

The City Council had a **work session** on Thursday, January 19, 2017 at City Hall beginning at 6:15 p.m.

Present: Mayor Bruce Higley, Buddy Sadler, Brett Ferrin, Natalie Hale (arriving later) and Brad Searle
Absent: Councilmember Mike McKean
Staff: Diane Hirschi, Mike Kerswell, Brandon Richards

The purpose of the work meeting is to have an open and public meetings training. Brandon Richards reported that this training has to be done on an annual basis. He noted that the objective of the law is for the city to be open and transparent. The Open Meeting Act is located in the Utah Code, title 52 chapter 4.

A public body in Plain City's case, is the Planning Commission, City Council and Board of Adjustment. Committee meetings where there is not a quorum present does not fall into the noticing requirements.

He noted that if there is a quorum present, it is a meeting. A quorum consists of three council members. The Mayor can meet with two council members and it isn't a meeting. He explained that social occasions and chance run-ins are not classified as a meeting.

The law requires all meetings to have an agenda and be posted. It must have audio or video recording and minutes must be kept. Brandon noted that you can amend the agenda up to 24 hours before a meeting. Minutes have to be prepared and the recording has to be preserved. Minutes must be available 30 days after a meeting and be posted on the public notice website 3 days after they have been approved.

There was a discussion about attending meetings electronically. Brandon noted that an ordinance would need to be drafted and there are conditions that would need to be put in place. If the council is interested in allowing this, we can have a work meeting to discuss this more fully.

Closed meetings have to begin with an open meeting with the closed meeting being on the agenda and there has to be a 2/3 majority vote to close it. There are only certain reasons to close a meeting. Brandon went over those reasons that are listed in the Utah Code 52-4-205. The reason has to be listed on the agenda. During the closed meeting there can only be discussion. Action has to be taken in an open meeting. Minutes are kept but are protected under GRAMA. There are just a couple instances that minutes aren't kept. In these cases, an affidavit has to be signed by the Mayor stating that nothing else was discussed in the meeting.

Brandon went over some of the common violations, but most pertain to closed meetings. He discussed briefly how a court would deal with some of these violations. He noted that as for enforcement, usually it is by an aggrieved party filing a lawsuit. Collective bargaining could apply to the city in talking about employee benefits.

In summary, Brandon noted that both the Planning Commission and the City Council ought to be careful and cautious on what could appear to look like a meeting. Brandon briefly explained the difference between a public hearing and a public meeting. It was also noted to be careful before and after a regular meeting on how many of the board members are together talking about city matters. You don't want to have the appearance of having a meeting before or after a meeting.

The work meeting adjourned at approximately 6:40 p.m.

City Recorder

Mayor

Date approved