

## NOTICE AND AGENDA

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Tuesday, February 19, 2019 in the Court Room, 275 W Main, upper level at 6:00 pm.

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION/INSPIRATIONAL THOUGHT**
4. **DECLARATION OF ANY CONFLICT OF INTEREST**
5. **CONSENT AGENDA**
  - a. Minutes:
    1. February 05, 2019 Council Meeting
  - b. Bills: 851,991.74
  - c. Consent Action Items:
    1. Change Order – Debris Basin Study Project Scope Change – Fully Funded by NRCS
    2. Budget Allocation – Purchase of Library Shelving Units – Using Prior Years Surplus Funding
6. **PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS**
7. **FORMAL PUBLIC HEARING**
8. **BUSINESS LICENSES**
9. **NEW BUSINESS & ADOPTION OF ORDINANCES AND RESOLUTIONS**
  - a. Discussion & Possible Action Regarding an Update to the Public Safety Master Plan (IFFP & IFA)
  - b. Ordinance 02-04-2019 “An Ordinance Amending the Nuisance Provisions of Santaquin City Code”
10. **CONVENE OF THE SANTAQUIN COMMUNITY DEVELOPMENT AGENCY BOARD**
11. **CONVENE OF THE LOCAL BUILDING AUTHORITY OF SANTAQUIN CITY**
12. **CONVENE OF THE SANTAQUIN WATER DISTRICT**
13. **WORK MEETING**
  - a. Open Public Meeting – Annual Training
  - b. Discussion and Possible Action Regarding Multi-Family Housing Regulations
14. **PETITIONS AND COMMUNICATIONS**
15. **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**
  - a. City Manager Reeves
  - b. Community Development Director Bond
  - c. City Engineering Director Beagley
16. **REPORTS BY MAYOR AND COUNCIL MEMBERS**
  - a. Mayor Hunsaker
  - b. Council Members
17. **EXECUTIVE SESSION** (May be called to discuss the character, professional competence, or physical or mental health of an individual)
18. **EXECUTIVE SESSION** (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)
19. **ADJOURNMENT**

If you are planning to attend this Public Meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City ten or more hours in advance and we will, within reason, provide what assistance may be required.

## CERTIFICATE OF MAILING/POSTING

The undersigned duly appointed City Recorder for the municipality of Santaquin City hereby certifies that a copy of the foregoing Notice and Agenda was e-mailed to the Payson Chronicle, Payson, UT, 84651, posted on [www.santaquin.org](http://www.santaquin.org), as well as posted on the State of Utah's Public Website.

BY: \_\_\_\_\_  
Susan Farnsworth, City Recorder

**MINUTES OF A CITY COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
FEBRUARY 19, 2019**

The meeting was called to order by Mayor Kirk Hunsaker at 6:00 pm. Council Members attending: Keith Broadhead, Lynn Mecham, Nick Miller, Betsy Montoya and Chelsea Rowley.

Others present: City Manager Ben Reeves, City Engineer Norm Beagley, Director Jason Bond, Police Chief Rod Hurst, Director Amy Johnson, Legal Counsel Brett Rich, Samuel Stringham, John Roach, Cristie Roach, Cindy Johnson, Kim Hunsaker, and Mark Openshaw.

**PLEDGE OF ALLEGIANCE**

Mr. Stringham Led the Pledge of Allegiance.

**INVOCATION/INSPIRATIONAL THOUGHT**

Council Member Mecham Offered an Invocation.

**DECLARATION OF ANY CONFLICT OF INTEREST**

Mayor Hunsaker reported he worked for VanCon who may be included in the payables this evening.

**CONSENT AGENDA**

***Minutes:***

February 05, 2019 Council Meeting

***Bills:*** 851,991.74

***Consent Action Items:***

**Change Order – Debris Basin Study Project Scope Change – Fully Funded by NRCS  
Budget Allocation – Purchase of Library Shelving Units – Using Prior Years Surplus  
Funding**

Council Member Miller moved to approve the Consent Agenda. Council Member Mecham seconded the motion. The vote was as follows:

Council Member Broadhead	Aye
Council Member Mecham	Aye
Council Member Miller	Aye
Council Member Montoya	Aye
Council Member Rowley	Aye

The motion passed 5 to 0.

**PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS**

Mr. Openshaw asked if the City is going to participate in water wielding this year. He indicated he would like to have his Summit Creek shares evaluated before he signs an agreement.

**FORMAL PUBLIC HEARING**

There weren't any Formal Public Hearings.

**BUSINESS LICENSES**

It was reported there have been 24 new single-family home building permits and 18 multi-family home building permits issued in 2019. Also the follow are the new business licenses issued since the last Council Meeting.

