

Mount Pleasant City
115 West Main Street
Mount Pleasant, UT 84647
Phone: 435-462-2456
FAX: 435-462-3199



City Council Minutes
28 July 2020
6:30 p.m.
Regular Meeting

Mayor Mike Olsen
Councilmembers:
Justin Atkinson
Rondy Black
Sam Draper
Russell Keisel
Kevin Stallings

1. Welcome

Mayor Olsen welcomed all to the meeting.

2. Opening Ceremony

Pledge: Russell Kiesel

Prayer: Sam Draper

3. Roll Call

Present: Justin Atkinson, Kevin Stallings, Mike Olsen (Not voting), Russell Keisel, Rondy Black, Sam Draper.

Others in attendance: Jeanne Tejada (Recorder), Dave Oxman (Finance Director), Brittany Adams (Aquatic Center Director), Colter T. Allen (Public Works Director), Shane Ward (Power Superintendent), Rhett Wilkinson, Angela Thompson, and Kevin Daniels (City Attorney).

4. Approval of Agenda Items

Motion: Approve agenda items for regular city council meeting of July 28, 2020 6:30 meeting as written.

Moved by Kevin Stallings

Seconded by Russell Keisel.

Motion passed unanimously

5. Approval of Claims & Requisitions

Claims:

Motion: Approve the invoice register dated 7-14-2020 to 7-27-2020 in the amount of \$73,072.25.

Moved by Rondy Black

Seconded by Kevin Stallings.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Justin Atkinson, Kevin Stallings, Russell Keisel, Rondy Black, Sam Draper

Requisitions:

Hermansen's Equipment/Sales/Rentals for a new tractor for the Arena:

Councilmember Draper would like a comparison from another place like John Deere. Department Head Allen said he spoke with John Deere and they verbally told him \$108,000. Councilmember Stallings likes how close Hermansen's is and how they can respond quickly in any situation. He does not think you'll get a better price, but you'll get amazing technical support. Councilmember Keisel questioned where the money would come from. Financial Director Oxman said that the arena is bringing in enough money to help pay for it. He is optimistic that the arena could pay for it themselves. Current tractor we have could be

Mount Pleasant City
115 West Main Street
Mount Pleasant, UT 84647
Phone: 435-462-2456
FAX: 435-462-3199



City Council Minutes
28 July 2020
6:30 p.m.
Regular Meeting

Mayor Mike Olsen
Councilmembers:
Justin Atkinson
Rondy Black
Sam Draper
Russell Keisel
Kevin Stallings

traded in for \$30,000. Mayor does not want to do option #2. There was a brief discussion on what kind of events can be held at the arena to bring in money to help counter the cost of the tractor.

Motion: Approve Option 1, after obtaining a written comparable from John Deere, to purchase a 2020 Kubota Tractor.

Moved by Sam Draper

Seconded by Russell Keisel

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Justin Atkinson, Kevin Stallings, Russell Keisel, Rondy Black, Sam Draper.

**Requisition# 072820201851 for crack sealing & seal coat for parking lots.
Will remove parking lot behind Beck's.**

Motion: Approve requisition #072820201851 to Peckham Asphalt Paving in the amount of \$20,900.99 to crack seal & flush coat parking lots at city hall, senior center, swimming pool & 4-Plex.

Moved by Sam Draper

Seconded by Kevin Stallings.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Justin Atkinson, Kevin Stallings, Russell Keisel, Rondy Black, Sam Draper.

6. Presentation/Discussion/Action: Parks & Recreation Tax

John Bradley came forward to present a Parks & Recreation Tax (RAP Tax). It is voted on once every 10 years. It is a 1/10th of 1% Sales Tax to go toward recreation-based things. It is not a property tax it is a sales tax. Not just resident's pay, but everyone who comes to town and spends money. It helps pay for things that would not normally be funded. (see attached papers explaining the RAP TAX.)

Motion: To proceed and move forward with the RAP TAX..

Moved by Sam Draper

Seconded by Rondy Black

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Justin Atkinson, Kevin Stallings, Russell Keisel, Rondy Black, Sam Draper

7. Open & Public Meetings Act Training

Kevin Daniels, the City Attorney, came forward to do the annual Open & Public Meetings Act (OPMA) Training with the city council. This training covered all requirements for the annual OPMA training the Council is required to have. (See attached papers).

8. Public Participation

Mount Pleasant City
115 West Main Street
Mount Pleasant, UT 84647
Phone: 435-462-2456
FAX: 435-462-3199



City Council Minutes
28 July 2020
6:30 p.m.
Regular Meeting

Mayor Mike Olsen
Councilmembers:
Justin Atkinson
Rondy Black
Sam Draper
Russell Keisel
Kevin Stallings

No one came forward.

