

Work Session
01-13-15

MINUTES OF WORK SESSION MEETING HELD BY MORGAN CITY COUNCIL IN REGULAR
SCHEDULED OPEN PUBLIC SESSION ON TUESDAY, JANUARY 13, 2015 AT 5:30 P.M., IN THE
COUNCIL ROOM OF THE CITY OFFICE LOCATED AT 90 WEST YOUNG STREET

Present: Mayor, Ray W. Little.

Council Members: Tony London, Jeff Wardell, Shelly Betz, Mike Kendell, and
Fran Hopkin.

City Staff: Gary Crane, Attorney.

Others present: none

This meeting was called to order by Mayor, Ray W. Little.

Items for Discussion

Attorney Crane

Open Meetings/Conflicts of Interest Training

Attorney Crane gave the members some handouts on the topics he will be covering tonight. He stated this is mandated by State law to be done every year. He started with conflicts of interest. He stated there is a new form for conflicts that needs to be filed, preferably every year. He stated an elected, appointed official or an employee cannot use private, protected or controlled information, or their official position to make money or gain privileges for themselves. He gave some examples of what these items could entail. He recommended the members not take gifts of any kind.

Attorney Crane reviewed the reasons that establish a need to file a disclosure statement. He stated it is a Class A Misdemeanor to induce any employee or officer to violate these laws. If you have an interest in a business and it is being discussed, it needs to be disclosed in the public meeting. He stated in order to be fined; it must be proven that you intentionally violated the law.

Mayor Little asked about instances where the employees are asked to go to lunch with an engineering firm, etc. Is this allowed? Attorney Crane stated it needs to be an individual choice, but he would not go to lunch in these cases. He stated if it was for an annual holiday party or something similar that would be different. The City can put together their own ethics committee that would investigate any alleged violations. This is less formal than the one at the State level.

The next item for training is the open and public meetings act. The handout provided is one that Attorney Dave Church has compiled. The reason for this act is because City business must be conducted in an open forum. Attorney Crane gave some examples of how this policy has been abused by other entities.

Tony asked if this is a problem only when there are a certain number of members discussing a topic. Attorney Crane stated the best possible rule is to not discuss any items that are before

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the members for consideration other than in public meetings. This can be hard to do in a small community. The members just need to be aware of it and not cross the line.

Attorney Crane reviewed what constitutes a public body and meeting. He reviewed the types of meetings and the noticing requirements. He reviewed the items the members can go into a closed session to discuss. He reviewed the requirements for preparing minutes and recording meetings. He stated the written minutes are the official record of a meeting.

The next topic Attorney Crane covered was the enforcement of the open and public meetings act. He stated the members need to be aware of the use of electronic messaging and reminded them these constitute "deliberations" in regards to City business. He reviewed some legal cases that have been filed regarding e-mails.

The new law that requires items to be posted on the State website was reviewed. Attorney Crane stated any items or information given during a closed meeting is protected and confidential and should not be disclosed to anyone. Mike gave an example of a closed session that was held for a committee he was on and how hard it was to come back to the council and give information from the meeting. He asked how these types of items should be handled. Attorney Crane stated the best practice would be to ask the other body, if they are okay with taking this item back to the Council to discuss during a closed session. Mike asked if he is allowed to get legal counsel's opinion about any of these items. It was stated he could get legal opinions from the city attorney.

Attorney Crane stated the Planning Commission cannot go into closed session. He stated the members need to be aware of these laws and always try to deliberate in an open forum.

Resolution #15-01
Renewal of Enterprise Zone

This zone was established in 2010 and needs to be renewed every 4 years. Shelly explained the tax credits that businesses can get through this program. The information has been updated and the resolution will renew it so this program can continue.

Phone System Upgrade

There was discussion at a past meeting in regards to updating the office phone system. Fran stated he met with Mayor Little, Julie and a representative from 5-9's who is the current provider. Fran stated at the beginning he felt it would be best if the City moved forward with a hosted (internet) system. He has done some research and feels it is probably cost-inhibitive to go with a hosted system due to the lack of reliable internet lines and the cost of getting these into the City building. There is also an increased cost for providing the monthly service if it is done over the internet.