- Acacia Builders LLC - Kent Kay - 554 Sunset Dr. - General Contractor
- ITSM Process Pros LLC - Scott T. Hales - 225 S. Highland Drive - IT Consulting



**NEW BUSINESS & ADOPTION OF ORDINANCES AND RESOLUTIONS**

***Discussion & Possible Action Regarding an Update to the Public Safety Master Plan (IFFP & IFA)***

Director Bond reported a comprehensive Public Safety Master Plan, which included an IFFP and IFA, was done in 2005. Since that time, only the IFA has been updated and that was in 2012. Needless to say, we are due for an update.

As growth continues to happen at a steady rate in Santaquin City, effective planning for public safety facilities is important. Preservation of property for a new fire station has been discussed in the Summit Ridge area and an updated IFFP and IFA for public safety will allow the City to plan accordingly and start collecting impact fees.

The previous plans and analysis were performed by Zions Public Finance, Inc. After discussing the needs for an update with them, it is estimated that the IFFP and IFA would cost between \$8,000 and \$12,000 with a guaranteed not-to-exceed cost of \$12,000.

Staff is seeking the City Council's direction on whether or not to move forward with having Zions Public Finance, Inc. update the IFFP and IFA for the Public Safety Master Plan (see attachment "A").

Council Member Broadhead was told Fire Chief Olson was in favor of "setting aside" property in the Summit Ridge area for a new fire station. He also suggested reviewing the need for full-time employees.

Council Member Rowley moved to have Zions Public Finance, INC update the IFFP and IFA for the Public Safety Master Plan, not to exceed \$12,000. Council Member Miller seconded the motion. The vote was as follows:

Council Member Broadhead	Aye
Council Member Mecham	Aye
Council Member Miller	Aye
Council Member Montoya	Aye
Council Member Rowley	Aye

The motion passed 5 to 0.

***Ordinance 02-04-2019 "An Ordinance Amending the Nuisance Provisions of Santaquin City Code"***

It was reported that at the direction of the Council, the Police & Fire Departments have been working to enhance its Code Enforcement efforts. One of the tools identified as being necessary to assist these departments in this endeavor is a modification to the notification requirements outlined in our code.

As it stands today, mandatory notification time requirements limit our ability to effectively prosecute violations. After a violation makes its way through the process (*e.g. complaint, notification, certified letters, citation, prosecution, etc.*) the violator can pay a minor fine to close out the case. If the violation continues, a new case is required to be filed and the entire process begins once again. As such, the amount of time and paperwork involved often stretches a violation throughout an entire summer season.



The proposed modification was drafted by our legal counsel after meeting with Chief Hurst, Chief Olson, Community Development Director Bond, Sgt. Shaw, Officers Escoto & Shepherd and myself. It streamlines the notification process so that cases will move through the court system more quickly. It also incorporates provisions to increase the fines for repeat offenders.

*Note: The proposed fine is \$500 per offence. For the first offense, if the violator remedies the violation in a timely manner, the judge can waive up to \$300 of the fine. For the second offence, the judge can waive up to \$200 of the fine. The third and subsequent violations will be at the full \$500 mandatory amount. This type of fine structure can provide additional tools for the court and the code enforcement officers to use to remedy violations.*

Council Member Montoya moved to Approve Ordinance 02-04-2019, "An Ordinance Amending the Nuisances Provisions of Santaquin City Code" and to establish the fine for a violation of the Nuisance Provision of the Santaquin City Code to be at a level of five-hundred dollars (\$500) per violation on the Santaquin City Uniform Bail Schedule. Council Member Miller seconded the motion. The vote was as follows:

Council Member Broadhead	Aye
Council Member Mecham	Aye
Council Member Miller	Aye
Council Member Montoya	Aye
Council Member Rowley	Aye

The motion passed 5 to 0.

#### **CONVENE OF THE SANTAQUIN COMMUNITY DEVELOPMENT AGENCY BOARD**

There wasn't a need to convene the Santaquin Community Development Agency Board.

#### **CONVENE OF THE LOCAL BUILDING AUTHORITY OF SANTAQUIN CITY**

There wasn't a need to convene the Local Building Authority Board.

#### **CONVENE OF THE SANTAQUIN WATER DISTRICT**

There wasn't a need to convene the Santaquin Water District Board.

#### **WORK MEETING**

##### ***Open Public Meeting – Annual Training***

Manager Reeves led the discussion with regard to Open and Public Meetings (see attachment "B" for discussion items).

##### ***Discussion and Possible Action Regarding Multi-Family Housing Regulations***

Director Bond presented the Mayor and Council Members with maps showing the zoning and the areas where multi-unit developments are located within the City limits (see attachment "C"). Council Member Broadhead suggested the proposed developers help build roads that can sustain the extra vehicles coming from the multi-family area. He would also like to eliminate multi-family housing on Main Street. After a general discussion, it was proposed the Council Members review the maps and return them to Director Bond with any multi-family placement recommendations.

At 7:15 a minute recess was requested.

At 7:21 the Council Meeting resumed.



## **PETITIONS AND COMMUNICATIONS**

There weren't any Petitions or Communications to address.

## **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**

### ***City Manager Reeves***

Manager Reeves asked if the Council would be available on March 9<sup>th</sup> to meet with Summit Creek Irrigation Representatives. The Council Members were in agreement of the date.

City Manager Reeves reported he has been contacted by 2 individuals inquiring into selling the property on Main Street and part of the landfill property. Building on the landfill property comes with restrictions. Council Member Montoya reported she also has been contacted by individuals interested in purchasing the 100 East Main Street property. City Manager Reeves suggested soliciting bids on the property as well as reserve the right to reject any bids received. Council Members Broadhead and Mecham were in agreement to keep the City owned property.

Reported the documents to release the EPA restrictions on the lagoon property are being distributed for signatures

### ***Community Development Director Bond***

March will be the date for the 242 meeting

### ***City Engineering Director Beagley***

Engineer Beagley reported the following:

- Weather is causing the Summit Ridge Expansion Project to be behind schedule
- The cost of the proposed WRF crane is in the \$70,000 range. The Public Works Supervisor is looking in another direction
- The Soccer Fields Project is also hampered by weather
- A preconstruction meeting has not been held on the 300 West project. It should be scheduled soon.

## **REPORTS BY MAYOR AND COUNCIL MEMBERS**

### ***Mayor Hunsaker***

Congressman McAdams will be at the Santa Queen at 1:30 tomorrow if anyone would like to meet with him.

It was reported there is approximately 20 inches of water within the snowpack.

### ***Council Members***

Council Member Broadhead reported it has been brought to his attention that within 8 years Central Utah Project water should be available for delivery. The cost to the City would be approximately \$350,000 per year for 50 years. He suggested taking money in lieu of water for future developments. The Council Members were in agreement.

He also requested the diesel shop on Main Street be evaluated for compliance.

Council Member Rowley reported the Library Board fund raiser was a success.

Council Member Montoya asked if the "Durant's" were in compliance. Director Bond will review the issue and report back.

Council Member Mecham was told there wasn't any news with regard to the grocery store.

Council Member Miller requested the Council Members contact him if they have any discussion items for the Recreation Board.

**EXECUTIVE SESSION** (May be called to discuss the character, professional competence, or physical or mental health of an individual)

At 8:18 pm Council Member Montoya moved to enter into an Executive Session to discuss the character, professional competence or physical or mental health of an individual. Council Member Miller seconded the motion. The vote was as follows:

Council Member Broadhead	Nay
Council Member Mecham	Aye
Council Member Miller	Aye
Council Member Montoya	Aye
Council Member Rowley	Aye

The motion passed 4 to 1.

At 9:11 pm the regular meeting resumed.

**EXECUTIVE SESSION** (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)

There wasn't a need to call an Executive Session to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property.

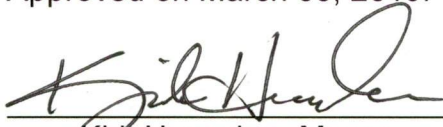
#### ADJOURNMENT

At 9:12 pm Council Member Miller moved to adjourn. Council Member Montoya seconded the motion. The vote was as follows:

Council Member Broadhead	Aye
Council Member Mecham	Aye
Council Member Miller	Aye
Council Member Montoya	Aye
Council Member Rowley	Aye

The motion passed 5 to 0.

Approved on March 05, 2019.

  
Kirk Hunsaker, Mayor

  
Susan B. Farnsworth, City Recorder





## MEMORANDUM

To: Mayor Hunsaker & City Council Members

From: Norm Beagley, P.E., City Engineer

Date: February 15, 2019

Re: Horrocks Engineering Change Order #2-NRCS Debris Basin Supplemental Plan EA (EA) Contract

USDA-NRCS has requested that Horrocks perform additional technical analyses and make formatting changes to the report for the Supplemental Plan Environmental Assessment. As such, Horrocks Engineering is requesting a change order for the added scope and associated fees for this USDA-NRCS requested additional work.

For the Council's information, the original Supplemental Plan EA contract between Santaquin City & Horrocks Engineering is for an amount of \$194,700.80. Change Order #1 added \$56,141.00, for a total contract, at that time (April 2018), of \$250,841.80. The proposed Change Order #2 would add \$37,350.00 to the contract amount. Change Order #2 will make the overall Horrocks contract amount \$288,191.80.

