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## PROVO MUNICIPAL COUNCIL

Redevelopment Agency of Provo

Board of Canvassers

Regular Meeting Minutes

5:30 PM, Tuesday, November 21, 2017

Room 200, Municipal Council Chambers

351 West Center, Provo, Utah

### Roll Call

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

Council Member David Harding

Council Member David Knecht

Council Member Kim Santiago

Council Member David Sewell (Acting Mayor)

Council Member George Stewart

Council Member Kay Van Buren

Council Member Gary Winterton

Council Executive Director Clifford Strachan

Council Attorney Brian Jones

Chief Administrative Officer Wayne Parker

Conducting: Council Vice-Chair David Knecht

**Resolution 2017-54 of the Provo City Municipal Council and Mayor sitting as The Board of Canvassers accepting the election returns and declaring and certifying the results of the municipal general elections held in Provo, Utah on November 7, 2017. (17-105) [\(0:05:57\)](#)**

On Tuesday, November 21, 2017, prior to the regularly scheduled council meeting, the Provo City Municipal Council and Acting Mayor convened as the Board of Canvassers to certify the results of the 2017 municipal general election. Janene Weiss, Provo City Recorder and Election Official, presented the following report:

Provo City held a vote-by-mail General Election in conjunction with Utah County on November 7, 2017. A general election was held for the office of Mayor, Council City-Wide I, Council District 2, and Council District 5.

#### Mayor

There were 39,024 active registered voters for the Mayor position with 14,645 ballots cast for a voter turnout of 37.5%

#### Council City-Wide I

There were 39,024 active registered voters for the Council City-Wide I position with 14,015 ballots cast for a voter turnout of 35.9%

## Council District 2

There were 5,001 registered voters for the Council District 2 position with 1,378 ballots cast for a voter turnout of 27.6%

## Council District 5

There were 6,412 registered voters for the Council District 5 position with 1,427 ballots cast for a voter turnout of 22.3%

There were 797 provisional ballots counted by the county and, after review by the County, 34 were not counted. Of those 34 ballots, 4 had already voted, 1 had incomplete registration, 1 was invalid, 11 were not registered, and 17 voted in the wrong precinct.

Individual results of the election can be found in Resolution 2017-54. Candidates elected for office to serve terms of four years, beginning January 1, 2018, are as follows:

Mayor:	Michelle G. Kaufusi
Council City-Wide I:	Dave Sewell
Council District 2:	George Handley
Council District 5:	David Harding

Information by precinct was to be provided by the County and would be made available on the voteprovo.com website following the official certification of the Canvass Report.

The original report submitted to council was amended during the meeting to correct several typographical errors. Council voted on the amended report.

Mr. Winterton asked if Utah County Officials planned to provide post-election feedback concerning the vote-by-mail process. Ms. Wiess explained that the county would be exploring their options for the 2018 election, which would not be a municipal election. She noted the traditional voting machines that had been used in previous elections were no longer under warranty, so if the county reverted to the traditional machines, they would need to renew the warranty or find another method. She further explained that in her experience, Provo had always contracted with the county for the election and used whatever method the county was offering.

**Motion:** Acting Mayor (and Council Chair) Sewell made a motion to approve Resolution 2017-54 as amended. Council Member Van Buren seconded the motion.

Brian Jones, Council Attorney, stated that because Chair Sewell was also serving as Acting Mayor, he would need to vote twice, once as Council Chair and once as Acting Mayor.

Vice-Chair Knecht called for a vote on the motion.

**Roll Call Vote:** The motion Passed 8:0 with Acting Mayor Sewell and Council Members Harding, Knecht, Santiago, Sewell, Stewart, Van Buren, and Winterton in favor.

Adjourn as the Board of Canvassers and convene as the Municipal Council.

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**Motion:** Council Member Harding made a motion to adjourn as the Board of Canvassers and convene as the Municipal Council. Council Member Stewart seconded the motion.

Vice-Chair Knecht called for a vote on the motion.

**Roll Call Vote:** The motion Passed 7:0 with Council Members Harding, Knecht, Santiago, Sewell, Stewart, Van Buren, and Winterton in favor.

## Opening Ceremony

### Prayer and Pledge of Allegiance – Leo Lines

Vice-Chair Knecht acknowledged this was the last meeting Ms. Santiago would attend in person. She would attend the next, and final meeting of the year, via teleconference. On behalf of the council, he thanked Ms. Santiago for her dedication and service.

### Neighborhood Spotlight: Franklin Neighborhood [\(0:20:47\)](#)

Teri McCabe, Franklin Neighborhood Chair, presented the neighborhood spotlight. Ms. McCabe listed some of the things Franklin Neighborhood residents enjoyed about their neighborhood:

- Walkability
- Farmer’s Market
- Mature Forestry
- Views
- Eclectic mix of architecture
- Sense of Community

Mr. Harding asked Ms. McCabe what she wanted to accomplish in the next few years. Her goals included sidewalk repairs, enhanced lighting, and crosswalk improvements.

