member Webb seconded to approve the 90-day moratorium on the sale of cemetery plots, Ordinance 2-28-2023. Council Members Murdock, Spencer, Webb, Cox, and Schena voted in favor by roll call vote. Motion passed with a unanimous vote. The moratorium on the sale of lots will be effectively immediately.

TITLE 12 – SUBDIVISION CODIFICATION ORDINANCE

Recorder Yardley explained that when the city code was being codified by the new codification company, the subdivision ordinance was included in the new code but an ordinance had never been officially passed to add the Subdivision Ordinance. So as a matter of clarification and in an effort to be in compliance with law, Council Member Cox motioned and Council Member Murdock seconded to approve Ordinance 2-28-2023A to codify the subdivision ordinance that was approved by the council in 2019. Council Members Murdock, Spencer, Webb, Cox, and Schena voted yea by roll call vote. The motion passed with a unanimous vote.

POWER RATE RESTRUCTURE

Council Member Spencer constructed a spreadsheet showing the revenues and expenses for the previous six months. He used an average of expenses for those months. He used a flat rate and a tiered rate to show how we are going to make up the deficit in the electric department. Manager Brown and Superintendent Martin met with representatives from Lightfield Energy to look at a power purchase agreement for Beaver City to purchase one (1) MGW of power at \$57/MGW for 20 years. Beaver City would allow solar panels to be built on a three-acre piece of city property. Lightfield Energy would invest in the capital and Beaver City would be able to have a 20-year agreement for power. The recommendation to the council is to raise the electric rate to \$.12/kw tonight temporarily and hire Utility Financial Solutions, LLC to do a power rate study to help set the electric rates permanently. Council Member Schena motioned and Council Member Cox seconded to adopt Resolution 2-28-2023B to set the temporary electric rate to \$.12/kwh until a better rate structure could be determined. Council Members Murdock, Spencer, Webb, Cox, and Schena voted yea by roll call vote. The motion passed with a unanimous vote. Council Member Murdock motioned and Council Member Webb seconded

to proceed with the contract presented by Utility Financial Solutions for the electric rate study. Council Members Murdock, Spencer, Webb, Cox, and Schena voted yea by roll call vote. The motion passed with a unanimous vote. Manager Brown will sign the contract and submit it to UFS so they can begin.

JANUARY, 2023 FINANCIAL STATEMENT REVIEW

Treasurer Phelps presented the January, 2023 financial statement. The general fund was in good shape with revenues over expenses. The funds in the red were the golf course, airport, and the power department. There was a \$50,000 transfer to the golf course from the general fund to help begin the season in less of a deficit.

CONSENT ITEMS:

SFW Donation Request for two Golf Passes with Cart - Council Member Webb motioned and Council Member Schena seconded to approve the donation request for the SFW for their Banquet prizes. All voted in favor. None opposed.

ADMINISTRATIVE/COMMITTEE REPORTS

Council Member Murdock:

Library – A remodeling project will soon begin on the interior of the library.

Council Member Spencer:

Legislative Policy Committee – HE has been meeting with the ULCT Policy committee every Monday. Homeless service bill HB499 change percentage on sales tax which means that Beaver City will receive less sales tax. Fuel Tax changes will decrease the amount of B&C Road Funds that will be received temporarily. It should raise over time to more than we have now.

Land Use Bills – The Beaver City ordinance will need to change for housing developments. The new bill will allow two years to make these changes. The ULCT will help cities update their housing plan if they desire. Sand & Gravel – SB75 will probably die. Pushing for the veto by the governor. SB29- Council Member Spencer sent an email to Senator Owens. He explained that unless the wording in the bill gets changed, he, Senator Owens, will vote no on the bill. HB571 on Mining died.

Fire District – They have gone to quarterly meetings so next month the fire district will meet.

Transportation Master Plan – The revision of this plan is progressing well.

Council Member Webb:

Prevention Coalition – They met last night for an activity. It was well attended and very fun.

BIG Chamber Meeting – There were 13 businesses at the last meeting. There is some good networking that is starting which is very exciting. The tools for training with Southwest Tech will return 40% of the wages for proper training. There is \$350,000 plus available for businesses to use in order to help support and grow their business. This money can support any type of training.

Civic Arts – Broadway and Center will be April 12-15. The Valentine's Day Concert was well attended.

Council Member Cox:

Main Street Flowers – The council decided that the same hanging pots and standing pots would be done for the upcoming summer.

July 4 Celebration – The same band that we hired last year would like to come again to our

celebration. The city would like to continue with the hot dogs, games, a band and fireworks. Council Member Webb suggested nine-square in the air with glow sticks for a fun game to play during the evening. May be something the city would like to purchase. It would cost about \$1,000. Council Member Cox will contact the band to let them know we would like to have them back.

Council Member Schena:

Beaver County Sheriff's Department - Sheriff Black approached Council Member Schena to see if he needs to have a conversation about expectations of the sheriff's office and the city. Motorized scooters were also a concern for them. Newly elected Sheriff Black would like to know the city's expectations for his department. He thought it would be a good idea to have a conversation with the city council.

Manager Brown:

Manderfield Highway Project - Beaver City was awarded another Joint Highway project on the Manderfield highway for 2026. It will be approximately a two-million-dollar project. It will be reconstructing Manderfield Highway from Main Street to the City boundary, approximately 1.2 miles. The project will include bike lanes.

Transportation Master Plan – UDOT planner, Chris Hall, met with Beaver City to review some of the specifics with the proposed Transportation Master Plan. There were a few concerns that will need to be worked on. The plan is moving forward and should be finished soon.

2024 Budget – The new fiscal year budget has been started. The sales and road taxes will be decreased slightly. City staff are working hard to keep the city moving forward.

City Roads – The petition for a traffic light study for 600 North and 200 North was denied.

Mayor Robinson:

Employees & Council Use of City facilities – All city council, mayor and city employees will, after a wellness check or physical, be allowed to use all city facilities at no charge.

CLOSED SESSION: Council Member Spencer motioned and Council Member Webb 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. The Council entered closed session for the above reason at 7:15 p.m. and moved out at 7:28 p.m.

CLOSED SESSIONS: Council Member Schena motioned and Council Member Cox seconded to move into closed session to discuss pending or reasonably imminent litigation. Council Members Schena, Cox, Webb, and Murdock voted yea by roll call vote. Council Member Spencer was excused. Motion passed with a majority vote. The Council moved into closed session at 7:30 p.m. and moved out at 7:58 p.m.

Council Member Cox motioned and Council Member Schena seconded to adjourn the meeting. All voted in favor. None opposed. The Council Meeting was adjourned at 8:02 p.m. The next scheduled regular Council meeting will be held March 14, 2023 at 5:00 p.m.

M. Robinson

APPROVED: _____

**MATTHEW ROBINSON
MAYOR**

ATTEST: _____

**ANONA S. YARDLEY
CITY RECORDER**