

Mayor Lawrence Flitton

UINTAH CITY COUNCIL WORK

Planning – Tim Petty

Council Members:

SESSION

Building Inspector-Jeff Monroe

Michelle Roberts

Gordon Cutler

TUESDAY, November 14<sup>th</sup>, 2017

Treasurer – Mike Ulrich

Jerry Smith

Greg Johnson

6:00 PM

Sheriff – Lt. Talbot

Fire Chief – William Pope

MINUTES

Attendees: Mayor Flitton, Gordon Cutler, Michelle Roberts, Jerry Smith, Kristi Bell, Mike Ulrich, Tim Petty, Glen Woolsey, Scott Dixon, Robert Guiller, Crystal Western, Dave Wilson and Darinda Wardell.

Excused: Todd Burton

## MEETING MINUTES:

1. **MEETING CALL TO ORDER:** Mayor Flitton called the meeting to order.

**PLEDGE OF ALLEGIANCE:** Led by Mayor Flitton

2. **ANNUAL TRAINING ON OPEN AND PUBLIC MEETINGS:**

Presenter: Dave Wilson

- Dave explained that we should do the public's business in public.
- Purpose of the Act:
  - "The Legislature finds and declares that the state, its agencies and political subdivisions, exist to aid in the conduct of the people's business."
  - "It is the intent of the Legislature that the state, its agencies, and its political subdivisions: 1) take their actions openly; and 2) conduct their deliberations openly."
- How is the Act construed by the Courts:
  - "The Open and Public Meetings Act should be interpreted broadly to further the declared statutory purpose of openness; therefore, it follows that the exceptions to open meetings be strictly construed." *Kearns-Tribune Corp. v. Salt Lake County Commission*, 2001 UT 55, 28 P.3d 686.
- Pop Quiz:
  - During the Board meeting, you remember that you wanted to discuss a new idea that you had, but you forgot to put it on the agenda. Can you address the idea with the board today and just hold off on any action until next month?
  - NO - A public body shall give at least 24 hours' notice before each meeting.
  - The notice needs to contain the date, time, place of the meeting and the agenda for the meeting.
  - Each topic to be discussed at the meeting "shall be listed under an agenda item on the meeting agenda."
- Pop Quiz:
  - A member of the public comes to the Board Meeting and asks the Board to consider providing an informational booth at a convention later that month. Can the Board discuss the idea in the meeting even though it isn't on the agenda?
  - YES - "[A]t the discretion of the presiding member of the public body, a topic raised by the public may be discussed during an open meeting, even if the topic raised by the public was not included in the agenda or advance public notice for the meeting."
  - **However**, a public body may not take final action on a topic in an open meeting unless it is a properly noticed agenda item.
- Pop Quiz:
  - An issue came up with the audit that needs to be resolved immediately. You learned about it after the agenda has already been sent out. Can you still discuss the issue in the Board meeting?
  - YES - Public notice is not required in case of an emergency
  - The public body must give "the best notice practicable" of the time, place, date, and issue to be discussed.
- Pop Quiz:
  - Can a category for "other" be included on the agenda as a catch all for issues that may have been forgotten?
  - NO - "A public notice that is required to include an agenda . . . shall provide reasonable specificity to notify the public as to the topics to be considered at the meeting."
- Pop Quiz:
  - You want to openly discuss your feelings about employee benefits, but you don't want the public (the employees) to know what you have to say. Can you close the meeting?
  - POSSIBLY - Some reasons why a meeting may be closed include:

