

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 10, 2025**. The following Members of the Council were present: Mayor Matt Robinson, Council Members Tyler Schena, Randy Hunter, Lance Cox, and Owen Spencer. Also, present were City Manager Jason Brown, City Attorney Justin Wayment, and City Recorder Patty Simard. Public present: Gates Nowers, Sherry Smith, Greg Smith, Wiley Hughes, Cole Sorenson, Heather Carter, Mark Whittlesey, and Jackie Whittlesey. Excused: Council Member Alison Webb.

Council Member Hunter offered the opening prayer, pledge and thought.

CITY COUNCIL MINUTES APPROVED:

Minutes of the previous **regular council meeting** were presented. Council Member Cox motioned, and Council Member Hunter seconded to approve the minutes from **May 12, 2025**. All voted in favor. None opposed.

CONFLICT OF INTEREST STATEMENT:

No conflicts of interest were voiced at this time.

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 **May 15, 2025, and June 3, 2025** as presented. All voted in favor. None opposed.

PROPERTY DISCUSSION WITH GATES NOWERS:

Mr. Gates Nowers discussed the 12 acres of property he is trying to sell on 600 North between 300 East and 400 East. He expressed frustration that potential buyers have been told there is no water available for the property, causing him to lose sales. He asked for clarification on the water rights and availability for the property. City Manager Brown explained that the property currently has one culinary water connection, and any additional lots created would require bringing the required water rights. He noted this policy was created in 2019 as part of the 40-year water rights plan required by the state.

There was discussion about the types of water rights available and what would be required for development. Mr. Nowers was encouraged to gather details on his existing water rights to determine what could be used.

Mayor Robinson and the council assured Mr. Nowers that the property can be developed, but clarified that additional water rights would be needed beyond the existing connection for multiple lots.

PUBLIC HEARING FOR PROPOSED ORDINANCE 06-10-2025A, CHANGING THE DAY AND TIME OF CITY COUNCIL MEETINGS:

Motion to enter public hearing to receive comment on Ordinance 06-10-2025A, which changes

council meeting days and times to the second and fourth Tuesdays at 5 PM. was made by Council Member Schena and seconded by Council Member Cox. Council Members Spencer, Cox, Schena and Hunter voted yea by roll call vote. Council Member Webb was excused. The Council moved into public hearing at 5:30 p.m. and out at 5:36 p.m.

Mayor Robinson opened the public hearing noting the proposed day and time changes to the second and fourth Tuesdays each month starting at 5:00 p.m., from previously being held on Mondays at 4 PM.

No public comments were received.

PUBLIC HEARING ON PROPOSED FY2026 ENTERPRISE FUND TRANSFERS:

Motion to enter public hearing to receive comment on the proposed FY2026 Enterprise funds transfers, was made by Council Member Hunter and seconded by Council Member Spencer. Council Members Spencer, Cox, Schena and Hunter voted yea by roll call vote. Council Member Webb was excused. The Council moved into public hearing at 5:36 p.m. and out at 5:39 p.m. Beaver City Treasurer, Stacey Phelps, clarified that this proposal allows the council to transfer money from enterprise funds to the general fund if needed, but does not mean they will definitely do so. She noted it has been done in previous years and could likely happen in the upcoming year.

No public comments were received.

PUBLIC HEARING FOR PROPOSED ORDINANCE 06-10-2025B, COMPENSATION ADJUSTMENTS FOR ELECTED AND STATUTORY OFFICERS.

Motion to enter public hearing to receive public comments on an ordinance approving a compensation adjustment for elected and statutory officers of Beaver City Corporation, was made by Council Member Hunter and seconded by Council Member Schena. Council Members Spencer, Cox, Schena and Hunter voted yea by roll call vote. Council Member Webb was excused. The Council moved into public hearing at 5:39 p.m. and out at 5:48 p.m. Beaver City Treasurer, Stacey Phelps, explained this public hearing is to discuss a 2.9% COLA increase for elected officials and the COLA and some merit increases for statutory officers.

Mr. Whyllie Hughes commented that while he understands the desire for a pay increase, he disagreed with raising elected officials' pay given recent utility bill increases and getting new bonds. He stated he was okay with increases for non-elected employees.

No other public comments were received.

