

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, May 14, 2024**. The following members of the Council were present: Mayor Matt Robinson, Council Members Randy Hunter, Lance Cox, Owen Spencer, Tyler Schena, and Alison Webb joined electronically. Also, present were City Manager Jason Brown, City Attorney Justin Wayment, and City Recorder Patty Simard. Public present: Heidi Olsen, Craig Wright, Heidi Wright, Lee Joseph, Tim Joseph, Rodney Teichert, Tiffany Hughes, Whiley Hughes, Monte Cartwright, Carly Cartwright, Brennen Strong, Stihl Strong, Spencer White, Rhett Jordan, Stacey Phelps, Creighton Phelps, Paula Spencer, Jackie Whittlesey and Mark Whittlesey and Justin Telfer and Parker Vercimak with Jones and DeMille Engineering.

The opening prayer, pledge and thought was offered by City Manager Brown.

CITY COUNCIL MINUTES APPROVED:

Minutes of the previous **regular council meeting** were presented. Council Member Spencer motioned, and Council Member Cox seconded to approve the minutes from **April 23, 2024**. All voted in favor. None opposed.

BILLS APPROVAL:

Bills were presented and reviewed by the City Council. Council Member Hunter motioned, and Council Member Spencer seconded to approve the proposed bills for **April 18, 2024, April 25, 2024, and May 5, 2024**, as presented. All voted in favor. None opposed.

CONFLICT OF INTEREST STATEMENT:

Council Member Spencer disclosed that he may have a conflict with the 24th of July road closure. No other conflicts of interest were voiced at this time.

SEWER SYSTEM ANALYSIS FINAL REVIEW

City Manager Brown reviewed with council the final sewer study report he received from Jones and DeMille Engineering. Jason reported that the proposed options have reviewed internally and the recommended option was to combining the far north lagoon into two different large primary cells. Reconfiguring the dike and allowing for an inlet on one side of the lagoon and an outlet on the opposite side of the lagoon, allowing for better flow. Equipment will also need to be installed to pump to the secondary. This is the proposal he would like to go with as we approach the CIB Grant for funding help. Jason indicated that the total infrastructure cost will be about nine-million dollars. Mayor Robinson asked for a rough schedule for the project. Jason indicated that the CIB funding application is due June 1st. Then there will be the CIB Board review. If approved for funding, the project would then be funded for the next year. The design phase will start this winter. The project would then be put out for bid around January to February 2025. The construction timeline would then take approximately two years to complete. Part of the progress will be slow due to having to de-sludge the lagoon, dry and then remove the materials. Jason also indicated that this project includes a lot of pipes that would need to be replaced or installed in various locations around town and the

industrial park. Jason was hopeful to get some funding through CIB and if not then would need to look into other funding. City Council Member Schena asked what the issue would be to re-arrange the secondary one and two to the primary cells and letting the secondary be below for gravity flow. Jason indicated that pumping would be required no matter where these are located. However, the proposed design uses pumping as demand requires instead of continually.

24TH OF JULY ROAD CLOSURE PERMIT DISCUSSION

City Recorder, Patty Simard reviewed with council UDOT's requirements for the city to file for road closure permits. Beaver City would need to provide liability insurance, for the permit. Mayor Robinson asked if this is same process as before and if the LDS church provides liability insurance as well. Patty replied yes, the permit process is the same, with the same requirements and no, only Beaver City has provided the liability insurance in the past. City Manager Brown indicated that multiple groups have requested the city to do the road closure permits for their upcoming events and we want to see what the city is willing to be liable for. Council Member Cox made a motion to approve filing for the 24th of July road closure parade and car show permits. Council Member Schena seconded the motion. All voted in favor. None opposed.

FEE SCHEDULE - RODEO ARENA FEES

Council Member Schena stated that he brought forth the question on charging fees for the rodeo arena at the last council meeting. Mrs. Tiffany Hughes asked Council Members what they are proposing. Council Member Schena replied that he has called several rodeo facilities in the state just to see what kind of fees they charge. He stated that Beaver City has purchased a new tractor, harrow, lights etc. and he questioned what scheduling is in place for guaranteeing that the different groups get to use the arena on specific nights. Mrs. Hughes declared that she and other members of this group have put in a lot of their own personal time and money to pay for necessary items that are needed at the facility. She indicated that she is not opposed to paying fees for certain usages, however, she would like to see some more participation from the city. Craig Wright indicated that the equipment needs to be taken out of the weather so the tractor can last a few more years. Council Member Hunter stated that he feels that all are on the same page and that is what is driving this whole discussion. Beaver City needs some improvements made to the facility and there are some patrons footing the bill for several things themselves to help maintain the facility and equipment. He stated that he thinks there is a set of folks that want the facility to be better and another group wanting to show up and break things. There needs to be some more structure and have some sort of ownership involved for all. All agreed that this at this facility needs improvements. Mayor Robinson stated that Beaver City has obligated funds for the Utah Recreation Grant that was applied for and if awarded, the city will be putting in time and money into the rodeo facility. He indicated that he knows ultimately the decision would be up to the council. However, he would like to have a small committee of approximately five-members with representatives from the groups that use the facility, to get together with Council Members Schena and Council Member Cox and come up with a plan to take care of the facility. Mayor Robinson stated that the intent is not to outprice anyone. Just to help maintain the arena and get a

facility that is worth having events. City Manager Brown will get with Dalton Bradshaw to review the rodeo ground maintenance schedule and equipment and then if necessary, one designated person from the rodeo organizations will be authorized to use the equipment, because of liability issues.

