

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, September 12, 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 and City Recorder, Patty Simard. Public present were Randy Hunter and Jackie and Mark Whittlesey,

The opening prayer, pledge and thought were offered by Mayor Robinson.

CITY COUNCIL MINUTES APPROVED

Minutes of the previous **regular council meeting** were presented. Council Member Schena motioned, and Council Member Cox seconded to approve the minutes from the **August 29, 2023**, with a minor correction. All voted in favor. None opposed.

BILLS APPROVAL

Bills were presented and reviewed by the City Council. Council Member Cox motioned, and Council Member Murdock seconded to approve the proposed bills for **September 07, 2023**, as presented. All voted in favor. None opposed.

CONFLICT OF INTEREST STATEMENT:

No conflicts of interest were voiced at this time.

ROAD CLOSURE 100 EAST & HIGH SCHOOL DISCUSSION:

Mr. Randy Hunter, Vice Principal at Beaver High School, discussed with the City Council some safety concerns on the road by the vocational shop, KT gym and football field areas of 100 East and would like to have a gate to stop the traffic during school hours and events. Mr. Hunter noted that during sporting events, this area is also a bus parking zone, so buses would still need the ability to get into location, then gates could be closed after. City Manager Brown said that Blue Stakes will be called for this area to see the probability of this project, and he requested the school get some different gate options along with price quotes to present to the City Council. School Resource Officer, Tyler Schena asked for permission to close the road at this location, during school and event hours while this situation is being investigated.

BEAVER BENCH ANNEXATION AGREEMENT RECORDING:

City Manager Brown reported that he was informed that in May of 2001 a map of annexation for the North Bench was recorded with the Beaver County Recorder's Office. However, at that time, the notice of annexation agreement was not recorded. The original signed paperwork has not been found, just copies. City Attorney Justin Wayment wrote up a document to be signed, notarized and filed with the Beaver County Recorder's Office. This document is an informational notification of the annexation agreement copies that city has on file.

SALES OF DOWDLE PUZZLE ARTWORK DISCUSSION

An email was received from Samantha at Dowdle. This email inquiry was reviewed and another

email will be sent to her to get clarifying information on the three framed prints that were ordered and to check on getting credit for the damaged puzzles. Discussion is continued to get further information.

CONSENT ITEMS: Donations – BHS Boys Basketball sent a letter for advertisement on the video board in the KT Gym. Motion to approve \$150 for advertisement was made by Council Member Webb, second by Council Member Cox. All other members voted in favor. Motion passed with a majority vote.

PUBLIC HEARING WATER ORDINANCE REVISION:

Council Member Webb motioned, and Council Member Schena seconded to move into public hearing to discuss the subdivision water ordinance and subsequent action by council. Council Members Schena, Cox, Webb, Spencer and Murdock voted yea by roll call vote. Motion passed with a majority vote. The council moved into public hearing at 6:00 p.m. The public in attendance were Jackie and Mark Whittlesey and Randy Hunter.

City Manager Brown gave a brief explanation of the subdivision water requirement changes made by the State of Utah. This revision is now calculated using the 5-year average of water usage per unit type of acre foot. This requirement will change Beaver City's Ordinance removal of requiring one (1) acre foot per lot to the 5-year average calculation per lot. Many concerns were raised of taking averages from non-drought years and then not having enough water to cover through drought years. This being a change in water legislation from the State of Utah, Beaver City is required to change their ordinance to the same language or be less restrictive.

There being no further comments on the subdivision water ordinance, the council moved out of the public hearing at 6:20 p.m.

Motion was made to adopt the State of Utah's language to the 5-year calculation was made by Council Member Schena and second by council member Cox. Council Members Schena, Cox, Webb, Spencer and Murdock voted yea by roll call vote. Motion passed with a majority vote.

PUBLIC HEARING COMMERCIAL DISTRICT HEIGHT REGULATIONS:

Council Member Murdock motioned, and Council Member Spencer seconded to move into public hearing to discuss the commercial district height regulations and subsequent action by council. Council Members Schena, Cox, Webb, Spencer and Murdock voted yea by roll call vote. Motion passed with a majority vote. The council moved into public hearing at 6:25 p.m. The public in attendance were Jackie and Mark Whittlesey and Randy Hunter,

City Manager Brown explained that the Beaver City Planning and Zoning met several weeks ago, and recommended changes be made to increase the commercial district height regulations from 35 feet to 50 feet, with the exception of the historic downtown area from 300 South Main to 600 North Main. Mark Whittlesey asked, "what is the city's purpose in making this change or

