

The **Beaver City Council** met in a **regular session** at **5:00 p.m.** in the Beaver City Center located at 30 West 300 North on **Tuesday, June 13, 2023**. The following members of the Council were present: Mayor Matt Robinson, Council Members Tyler Schena, Hal Murdock, Lance Cox, Owen Spencer and Alison Webb. Also, present were City Manager Jason Brown, City Attorney Justin Wayment, appeared electronically and City Recorder Anona Yardley and Patty Simard. Public present were Danny Evans, Kenneth and Rebecca Lukins, and Jackie and Mark Whittlesey.

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

#### **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 **May 23, 2023**, 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 **June 5, 2023 and June 12, 2023**, as presented. All voted in favor. None opposed.

#### **CONFLICT OF INTEREST STATEMENT:**

No conflicts of interest were voiced at this time.

#### **PLANNING AND ZONING RECOMENDATIONS:**

Manager Brown said he has met with Christopher Hilsman and would like to recommend for Council to approve him as a member of the Beaver City Planning and Zoning Board. A motion to appoint Christopher Hilsman, as a member of the Beaver City Planning and Zoning Board, as recommended by Manager Brown, was made by Council Member Schena and second made by Council Member Cox. All voted in favor. None opposed.

Manager Brown discussed with Council a property development project being sought by Phil Jolley. Currently, there is a deeded 56 foot right of way that is a city-maintained gravel road located north of the Best Western Motel located about 1575 North. There has been a request to relocate this road to the north end of this property approximately 1600 North.

By relocating this road, it will create a way for EMS to have safer access in and out of this residential area without difficulty. It will also allow for further economic development. Manager Brown recommendation to have city relinquish the city's current right-of-way and have a new right-of-way established of 56 feet along back of the property, along with the requirement that Mr. Jolley pay for any right-of-way descriptions and also have the new road graveled and brought up to the existing conditions of the current road. This item will require a Public Hearing to relinquish the right-of-way and will be acted upon at that time.

#### **FRAUD RISK ASSESSMENT:**

Anona shared the fraud risk assessment worksheet with Council for the upcoming audit and asked for feedback from Council. The Council will review and complete at the next meeting.

#### **DDW – WATER PROJECT REVIEW & CONTRACT AWARD:**

Tyler Faddis with Jones and DeMille Engineering reviewed the water project with the Council. Beaver City applied for funding through the Division of Drinking Water, to replace a lot of the water lines in the Grove area and construct a well building over the headhouse well and to replace some distribution lines along the north side of town along Main Street. One bid was received that was from Precision Contractors out of Cedar City. This bid came in above the budget estimate. Additional funding will be requested to make up this difference. A recommendation to go to the DDW Board to recommend an additional \$150,000 to overcome that budget difference and allow for construction contingency will be asked from the DDW at their next board meeting on June 27<sup>th</sup>. The terms will be the same 50/50 split grant and loan terms. Precision Contractors would like to get started as soon as possible. A notice of award would need to be given so they can order supplies etc. Tyler wanted the

Council to be aware that to get Precision started, this could create a risk to the city if approved before loan closing. If the request is not approved from DDW and then the city will be required to pay the additional funding. A motion to award contract to Precision Contractors was made by Council Member Schena and a second made by Council Member Cox. All voted in favor. None opposed

**CERTIFIED PROPERTY TAX RATE APPROVAL:**

Treasurer Phelps presented the certified property tax rate of .000182 to Council. She noted that nothing has changed from the prior year tax rate. A Motion to approve the certified property tax rate of .000182 was made by Council Member Cox and seconded by Council Member Webb. All voted in favor. None opposed.

**MAY 2023 FINANCIAL STATEMENT REVIEW:**

Treasurer Phelps presented a power point reviewing May's financial statement with council. The general fund has a positive revenue over expenses. The golf course and airport have negative revenues and will need funds transferred to balance these accounts. The sewer fund is the only enterprise fund that is operating in the black. Other than the electric fund, the pressurized irrigation and culinary water should be in the black by the end of the fiscal year. The electrical fund balance is a concern due to increase in the power purchase costs.

**INDEPENDENCE DAY CELEBRATION:**

Council Member Cox reported that the Fourth of July celebration will be held on Tuesday this year. He reported that he has checked with the band and they are set and ready to go. Lance reviewed assignments.

**DOWDLE PUZZLE UNVEILING PLANNING SESSION:**

Stacey presented a fillable form that she has been working on with Xpress Bill Pay. This form and payment process will easily work with the sales and distribution of the puzzles and linking this form to the advertisement on social media. The unveiling will be at the held-on July 22 at the Opera House and the Philo T. Farnsworth Park area at 2:00 p.m. Invitations for piece placement participation will be sent out.

**MUNICIPAL ELECTIONS**

Five candidates filed for city council election. Tyler Schena, Lance Cox, Randy Hunter, Dustin Derryberry and Russell Bradshaw. Anona noted that this year the election will be changed from November 7<sup>th</sup> to November 21<sup>st</sup>, because of Chris Stewarts resignation.

**COMMERCIAL DISTRICTS ORDINANCE REVIEW (HEIGHT REGULATIONS):**

Jason said he wanted to see if Council was ready move forward have a public hearing on the commercial height regulations. He stated that the current height regulations are at 35 feet and it has been discussed to move this to 48 or 50 feet. It was the consensus to add this item to the City Planning and Zoning Board for their review, since they have not met on this item yet. After that we will put on Council Agenda at the next meeting.