Mayor Little stated the City's current system is outdated and is no longer supported or manufactured. They feel the original proposal that was presented is the best option at this time. The members agreed to move forward with this system.

EDCUtah's

Marketing and Sponsorship Grant Approvals

Shayla has asked the members to consider approval of these two grant proposals. The marketing one can be used to help finance the costs of the new webpage. They will give up to \$1,250 for the new webpage. Shelly stated the one concern is that these grants are not approved until March/April and they will not reimburse for expenses already incurred. The webpage design would have to be put off until that time.

The next grant proposal would be used to support the women's entrepreneurial events that are held in cooperation with the North Front Business Center. These funds would be used to provide speakers, lunches, and other items that are needed to host these meetings. All that is needed tonight is approval to move forward if the members feel these grants are worth applying for. Fran asked how often the City can apply for these grants. Mayor Little stated the third type of grant that can be applied for is to be used for training of employees.

If the members feel these grants are worth applying for, a motion to approve will need to be made during the council meeting.

Planning Commission
Alternate Member Appointment

Tony and Jeff have met with Doug Garfield, Planning Commission Chair on this appointment. They had a list of 7 or 8 individuals they contacted. There was one, Nate McClellan that was very interested in serving. There was some discussion about whether there are one or two vacancies for alternate members. If there is one more person needed, they will contact others on the list.

Council Department Review

Mike stated there are some old code enforcement issues. He is planning to work on these now that the holiday season has passed.

Tony stated the City has received the report from animal control that shows the amount and types of calls. Mike asked if animal control is a 24 hour per day service, or if complaints are only handled during a specified time schedule. This position is now a full time position so the officer should be available on a daily basis.

It is time to review both the law enforcement and animal control contracts. Fran stated there were a lot of animal control calls, but very few citations were given. He asked if this ratio is normal. Tony stated some of the calls involved be like the city cemeteries where no dogs are allowed. He has asked the officer to drive through the cemeteries to see if there are any residents walking their dogs and to inform them that dogs are not allowed in any of the City cemeteries. There was discussion about having the individuals from both animal control and law enforcement come to meetings and give reports and updates.

Mayor Little suggested arranging a meeting with the animal control officer to discuss some of these items. Tony will arrange for this meeting.

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Jeff stated he has had the engineer compile some examples of improvements that could be done to Commercial Street. He reviewed the different types of sidewalk construction that could be used to accommodate parking and water meters. Jeff feels there are some improvements that will enhance this area. He asked for this item to be put on the next agenda.

Jeff stated he also had the engineer look at the Mickelsen Mile Walkway concerning the problems that are occurring with the pavement and asked them to come up with suggested improvements that could be done. The city personnel have done some removal of trees along this walkway. The roots have done a lot of the damage. He will get information to the members when he receives it from the engineer.

Another item Jeff has been working on is the problem on 100 South with storm water and the flooding that occurs in this area. He has asked the city engineer to look at making a retention pond in the grass area on Circle Drive. Mike stated he feels it would be better to put this into a canal or other system instead of creating another retention pond. Jeff stated there is a storm drain, but it is not large enough to handle the run-off and the retention pond is going to be needed.

Tony asked what has happened with the problem of the rock retaining wall at the property on Imperial Drive. Attorney Crane stated he is still working with the property owner and potential buyers to fix this problem.

Shelly stated there was \$7,500 budgeted for the Christmas celebration. She gave the members a handout that showed the expenses that were incurred. She stated one concern that needs to be discussed is what alternatives could happen for this celebration as the buildings get occupied and cannot be used. It was also suggested that all of the activities be held on Saturday.

Shelly asked the members what their thoughts about having new LED lighted decorations purchased that would be displayed during the holiday season. These could be placed by the fence next to the railroad on Commercial Street. Businesses would be asked if they wanted to purchase a decoration for this event. Shelly has looked at one the City could purchase, it is a train. She is working with the public works personnel to see if there is storage space for this item. The members felt this would be a good thing to do for next year.

Financial Statement Review

This item was not discussed.

Attorney Crane
Council Training

This item was done at the first of the work session.

This meeting was adjourned at 7:05 p.m.


Julie A. Bloom, Recorder

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These minutes were approved at the 01 - 27 - 15 meeting.