In late 2017, the City received an award from USDA-NRCS in the amount of \$370,000.00 for the Supplemental Plan EA work. Therefore, there is sufficient funding from the USDA-NRCS award to cover 100% of the EA report project, including the requested change order #2. For this portion of the project (Supplemental Plan EA) the City is not responsible for any of the project costs. The USDA-NRCS funding covers all of this work within the award of \$370,000.00 to the City.

I have reviewed the requested Change Order with the staff at USDA-NRCS. They, as well as City staff, are comfortable with the Change Order #2 amount to cover the requested additional work.

If you have questions regarding this change order, I am happy to visit with you about it.

**Recommended Motion:** Motion to approve Change Order #2 with Horrocks Engineering for the additional work requested by, and paid for by, NRCS in an amount not to exceed \$37,350.00.



## Memorandum

To: Mayor & Council  
From: City Manager Reeves  
Date: February 19, 2019  
Subject: Agenda Item 5.c.2 Library Shelving

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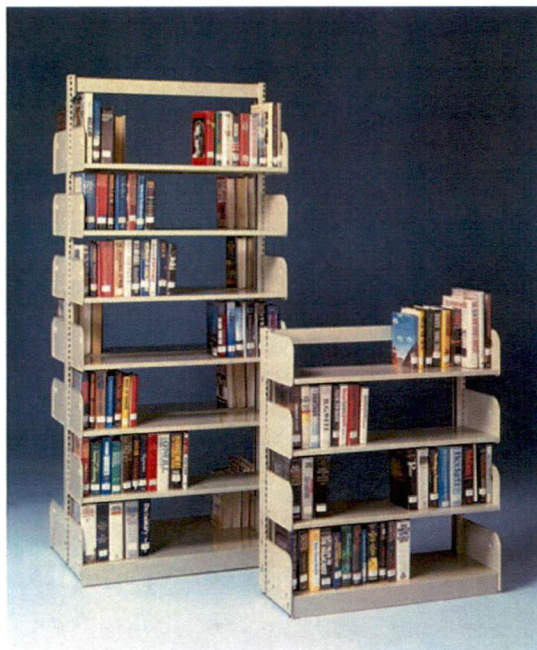
Mayor Hunsaker and Santaquin City Council Members,

Lyn Oryall has requested the use of some of her existing fund balance (carry over funding from prior years) to purchase some replacement shelving for the library.

The low-bid for this shelving is from Demco in the amount of \$4,179.40.

The Library has sufficient funding in its fund balance to approve this purchase. With that said, this purchase will eventually result in a budget amendment and will be compiled with other items approved throughout the year by the council.

Recommendation: Approval







## Checkout Final Review

### Shipping

Lyn Oryall  
Santaquin City Library  
20 W 100 S  
Santaquin, UT 84655-8008

[change](#)

### Shipping Preferences

- ☒ Send extra invoice copy to ship-to address
- ☒ Inside Delivery on Truck Shipments  
(Extended inside delivery charges start at \$55.00 per shipment)
- ☒ Call ahead before delivery of truck shipments  
(NOTE: \$10.00 charge per shipment)

### Notification Email

loryall@santaquin.org

[change](#)

### Cart Summary

Subtotal: \$4,184.89

**YOU SAVED**

Sale Discounts: -\$627.75

Estimate Shipping: \$622.26

Tax: [See Details](#)

Total (Pre-Tax): \$4,179.40

[Place Order](#)

### Billing & Payment

Santaquin City Library  
20 W 100 S  
Santaquin, UT 84655-8008

[change](#)

### Payment Options

Tax Exempt: Yes  
Payment Type: On Established "Net 30 Terms"  
Account:

[change](#)

### Need Help?



Phone  
800.356.1200

Cart Id: 003310278

	Price	Qty	Total
Estey Single-faced Flat Steel Shelving 78"H x 12"D Item #: WC14106440	\$356.99 <del>\$419.99</del>	8	\$2,855.92 <del>\$3,359.92</del>
Estey Single-faced Flat Steel Shelving 42"H x 12"D Item #: WC14105840	\$293.74 <del>\$274.99</del>	3	\$701.22 <del>\$824.97</del>

- [Tax, Shipping & Handling Details](#)
- [Returns & Exchanges](#)
- [Privacy Policy](#)

### Special Instructions or Questions

Note: comments will cause your order to be temporarily held while a Demco representative reviews them.