PUBLIC HEARING:

AMENDING BEAVER CITY'S SUBDIVISION ORDINANCE AND ADJUSTMENTS TO WATER FEE SCHEDULES

PUBLIC HEARING HELD AT THE BEAVER CITY CENTER COUNCIL CHAMBERS AT 6:04 P.M. ON TUESDAY MAY 14, 2024:

Present: Mayor Robinson, Council Members Webb, Hunter, Spencer, and Cox; City Manager Jason Brown, City Attorney Justin Wayment, City Recorder Patty Simard. Public present: Paula Spencer, Stacey Phelps, Creighton Phelps, Jackie and Mark Whittlesey.

Council Member Cox motioned and Council Member Hunter seconded to move into public hearing To accept public comment on amending Beaver City's Subdivision Ordinance and to consider adjustments to the current water fee schedule and to receive public comment on the proposed changes. Council Members Cox, Webb, Spencer, and Hunter voted yea by roll call vote. Council Member Schena excused. The motion passed with a unanimous vote. The council moved into public hearing at 6:04 p.m.

City Manager Jason Brown commented that discussed that the current subdivision water requirement policy. He noted that anyone outside the Beaver City limits is required to bring water rights at the determined requirement based on Utah water law. This is which is currently based on a five-year average. That number goes up and down every year and We have to do our due diligence to find out what that average is and decide what that is and assess accordingly. This currently policy states that developers are required to bring water rights to Beaver City that are 1955 or earlier priority and these water rights have to be transferable and acknowledged by the State of Utah that they can be used for municipal purposes. The question presented is do we relinquish this requirement, at the moment, and allow people to pay a water acquisition fee in leu of water rights. Mayor Robinson indicated that one of major consideration are we going to allow inside the city limit to pay a water acquisition fee in leu of deeding a water right to the city. City Attorney Justin Wayment indicated that follow up to this consideration is that if we do allow, then what is the appropriate price to charge for that acquisition fee based on market conditions. The current fee is based on a price of \$6500 an acre foot. There will be follow up on this proposal after the closed session and more discussion allowing for more relevant and realistic fees. It was agreed that the current inside Beaver City limits is the boundary to pay an acquisition fee and outside the Beaver City limits water rights will be required.

Mayor Robinson asked for any comments, questions, and/or concerns from the audience. There were no comments, and the hearing was adjourned at 6:10 p.m.

FISCAL YEAR 2025 DRAFT BUDGET REVIEW:

Manager Brown reviewed the current 2024 budget balances and the 2025 preliminary budget with council members. We will also be implementing another “no spend June”, to help with getting invoices in the system and paid. The public hearing for comments on the proposed fiscal year 2025 budget will be set for Tuesday, June 11, 2024.

ADMINISTRATIVE/COMMITTEE REPORTS:

Mayor Robinson:

Matt reported that the Hospital currently has multiple projects going on and is continuing to make progress. He reported that there have been some minor issues with engineering and architecture. He reported that this current phase is slated to be finished late 2024 with the project roughly on schedule to finish end of 2025 first part of 2026. In conjunction on that there is some infrastructure upgrade on the trailer park that is west of hospital. In conjunction with those upgrades, the hospital is currently working closely with the city for infrastructure upgrades for ground breaking of the wellness center that will be directly west of the current long term care facility.

City Manager Brown:

Jason introduced Justin Telfer and Parker Vercimak with Jones and DeMille Engineering. They presented a map and information on the Stormwater Drainage Study they are working on. This study will help pinpoint some problem areas and will help with future development. They also presented a draft Storm Water Ordinance for council members to review. Jason asked that a meeting be set up with UDOT to go over this plan and start some discussions on addressing some of the drainage and flooding problems occurring. This information will also need to be put on the agenda for the Planning and Zoning Board. The council asked for more data on the storm water utility fees for more discussion. Jason also presented the plaza’s final Beaver sign design.

Council Member Webb:

Alison reminded council members to look over the different pavilion design choices that Jason emailed out earlier. Alison said she would like to see a water bottle filling station and to have a hose and a spicket put in place to rinse down the plaza if necessary. Alison indicated that she will bet with Jason on choosing the color scheme and designs for the pavilion roof and columns, and the plaza trash cans and benches.

Council Member Cox:

Lance indicated that the first week in June the Children’s Justice center would like to get on the agenda to talk about the golf tournament fundraiser. Beaver Nursery is working on finishing up the flowers. Lance will get with Jason and city staff to get the flowers up before Memorial Day depending on the weather.

Council Member Spencer:

Owen reported that he has taken a number of calls regarding roads and cattleguards. He is working with Jason to handle the situations.

CLOSED SESSION:

Council Member Hunter motioned, and Council Member Cox seconded to move into closed session to discuss the purchase, exchange, or lease of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property. Council Members Schena, Cox, Spencer, Webb and Hunter voted yea by roll call vote. The Council entered closed session for the above reason at 7:42 p.m. and moved out at 8:07 p.m.

Council Member Schena motioned, and Council Member Cox seconded to move into closed session to discuss the character, professional competence, or physical or mental health of an individual. Council Members Webb, Spencer, Schena, Cox and Hunter voted yea by roll call vote. The motion passed with a majority vote. The Council entered closed session for the above reason at 8:07 p.m. and moved out at 9:17 p.m.

Council Member Cox motioned, and Council Member Spencer seconded to adjourn the meeting. All voted in favor. None opposed. The Council Meeting was adjourned at 9:18 p.m. The next scheduled regular Council meeting will be held May 28, 2024, at 5:00 p.m.



APPROVED: _____

**MATTHEW ROBINSON
MAYOR**

ATTEST: _____

**PATTY J. SIMARD
CITY RECORDER**