**ADMINISTRATIVE/COMMITTEE REPORTS:**

**City Manager Jason Brown:**

Jason reported recently there has been four breaks on #4 penstock. These have been fixed. He reported that he is trying to get funding finalized from Federal Government. Plant #2 FERC relicense should be approved in August. The final building design will be ordered in next couple weeks. He reported that the turbines have already been delivered. He is working to get as much pre approvals completed on this project as is possible.

**Council Member Hal Murdock:**

Hal reported that the Hospital is now moving into the next building phase. It was also noted that the Beaver Medical Clinic will be renovated in an additional project as well. The library currently has an art exhibit being displayed downstairs and soon they will be looking for local artists to participate in an art exhibit.

**Council Member Tyler Schena:**

Tyler reported that all of the recreation events and programs are moving along smoothly. There have been a lot of good comments received from the latest ball tournament. Schena said he has talked to Santiago about getting the JR Jazz Basketball season done by December, so the traveling team can start up. He also reported that there has been a lot of participants signed up for the Soccer, JR Golf and Swim Team programs.

**Council member Lance Cox**

Lance reported that the Childrens Justice Center has been trying to get their fundraiser ready. He reported that flowers on main street are up and look nice. Lance requested that everyone try to encourage residents to mow along the streets and help beautify our town for the 24<sup>th</sup>. Hal mentioned

**Council Member Alison Webb:**

Alison reported that the BIG chamber meets again on June 22 at 10:00 a.m. here at the City Center. She said that Kayden McBride will be doing a training on using social media and marketing online for businesses. Alison mentioned that the BIG Chamber is hiring someone for approximately 10 hours per week to help with BIG Chamber. She mentioned that she and Jason met with James Dotson to help with the Plaza. The Prevention Coalition will be sponsoring a family bonding movie night on June 19 at 7:00 p.m. at the Main Street Theater.

**Council Member Spencer**

Owen reported that he has attended some online meetings with ULCT. He said they has been some drafting of bills being written for next legislative session. Fire Board met last month they are replacing Kathy Hendricks who is retiring as secretary. They interviewed two applicants and the successful applicant for the position of Fire Board secretary is Anona Yardley.

**Mayor Matt Robinson:**

Matt reported that the UAMPS annual meeting is scheduled for August 13-16<sup>th</sup> it will be held in Jackson Hole, WY, this year. He is planning on attending. He also encouraged all to attend and make those arrangements soon.

**FY 2024 BUDGET PUBLIC HEARING**

Council Member Murdock motioned and Council Member Schena seconded to move into public hearing to receive comments about the proposed FY2024 budget. Council Members Murdock, Spencer, Webb, Cox and Schena voted yea by voice vote. The motion passed with a unanimous vote. The council moved into public hearing at 6:32 p.m. Jason presented the proposed Budget for Fiscal Year 2024. Danny Evans inquired about the UFS Rate Study Recommendation and if it includes National and State average information to determine Beaver City's rate. Jason replied that National and State information is taken into account for this report. Jason also explained that the rate will largely reflect the city expenses, city capital, and the budget etc. There being no further comments on the proposed budget, the council moved out of public hearing at 6:44 p.m. Council Member Schena motioned and Council Member Webb seconded to adopt and approve the FY2024 budget as presented. Council Member Murdock, Spencer, Webb, Cox and Schena voted yea by voice vote. The motion carried with a unanimous vote.

**FY 2024 ENTERPRISE FUND TRANSFERS PUBLIC HEARING**

Council Member Spencer motioned and Council Member Cox seconded to move into public hearing to receive comments about the FY2024 Enterprise Funds Transfer. Council Members Murdock, Spencer, Webb, Cox and Schena voted yea by voice vote. The motion passed with a unanimous vote. The council moved into public hearing at 6:50 p.m. Anona explained when you transfer money out of an enterprise fund into the general fund, you have to give the public the opportunity to have a chance to comment and it is also a requirement of the Transparency Law. Anona reported that this is a budgeted item and the past few years we have not had to make any transfers of this kind. Jason reported these funds mirror what we have accounted for in this fiscal year. Jason proposed to transfer for this fiscal year \$45,000 from Water Enterprise Fund, \$75,000 from the Electric Enterprise Fund, \$36,000 from the Sewer Enterprise Fund, and \$ 20,300 from the Perpetual Care Fund. There being no further comments on the proposed Enterprise Fund Transfer, the council moved out of public hearing at 7:00 p.m.

**CLOSED SESSION:** Council Member Schena motioned and Council Member Spencer seconded to move into closed session to discuss purchase, exchange, or lease of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction. Council Members Murdock, Spencer, Webb, and Schena voted yea by roll call vote. Council Member Cox excused. Motion passed with a unanimous vote. The council moved into closed session at 7:01p.m. and moved out at 7:52 p.m.

Council Member Murdock motioned, and Council Member Spencer seconded to move into closed session to discuss pending or reasonably imminent litigation. Council Members Schena, Webb, Spencer and Murdock voted yea by roll call vote. Council Member Cox excused. Motion passed with a unanimous vote. The Council moved into closed session at 7:53 p.m. and moved out at 8:20 p.m.

Council Member Schena motioned, and Council Member Webb seconded to adjourn the meeting. All voted in favor. None opposed. The Council Meeting was adjourned at 8:22 p.m. The next scheduled regular Council meeting will be held June 27, 2023 at 5:00 p.m.



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

**MATTHEW ROBINSON**  
**MAYOR**

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

**PATTY J. SIMARD**  
**CITY RECORDER**