Bio 1



100% Satisfaction Guaranteed

Item # or Keywords

About Us Contact Us 800.548.7204

ONLINE  
LIVE CHAT

Shipping Quote

Quantity Quote

Express Order

My Cart 11 Items \$4,069.45

Supplies

Furniture

Audio Visual

Books &amp; Media

New Products

Clearance

Today's Deals

Log in



Virtual Room Designer

My Rewards

Request Catalogs

Bids &amp; Contracts

## My Shopping Cart

Print

Have a Bid Number or Sale catalog? Just enter the Catalog Code, as shown on the back cover of your sale catalog, or your Bid Number below. For your browsing convenience, accurate prices will be shown in the product charts on this site. Discounted prices will then be transported to your cart.

**Please Note:** You must be **Logged In** before entering your Bid/Contract code and the discounts cannot be used with any other promotional or sale offer.

Catalog Code:

Submit

Bid or Coupon/Promo Code:

Apply

ABOUT SSL CERTIFICATES

Remove	Product	Unit Price	Qty	Total Price
<input type="checkbox"/>	Item #: 92-3002 estey® Steel Cantilever Library Shelving - 42"H x 12"D Single-Face <a href="#">view details »</a>	\$534.90 <del>\$265.95</del>	3	\$797.85
<input type="checkbox"/>	Item #: 92-3008 estey® Steel Cantilever Library Shelving - 78"H x 12"D Single-Face <a href="#">view details »</a>	\$847.90 <del>\$408.95</del>	8	\$3,271.60

Update Cart

\* If you have changed the quantity of any of your items, please make sure to update the cart before checking out.

Total: \$4,069.45

Calculate Shipping Costs

Hide Details

Select Country: United States

Select State: Utah

Enter City (City Required): SANTAQUIN

Enter Zip: 84655

Estimate Shipping

Cart Total:

\$4,069.45

Shipping Cost:

\$950.00

Tax:

\$0.00

Total Cost:

\$5019.45

**Note:** If you are Tax Exempt please indicate this in the Order Comments field on the Shipping page during checkout. Taxes will be removed during processing.

If you have a **Gift Certificate**, please enter the certificate number during checkout and the amount will be applied to your order.

International orders please call our Customer Service Department at 800-548-7204 for shipping charges

Continue Shopping

Please log in if you'd like to save your cart in a wishlist or email.

Checkout



Search

keyword / catalog #

GO



Welcome, Sign In

Cart Total: \$5,435.00, 2 items

Contacts or #888-820-4377

[Home](#) > Cart

CHECKOUT

Remove	Product	Options/Customizations	Weight	Price	Quantity	Total
<input type="checkbox"/>	 <a href="#">Estey Single-Faced Open-Style Steel Divider Shelving</a> SKU #: 73356000	Unit Depth: 12" Number of Divider Shelves: 6 Unit Height: 78" <a href="#">Edit</a>	119 Lb	\$556.00	<input type="text" value="8"/>	\$4,448.00
<input type="checkbox"/>	 <a href="#">Estey Single-Faced Open-Style Steel Divider Shelving</a> SKU #: 73352000	Unit Depth: 12" Number of Divider Shelves: 3 Unit Height: 42" <a href="#">Edit</a>	65 Lb	\$329.00	<input type="text" value="3"/>	\$987.00

UPDATE CART

Enter a catalog # to add the item to your cart.

ADD TO CART

Have a Discount Code?

APPLY

ZIP Code

\* ESTIMATE SHIPPING

-- \$ --

\* Shipping Estimates are valid for the Contiguous 48 US States Only

- [Get a quote on these items](#)

Subtotal: \$5,435.00

Tax: (will be applied when order is invoiced unless tax exempt)

\*N/A

Total: \$5,435.00

\*Tax will be applied after the order is placed.

3103

CHECKOUT

Continue Shopping

You Might Also Like

CRAMER® KIK-STEP®  
STOOL

Price: \$79.75

14"H stool with non-skid treads  
and retractable casters

Recently Viewed Products





February 8, 2019

Jason Bond  
Community Development Director  
275 W. Main Street  
Santaquin, UT 84655

RE: PROPOSAL FOR PUBLIC SAFETY IMPACT FEE FACILITIES PLAN (IFFP) AND IMPACT FEE ANALYSIS (IFA)

Dear Jason:

Zions Public Finance, Inc. (ZPFI) enthusiastically submits this Proposal to prepare a Public Safety Impact Fee Facilities Plan (IFFP) and Impact Fee Analysis (IFA) for Santaquin. Zions has prepared numerous public safety analyses, most recently for Orem, Provo and Saratoga Springs in Utah County. We were just engaged to prepare a similar study for Payson. We have built a good relationship with the Utah Valley Homebuilder's Association and have established a process and approach with them that builds consensus with the fees calculated.