Vice-Chair Knecht said he recently took an affordable housing tour and noticed the newer Habitat for Humanity homes in the neighborhood did not have as much landscaping as the older Provo Housing homes. He asked if the neighborhood might be interested in applying for a matching grant to help install more landscaping. Ms. McCabe said her vice chair of gardening, Megan Bowen, could consider this.

### Public Comment [\(0:26:43\)](#)

Fifteen minutes were set aside for any person to express ideas, concerns, comments, or issues that are not on the agenda. Vice-Chair Knecht opened public comment.

Sara De La Torre, Provo, said she previously spoke to Mr. Harding and Mr. Sewell during a campaign event at BYU one month earlier. Ms. De La Torre was a volunteer at Encircle, a local non-profit organization, she wanted to know what was being done to help the LGBT+ community feel welcome in Provo. She also had concerns about Encircle not being allowed to participate in the Freedom Festival parade earlier in the summer.

Vice-Chair Knecht said he appreciated Ms. De La Torre's questions, but explained it was not typical for council to respond to questions asked during public comment. He did explain that council was not in charge of the Freedom Festival. Mr. Jones further explained that it would be a mischaracterization to say that the Freedom Festival was a Provo City event.

There were no other comments from the public.

## **Action Agenda**

### **1 Ordinance 2017-52 amending Provo City Code Title 11 (Sanitation). (17-123) [\(0:31:34\)](#)**

**Motion:** An implied motion to approve Ordinance 2017-52, as currently constituted, has been made by council rule.

Brian Torgersen, Public Services Division Director, explained the purpose of the ordinance was a text amendment to Title 11 of Provo City Code. He said it had been common practice to require each residential unit have a solid waste container, but there was a loophole in the code that did not support this practice. His intent was to amend the text to require a solid waste container for each residential dwelling in Provo. This amendment did not apply to owners who had contracted to have the refuse from the dwelling collected and disposed of by a commercial hauler.

Vice-Chair Knecht opened public comment, there was no response. There was also no response to his invitation for council discussion, as there had been considerable discussion on the item during work session earlier in the day.

Vice-Chair Knecht called for a vote on the implied motion.

**Roll Call Vote:** The motion Passed 7:0 with Council Members Harding, Knecht, Santiago, Sewell, Stewart, Van Buren, and Winterton in favor.

### **2 Ordinance 2017-53 amending Provo City Code regarding the timing of Council meetings and the election of the Municipal Council Chair. (17-139) [\(0:34:18\)](#)**

**Motion:** An implied motion to approve Ordinance 2017-53, as currently constituted, has been made by council rule.

Clifford Strachan, Council Executive Director, presented the ordinance. Provo City Code section 2.50.035 previously mandated that meetings would be held the first and third Tuesday of each month. The proposed text amendment would allow more flexibility in the scheduling of council meetings. Mr. Strachan said despite the change, council staff would attempt to schedule meetings on the first and third Tuesday of each month, whenever possible. There was also an amendment which stated that the Council Chair and Vice-Chair would be elected at the first regular council meeting of each year, rather than the first Tuesday of the year.

Vice-Chair Knecht opened public comment, there was no response.

Vice-Chair Knecht called for a vote on the implied motion.

**Roll Call Vote:** The motion Passed 7:0 with Council Members Harding, Knecht, Santiago, Sewell, Stewart, Van Buren, and Winterton in favor.

**3 Resolution 2017-55 adopting the 2018 Council Regular Meeting Schedule. (17-140)**  
**[\(0:37:03\)](#)**

**Motion:** An implied motion to approve Resolution 2017-55, as currently constituted, has been made by council rule.

Elizabeth VanDerwerken, Council Executive Office Assistant, presented council with the 2018 council meeting schedule. Ms. VanDerwerken reviewed the proposed resolution and then Vice-Chair Knecht asked for the schedule to be displayed.

Mr. Harding noted that when the April meeting was shifted for spring break, it created consecutive meetings in April and May. He suggested this could be prevented by shifting May's meetings to the second and fourth Tuesday in May. He said this suggestion was something to consider in the future and he had no objection to the current schedule.

To help provide context for the schedule, Ms. VanDerwerken showed council the draft schedule council staff used to prepare the annual meeting schedule. The draft schedule outlined holidays and other important observances that were taken into consideration in preparing the annual schedule.

Mr. Strachan offered to amend the schedule to reflect Mr. Harding's suggestion. Though, Mr. Winterton responded that he preferred the scheduled as it had been presented. Mr. Harding said he was indifferent and would not make a motion unless someone else felt strongly about it.

Wayne Parker, CAO, noted the school district met on the second and fourth Tuesday of each month, so when there was also a council meeting scheduled, this could create a dilemma for

citizens who like to attend both. He said when this had occurred in the past, there had been some feedback from citizens concerning the overlap.

Vice-Chair Knecht called for a vote on the implied motion.

**Roll Call Vote:** The motion Passed 7:0 with Council Members Harding, Knecht, Santiago, Sewell, Stewart, Van Buren, and Winterton in favor.

### Adjournment

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The meeting was adjourned by common consent at 6:27 p.m.