PUBLIC HEARING ON PROPOSED FY 2026 BUDGET

Motion to enter public hearing was made by Council Member Hunter and seconded by Council Member Schena. Council Members Spencer, Cox, Schena and Hunter voted yea by roll call vote. Council Member Webb was excused. The Council moved into public hearing at 5:48 p.m. and out at 6:39 p.m. City Manager Jason Brown presented highlights of the proposed FY2026 budget, going through revenue and expenditure projections for various city funds and departments. He noted some changes from previous years and areas of significant spending. Council members asked clarifying

questions about specific line items, including parks funding and golf course maintenance.

Mr. Whyllie Hughes, commented on the rodeo grounds budget. He stated that he was representing the rodeo grounds committee that they met recently with Council Member Schena and Council Member Cox. Mr. Hughes presented a list of short-term and long-term priorities for improvements and maintenance. He also stated that the rodeo grounds should be taken care of like any other city park. With the city frequently maintaining the property, emptying the trash and cleaning the restrooms, etc.

No other public comments were received.

APPROVAL OF ORDINANCE 06-10-2025A:

Motion to approve Ordinance 06-10-2025A, changing the council meeting day and time to the second and fourth Tuesdays at 5 PM, was made by Council Member Cox and seconded by Council Member Hunter. Council Members Spencer, Cox, Schena and Hunter voted yea by roll call vote. Council Member Webb was excused. The motion passed unanimously in a roll call vote.

APPROVAL OF ORDINANCE 06-10-2025B:

The Mayor and Council members determined to temporarily table this discussion to review some concerns in a closed session.

A motion to approve Ordinance 06-10-2025B, approving the compensation adjustments for elected and statutory officers of Beaver City Corporation as presented was made by Council Member Schena and seconded by Council Member Cox. Council Members Spencer, Cox, Schena and Hunter voted yea by roll call vote. Council Member Webb was excused. The motion passed unanimously in a roll call vote.

APPROVAL OF FY2026 BUDGET:

The Mayor and Council members determined to temporarily table this discussion to review some concerns in a closed session.

The council discussed adjusting the rodeo grounds budget from \$5,000 back to \$10,000, which was the previous year's allocation. They also considered the need for additional funding for improvements at the facility. A motion to approve the FY2026 budget with the adjustment of increasing the rodeo grounds budget to \$10,000 was made by Council Member Schena and seconded by Council Member Cox. Council Members Spencer, Cox, Schena and Hunter voted yea by roll call vote. Council Member Webb was excused. The motion passed unanimously in a roll call vote.

FARMERS MARKET LOCATION DISCUSSION – HEATHER CARTER:

Mrs. Heather Carter from Local Roots Foundation presented a proposal for a farmers' market in Beaver, featuring local products produced by local artisans. She indicated that these items are to be locally made and/or grown products, no MLM sales nor is it to be swap meet. The proposed dates were July 12th through October 4th, on Saturdays from 9 AM to 1 PM. Carter requested approval for a location and permission to display signage.

The council discussed potential locations, including the city park and an area behind the city offices. Concerns were raised about restrictions on the use of church-owned property that the city leases. City Manager Brown suggested exploring the open lawn area behind the city offices as a potential location, citing better parking availability. The council expressed general support for the farmers' market concept but requested more information on specific logistics and potential fees. They directed Mrs. Carter to work with City Manager Brown to finalize details and location.

ELECTED OFFICIALS BENEFIT COMPENSATION DISCUSSION:

Mayor Robinson explained that during the recent filing window for elected officials, there were numerous requests about compensation for city council members and the mayor. It was discovered that the ordinance defining compensation was outdated and not accurate. City Treasurer Stacey Phelps, commented that she reached out to Mrs. Shelly Cox with HUB our insurance broker. And Mrs. Cox said that while there could be a provision, she advised against it. The reason being that if a candidate couldn't get insurance elsewhere or on disability, the city would have to provide the insurance, and it could cause the premiums to increase significantly. Also, the ordinance needs to state the retirement or 401K benefits. The council directed staff to work with the city attorney to draft an updated ordinance that clearly outlines the compensation and retirement benefits for elected officials.

DISCUSSION ON VERIFYING APPROVED TAX RATE:

Treasurer, Stacey Phelps, reported that she had received an email from the County Clerks office that the property tax portal has been opened, and the tax rate needed to be verified by June 8th. She confirmed that the rate would remain at 0.000710, as there was no truth in taxation hearing or an increase in property taxes. The council had previously agreed via group text to verify this rate.

HYDRO POWER PLANT #2, CONTRACTOR AWARD FOR CONSTRUCTION OF BUILDING AND EQUIPMENT:

City Manager Brown recommended awarding the contract for Hydro Plant #2 construction to Tushar Contracting, Inc. for \$282,250. He noted this was the only bid received after 3 weeks of advertising. Mayor Robinson disclosed that Tushar Contracting is owned by his brother but stated it does not impact him.