#### Approach and Information Needs

Based on our discussion last week, we have prepared the following information needs list:

##### 1. Call Data

- a. Separate counts of fire and police calls for the past year (or multiple years) sorted by land use category (Single family, multi-family, commercial, institutional, etc.). Call counts should include **all calls** the City responded to **including mutual aid and traffic calls**.

##### EXAMPLE:

Police calls responded to between 2015 and 2017

Category	2015	2016	2017
<b>Calls to Private Land Uses</b>			
Single Family Residential *	11,340	11,788	12,957
Multi-Family Residential	7,855	8,301	8,719
General Commercial	6,915	7,652	8,882
Office	976	946	1,141
Institutional **	707	802	888
<b>Calls to Public Land Uses/Other</b>			
Public Buildings and Land	6,785	8,427	9,135
Traffic	10,012	9,670	10,181
Mutual Aid	386	437	418
Undefined ***	5,963	6,191	6,676
<b>All Calls</b>	<b>50,939</b>	<b>54,214</b>	<b>58,997</b>

\* Single Family = single family detached, all others are considered "Multi-family" for impact fee assessment purposes

\*\* Institutional includes churches and private non profit uses

\*\*\* Undefined includes all other calls not able to be assigned to a private land use within the service area



**2. Existing Stations/Facilities**

- a. List of all existing facilities (police stations, fire stations, animal shelter, etc.)
  - i. Original cost of existing facilities (from our conversation it sounded like the existing fire station is at full capacity and that you would be building a new station within the next 6 years; therefore, we only need the original cost of the police facilities for “buy-in” purposes).
  - ii. Floorspace of existing facilities (building/station floorspace and floorspace of bays)
  - iii. Acreage of existing facilities
  - iv. Method of funding or acquisition if debt is still outstanding

**3. Projected Future Facility Needs**

- a. Projected construction year of each new facility
  - i. Note if it is a police, animal control, or fire station or if it will be a shared facility.
  - ii. Is the station: an expansion, rebuild/replacement, or a new facility?
- b. Planned floorspace of the future facility
- c. Proposed location of any future facility (location description may be as vague as “future west station” if an exact site has not been determined)
- d. Acreage or estimated acreage of the future facility
- e. Projected cost of future facility, if known
- f. Method of funding

**4. Vehicles/Apparatus**

- a. List of all current fire apparatus with a cost in excess of \$500,000
- b. Method of funding for any of the above vehicles – is debt outstanding?
- c. Are there plans to purchase such fire vehicles within the next 6-10 years? If so:
  - i. Estimated year of purchase
  - ii. Cost
  - iii. Description of type of vehicle
  - iv. Salvage value
  - v. Useful life (when replacement will occur)

**5. Level of Service**

- a. Response time target (4 minutes, 6 minutes, etc.)

**6. Finance**

- a. Impact fee fund balance
- b. List of any bonds outstanding and amortization schedule

**Timeframe**


Once all information is received, we estimate it will take approximately four weeks to provide the City with draft copies of the IFFP and IFA.

**Proposed Fee**

We propose billing the City hourly for this project, with an estimated cost of \$8,000 - \$12,000. We will guarantee a not-to-exceed cost of \$12,000 to the City, and if the information is forthcoming, we should be able to do the study for less than that amount.

We greatly look forward to the opportunity of working with you.

Best Regards,

A handwritten signature in cursive script that reads "Susie Becker".

Susie Becker  
Vice President, Zions Public Finance, Inc.



## **OPEN AND PUBLIC MEETINGS ACT TRAINING**

By: Tracy Scott Cowdell  
City Attorney

### **20 Questions:**

#### **1. Who is responsible to ensure that a body receive training regarding the Act?**

The presiding officer of each public body is responsible to ensure that all members of the public body are provided with annual training on the Open and Public Meetings Act.

See UTAH CODE ANN. §52-4-104.

#### **2. What is the intent or public policy of the Act?**

- a. Public bodies exist to aid in the conduct of the people's business.
- b. The actions and deliberations of public bodies should be taken and conducted openly.

See UTAH CODE ANN. §52-4-102.

#### **3. What is a meeting?**

The convening of a *public body*, with a *quorum* present, whether in person or by means of electronic communications, for the purpose of discussing, receiving comments from the public concerning, or acting upon a matter over which the public body has jurisdiction or advisory power.

See UTAH CODE ANN. §52-4-103(6).

#### **4. What is NOT a meeting?**

- a. A chance gathering
- b. A social gathering
  - i. Ex: a holiday party is not a meeting
  - ii. Ex: a ribbon cutting for a new business is not a meeting

See UTAH CODE ANN. §52-4-103(6)(b).

