

2 The Lindon City Council and Lindon City Planning Commission held a Joint Training
3 Session on **Tuesday, September 19, 2017 at 6:00 p.m.** in the Lindon City Center, City
4 Council Chambers, 100 North State Street, Lindon, Utah.

6 **WORK SESSION** – 6:00 P.M.

8 Conducting: Jeff Acerson, Mayor

10 **PRESENT**

ABSENT

10 Matt Bean, Councilmember
11 Van Broderick, Councilmember
12 Carolyn Lundberg, Councilmember
13 Jake Hoyt, Councilmember
14 Dustin Sweeten, Councilmember
15 Sharon Call, Chairperson
16 Mike Marchbanks, Commissioner
17 Rob Kallas, Commissioner
18 Bob Wily, Commissioner
19 Charlie Keller, Commissioner
20 Steven Johnson, Commissioner
21 Mike Vanchiere, Commissioner

22 **Staff Present**

24 Adam Cowie, City Administrator
25 Hugh Van Wagenen, Planning Director
26 Brandon Snyder, Associate Planner
27 Kathy Moosman, City Recorder

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- 30 1. **Call to Order** – The meeting was called to order at 6:00 p.m.
 - 32 2. **Training Session**— The Lindon City Council and Planning Commission held a joint
33 work session present to the City Council and the Planning Commission the Open and
34 Public Meetings Act Training.

36 3. **Discussion — Open and Public Meetings Act Training**

38 Brent Bateman, Property Rights Ombudsman, was in attendance to present to the
39 City Council and the Planning Commission the Open and Public Meetings Act Training.
40 Mr. Bateman noted there may also be additional discussion on related topics tonight as
41 follows:

- 42 • Land use laws, including hot topics and recent changes;
- 43 • Decision making for Local Governments;
- 44 • Handling public comments;
- Impact fees;
- Conditional Uses;

Mr. Bateman then gave his power point presentation on Open and Public Meetings Act Training highlighting some of the following bullet points:

- **Quorum**

- This is important whether electronic or in person and applies to both for the purpose of discussing the public business over which the body has jurisdiction.

- **Regular meetings**

- special meetings, workshops, site visits, traveling tours, executive sessions, unless it is properly closed.
- Meeting to not include chance meetings, social meetings, and convening solely for discussion on implementing of administrative or operational matters if:
 - No formal action taken
 - Matter will not come before the city council

- **Electronic meetings**

Cannot hold an electronic meeting if you have adopted the procedures which we have done and when, where and the ability to take comment is available and to make sure to make a record of everyone present.

- **Emails and text messages**

Nothing restricts a member of a public body from the transmitted electronic meeting statute. All are public documents and if you use private email it opens you up to letting people file a request and they can look at private emails. It is easier to use public email for public work; use a Gmail or Yahoo account for city related issues.

- **Closed meetings**

- What you may NOT do in a closed meeting
- Cannot take any final action on ordinance, resolution, rule, regulation contract or appointment
- Interview a person to fill and elected positions
- Cannot take any final action

- **How to go into a closed meeting**

- Start in an open meeting
- Must be quorum present and 2/3 must vote to go into it
- Name of every person needs to be listed and the reason
- Identify the location of the closed meeting
- Minutes can or cannot be done but the recording must be kept

- **Agenda needs to be noticed**

- Publish annual meeting schedule
- Agenda for a specific item
- Date and time

- 2 ○ Post at three public locations
- Publish on the State Public Notice website
- 4 ○ Publish in the local media newspaper
- Enough information to give public idea of what is being discussed

- 6 • **Emergency meetings**
- Does not have to be noticed if it is not foreseen and the matter is urgent in nature.
- 8 But must give notice as soon after as possible. Take every action as possible to
- 10 notify all city council and planning commission and board of adjustment
- members. A majority of the members are needed to approve.

- 12 • **Public Hearing**
- General notification requirements

- 14 • **Meetings and Recordings**
- 16 ○ Minutes are official record
- Time date and place
- 18 ○ Those present
- Substance of what was discussed
- 20 ○ Recording of votes that was taken
- Names of those who spoke

- 22 • **Closed minutes keep recordings not minutes**
- 24 ○ Mental or professional competency of an individual. Can turn off the
- recording
- 26 ○ Those present, date time etc.

- 28 • **Penalties**
- 30 ○ If intentionally violated the closed meeting provision you can be guilty of a
- class b misdemeanor
- 32 ○ Court can void any action taken in violation of the open meeting laws

- 34 • **Common violations**
- Closing meeting without members of the body voting
- Conducting a closed meeting for an unapproved reason
- 36 ○ Taking official or final action in a closed meeting
- Not giving proper notice

- 38 • **Executive sessions**
- 40 ○ Confidential

- 42 • **Ethics**
- 44 Must give disclosure for agreements with an interest in a business entity involved
- with any person's interest or investment that creates a conflict between a person's
- public duties. Best advice is to recuse yourself if there is a conflict of interest.
- 46 There may be some discussion and instances to recuse yourself from a meeting.

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- **Gifts**

Must not use office for economic benefit including loans, better rates, or compensation at higher rates for services rendered. Must not use private or protected information to obtain or further economic interest.

- **Civility among council members**

You represent the people of Lindon City and should at all-time act with dignity and respect. Discussions and debates among members of public bodies should always remain civil and professional. Cannot use your position to attempt to interfere or influence criminal investigations or persecutions.

- **The public has the right to record public meetings**

Adjourn – The meeting was adjourned at 7:00 pm.

Approved – October 10, 2017

Kathryn Moosman, City Recorder

Jeff Acerson, Mayor

Sharon Call, Chairperson