The council discussed the bidding process and relationship with other contractors involved in the project. They determined the bid was reasonable. Motion to approve awarding the Hydro Plant #2 construction contract to Tushar Contracting for \$282,250 was made by Council Member Hunter and seconded by Council Member Spencer. The motion passed unanimously.

ROAD USAGE FEE DISCUSSION:

Jason Brown updated the council on discussions with the Utah League of Cities and Towns regarding implementing a road usage fee. He explained that state legislation to create an avenue for such fees has failed two years in a row. The League recommended following the process outlined in the failed House Bill 454, which includes conducting a study and holding a public hearing. Manager Brown

said he would research the requirements further and bring a more detailed plan to the council at a future meeting.

WATER & SEWER IMPACT AND USAGE RATE FEES DISCUSSION:

This item was tabled until the next meeting, as a planned discussion with UFS had not yet occurred.

JULY 4TH DISCUSSION (AMERICA250 UTAH):

City Manager Jason Brown presented information on the America250 celebration happening in 2026. He suggested Beaver City could participate this year and receive up to \$1,500 in grant funding to put towards July 4th celebrations. The council discussed using the grant to enhance the fireworks show. They also reviewed plans for this year's July 4th event, including food, music, activities, and logistics.

PUBLIC COMMENT:

No Public Comment.

ADMINISTRATIVE/COMMITTEE REPORTS:

Mayor Robinson:

Matt reminded members of the UAMPS conference in August. He also requested that we investigate to see when the 1% hospital tax was renewed.

Council Member Schena:

Tyler presented a list of maintenance and improvement needs for the rodeo grounds. He requested to get the wasps sprayed, weeds sprayed and also emphasized the importance of regular upkeep of this facility and preparations for upcoming events.

Council Member Cox:

Lance requested a review of the golf course greens, maybe even a ride around the course with Jason, due to concerns about their condition. Jason provided members with an update on efforts to address issues with the golf course greens, including consulting experts and applying treatments.

City Recorder Simard:

Patty reported on the recent municipal candidate filing period. The following citizens declared their candidacy for Mayor position, Alexia White and Matt Robinson. The following citizens declared for Council Member position are Tyson Barney, Ahsha Bishop, Alison Webb, David Albrecht, Hunter Holt and Randy Davis. Patty also noted that there would be a primary election on August 12th for city council candidates, followed by the general election in November.

CLOSED SESSIONS:

Council Member Hunter motioned, and Council Member Cox seconded to move into closed session to discuss pending or reasonably imminent litigation. Council Members Spencer, Cox, Schena, and Hunter voted yea by roll call vote. Council Member Webb excused. Motion passed with a unanimous

vote. The Council moved into the closed session at 8:36 p.m. and moved out at 9:13 p.m.

Present in above closed session: Mayor, Matt Robinson, Council Members Owen Spencer, Lance Cox, Tyler Schena, and Randy Hunter, City Manager, Jason Brown, and City Attorney, Justin Wayment, and City Recorder, Patty Simard.

Council Member Hunter motioned, and Council Member Schena 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 Spencer, Cox, Schena, and Hunter voted yea by roll call vote. Council Member Webb was excused. Motion passed with a unanimous vote. The council moved into closed session at 9:13 p.m. and moved out at 9:30 p.m.

Present in above closed session: Mayor, Matt Robinson, Council Members Owen Spencer, Lance Cox, Tyler Schena, and Randy Hunter, City Manager, Jason Brown, and City Attorney, Justin Wayment, and City Recorder, Patty Simard.

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 Spencer, Cox, Schena, and Hunter voted yea by roll call vote. Council Member Webb was excused. The motion passed with a majority vote. The Council entered the closed session for the above reason at 9:30 p.m. and moved out at 10:27 p.m.

Present in the above closed session: Mayor Matt Robinson, Council Members Owen Spencer, Lance Cox, Tyler Schena, and Randy Hunter, and City Attorney, Justin Wayment.

ADJOURNMENT:

Council Member Schena motioned, and Council Member Cox seconded to adjourn the meeting. All voted in favor. None opposed. The Council Meeting was adjourned at 10:34 p.m. The next scheduled regular Council meeting will be held June 24, 2025, at 5:00 p.m.

APPROVED: M. Robinson **ATTEST:** _____
MATTHEW ROBINSON **PATTY J. SIMARD**
MAYOR **CITY RECORDER**