**5. What is a quorum?**

A “quorum” means a simple majority (greater than half) of the membership of a public body, unless otherwise defined by applicable law.

See UTAH CODE ANN. §52-4-103(11).

**6. What constitutes notice of a meeting? How do we notice a meeting?**

- a. At least **24 hours’ public notice** of the agenda, date, time and place of each meeting.
- b. The 24-hour public notice is satisfied by:
  - i. posting a written notice at the principal office of the public body; and
  - ii. posting the notice online at the Utah Public Notice Website
- c. **Annual public notice** of the date, time, and place of regularly scheduled board meetings must also be posted in the same manner.

See UTAH CODE ANN. §52-4-202(1)-(3); UTAH CODE ANN. § 63F-1-701.

**7. What about emergency meetings?**

- a. Best notice practicable – time, place and topics; and
- b. Quorum approves the need for a meeting

See UTAH CODE ANN. §52-4-202(5).

**8. What are the agenda requirements?**

A public notice that is required to include an agenda must be specific enough to notify the public as to the topics to be considered at a meeting.

See UTAH CODE ANN. §52-4-202(6)(a).



**9. What if a topic is raised that is not on the agenda?**

The public body may discuss the topic, but it cannot take any action on the topic.

See UTAH CODE ANN. §52-4-202(6)(b)-(c).

**10. What should be included in the meeting minutes?**

- a. the date, time and place of the meeting;
- b. the names of members present and absent;
- c. the substance of all matters proposed, discussed, or decided;
- d. record, by individual member, of each vote taken;
- e. the name of each person who is not a member who provided testimony or comments;
- f. the substance of any testimony or comments by the public; and
- g. any other information any member requests to be entered.

See UTAH CODE ANN. §52-4-203(2).

**11. What are the elements of a properly closed meeting?**

- a. A quorum is present
- b. A properly noticed open meeting
- c. 2/3 of the members of the public body present vote to approve closing the meeting (optional closed meeting)
- d. A majority of the members of the public body present vote to approve closing the meeting (for meetings required to be closed).

See UTAH CODE ANN. §52-4-204(1).

**12. What subjects may be covered in a closed meeting?**

- a. discussion of the character, professional competence, or physical or mental health of an individual (excepting a person submitted for consideration to fill a midterm vacancy or temporary absence of an elected office);
- b. strategy sessions discussing:

- i. pending or reasonably imminent litigation;
- ii. collective bargaining;
- iii. the purchase, exchange, or lease of real property if discussion would disclose property value or prevent the best possible transaction for the public body;
- iv. the sale of real property if discussion would disclose property value or prevent the best possible transaction for the public body;
- v. deployment of security personnel, devices, or systems; and
- vi. investigative proceedings regarding allegations of criminal misconduct.

See UTAH CODE ANN. §52-4-205(1).

**13. What can be decided in a closed meeting?**

**14. Keeping a record of a closed meeting?**

- a. Date, time, and place of the meeting;
- b. The names of members present and absent;
- c. The names of all other present unless disclosure would infringe on the confidentiality necessary to fulfill the original purpose of closing the meeting;
- d. Keep a recording forever
- e. Instead of a recording, a sworn statement is required from the person presiding at a meeting if a public body closes a meeting exclusively for the purpose of:
  - i. discussing character, professional competence, or physical or mental health of an individual; or



- ii. discussing the deployment of security personnel, devices, or systems.

See UTAH CODE ANN. §52-4-206.

**15. How does one challenge a closed session?**

- a. Court action
- b. In camera review to decide legality of the closed meeting

See UTAH CODE ANN. §52-4-304.

**16. What are the requirement for an electronic meeting?**

- a. Written policy – resolution, rule, or ordinance governing use of electronic meetings
- b. Post public notice as usual
- c. Post written notice at the anchor location of the meeting
- d. Specify how members of the public can participate

See UTAH CODE ANN. §52-4-207.

**17. How do you deal with Disruptive behavior?**

Any person who willfully disrupts a public meeting to the extent that disorderly conduct is seriously compromised may be removed from the meeting.

See UTAH CODE ANN. §52-4-301.

**18. Enforcement of the Act?**

- a. The attorney general and county attorneys are responsible for enforcement of the Open and Public Meetings Act.
- b. The attorney general is required on a least a yearly basis to provide notice to all public bodies of any material changes to the Open and Public Meetings Act.

- c. A person denied any right under the Act may bring suit to compel compliance with or enjoin violations or determine the applicability of the Act, and may be awarded attorney fees and court costs if successful.

See UTAH CODE ANN. §52-4-303.

