
letter

Elizabeth Cutler [REDACTED]
To: Kyndal Sagars <ksagers@springdale.utah.gov>

Tue, Aug 11, 2026 at 1:02 PM

(Or, I could just send it again. Here it is:)

Dear Council Members,

Thank you for your time and dedication to Springdale. We do have some comments and observations concerning the potential new protocols:

Please bring back the opportunity for the public to ask questions at town council meetings. If any question exceeds your areas of expertise or you consider it inappropriate in any way, just say so. You can easily allow questions without promising to be able to answer them on the spot and that could be part of your comments, even written on the back of the meeting agenda.

Please make town council meetings more dialogue friendly. There is successful historical precedence for this in the Town of Springdale and when back and forth conversations ensued at town council meetings, trust, transparency, positive feelings of community, even functionality and effectiveness increased. Reference materials for this reality can be provided upon request.

Concerning the potential new code of conduct and rules of procedure protocol in general and specifically In regards to 1.1.5 a.:

Utah's OPMA does not generally require towns to avoid talking with the public about administrative matters outside public meetings. In fact, that would be a much broader restriction than the statute itself imposes.

The important distinction is between **individual communication with the public** and **the governing body deliberating or predetermining action outside a meeting.**

What OPMA actually requires

Utah Code § 52-4-102 states the legislative intent very broadly: political subdivisions should **"take their actions openly"** and **"conduct their deliberations openly."**

But the current definition of a **"meeting"** is more specific. As of the 2026 amendments, it generally involves a quorum of the public body being convened, through the legally prescribed process, for the purpose of receiving public comment, deliberating, or taking action on a relevant matter.

And § 52-4-208 is particularly important: members constituting a quorum may not **act together outside a meeting in a concerted and deliberate way to predetermine an action** that the public body will take at a meeting.

So, for example:

- **Mayor talks individually with a resident about a town issue:** generally not an OPMA meeting merely because the subject is town business.
- **Council member talks individually with a resident and listens to their concerns:** generally not an OPMA violation.
- **Council member explains how a town administrative process works:** not inherently an OPMA meeting.
- **Several council members get together with residents and deliberate as a body about an issue:** potentially an OPMA meeting, depending on the circumstances.
- **A quorum communicates among themselves, outside a meeting, to build consensus on what they will vote for later:** that's precisely the kind of conduct § 52-4-208 prohibits.

The interesting wrinkle: "administrative" matters

There's an especially important 2026 change here.

The current definition of **"relevant matter"** says that, for a public body having both executive and legislative responsibilities, a **managerial or operational matter** isn't a "relevant matter."

That means the current statute actually recognizes that some purely managerial/operational activity is different from legislative deliberation. So it would be difficult to read OPMA as establishing a blanket rule that *all administrative conversations must occur in public meetings*.

Also, OPMA doesn't say that **every conversation between a council member and a member of the public about town business must happen at a public meeting.** The Attorney General's description of OPMA likewise focuses on meetings involving the public's business and the statutory requirements applicable to those meetings.

A town can adopt stricter internal protocols, but this letter requests Springdale does not.

Also, in regards to 1.1.4 c., we request you **eliminate the sentence: Do not ask questions during the public comment period.**

That is an unnecessary limitation on town council's ability to ascertain information from public comments.

Minor detail: In regards to 1.1.4 b., consider putting the period after the word community and eliminating the phrase, "who speak at meetings." The respect described should clearly apply to all, not just to those who speak.

With sincere gratitude for your time and effort,

Jim and Elizabeth Cutler

Lillie Baiardi

Claudia Mitchell

Richard and Sheralyn Madsen

Carolinda Benson

Patricia Vail-Blackett

Jolene and Randy Perkins

Dan Mabbutt

Carol Thayer

Melanie and Brian Gutierrez

Suzanne and Dean Elger