**19. What are the penalties for violating the Act?**

- a. Termination or suspension for an employee
- b. Official action could be voided in Court
- c. A knowing or intentional violation or aiding or advising in the violation of the closed meeting provisions of the Open and Public Meetings Act is a class B misdemeanor.
- d. Criminal penalties for intentionally destroying or failing to keep records.

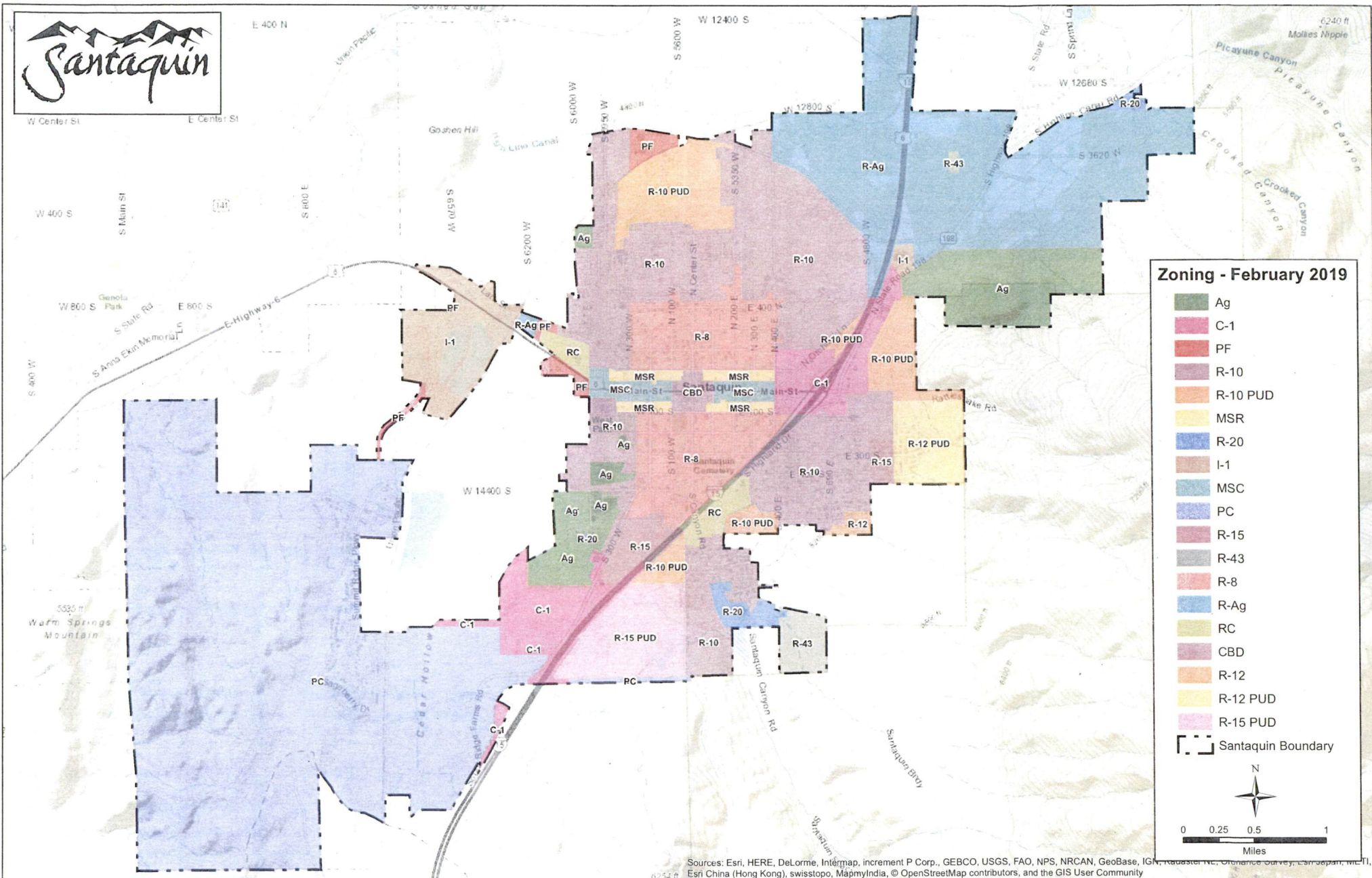
See UTAH CODE ANN. §52-4-305.

**20. Questions?**










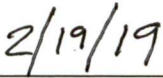
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## **CLOSED EXECUTIVE SESSION AFFIDAVIT**

I, Kirk Hunsaker, Mayor of Santaquin City, do hereby certify that the Executive Session held on February 19, 2019 was called to discuss the character, professional competence, or physical or mental health of an individual.

  
\_\_\_\_\_  
Kirk Hunsaker, Mayor

  
\_\_\_\_\_  
Date