9. Discussion/Action: Deer Control in City Limits

The mayor has had several people contact him asking what can be done about the deer in their yard. Mayor Olsen presented a copy of the Urban Deer Control Rule R657-65 (see attachment). It is becoming a bigger problem. DWR does not want to do anything unless the city goes to the effort of making the Rule R657-65. City is required to design and create the plan. Councilmember Draper suggested sending a mailer out asking residents what their feelings are on the matter. Councilmember Black agreed with Councilmember Draper. The mayor will forward the email he received to the council.

10. Discussion/Approval: New Planning Commission Appointment of Jason Clawson

There is an opening on the Planning Commission and Jason Clawson has volunteered to be on the commission.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Justin Atkinson, Kevin Stallings, Russell Keisel, Rondy Black, Sam Draper

11. Resolution 2020-09 "A Resolution Related to Application of Connection Fees for All Utilities Within and Without the City Limits of Mt Pleasant City"

City Attorney Daniels explained that this resolution makes it so that people must pay the fee schedule that is currently in place when they start building. So, if they pay the fees and sit on it for several years, they will be subject to whatever fees are currently in place when they start to build.

Motion: Approve Resolution 2020-09 A Resolution Related to Application of Connection Fees For All Utilities Within & Without the City Limits of Mt Pleasant City.

Moved by Russell Keisel

Seconded by Kevin Stallings

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Justin Atkinson, Kevin Stallings, Russell Keisel, Rondy Black, Sam Draper

12. Report by City Council Members

Justin: --Nothing to report.

--Questioned if they are having the drag race on August 1, 2020. He would like it to be known that it is to a point where it has become too high a risk. Mayor said it would be the last one.

Kevin: --Met at city park to look at the existing building for restrooms & storage. It needs a lot of work. Also looked at picnic tables & pavilions. The pavilions are in good shape, but the tables need upgraded, they are in horrible shape. They need to be replaced. Also need a new restroom facility to facilitate the city park and cemetery. He would like to get some examples of some newer facilities and

Mount Pleasant City
115 West Main Street
Mount Pleasant, UT 84647
Phone: 435-462-2456
FAX: 435-462-3199



City Council Minutes
28 July 2020
6:30 p.m.
Regular Meeting

Mayor Mike Olsen
Councilmembers:
Justin Atkinson
Rondy Black
Sam Draper
Russell Keisel
Kevin Stallings

what other cities have done. Councilmember Atkinson mentioned maybe the splashpad needs to be moved to the city park and use the splashpad area to expand the pool for locker rooms. Mayor suggested we need to come up with a master plan. There are a lot of options out there for what the city could do.
--Planters and hanging plants look nice.

Russell: --Steph reported that everything is going well.

--Questioned whether the city can come up with a policy on a transgender bathroom at the pool. The City Attorney will investigate what would need to be done to do this. Councilmember Draper suggested the need another part time/maintenance person who is certified to help especially when Brittany is gone on vacation. The power department is going to help investigate a non-corrosive switch that should help fix the problem. There was a brief discussion on whether it would be worth it to hire a part-time maintenance person.

Rondy: --Nothing too much to report. The streets are still being worked on, patching potholes. It is looking good.

Sam: --Road crossings. Thinks contractors should have 30 days to fix the road crossings or a set time frame it needs to be fixed by. Councilmember Atkinson will investigate this.

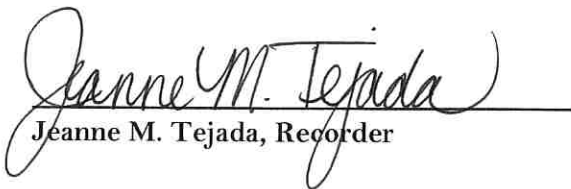
--Set-up tentatively to have the drive through flu shots in September.

13. Report by Mayor

--Needs 2 councilmembers to attend with the mayor a meeting with the school district on Thursday night at 6p.m. There was a brief discussion on what the possibility the meeting might be about. There was a discussion on the old elementary school and the practicality of fixing it up. Councilmembers Stallings & Atkinson will attend with the mayor.

--Just received word that the grant has been changed on Aspen Village. The scope of the project has been scaled back. They will put 3 fire hydrants in and the infrastructure for that and the setters for the future.

14. Adjourn 9:28pm


Jeanne M. Tejada, Recorder

RAP TAX Introduction

The Name:

Though called different things in each community, it is the same Sales Tax. Examples:

PAR Tax (Parks Arts and Recreation)

RAP Tax (Recreation Arts and Parks)

PARC Tax (Parks, Arts, Recreation & Culture)

ZAP Tax (Zoo Arts and Parks)

What it Is:

Utah Legislature has approved 1/10th of 1% Sales Tax to go toward all things recreation based. Can include recreation facilities, ballfields, aquatic facilities, art programs, etc...

Duration of the Loan:

Once voted in, this is a 10- year tax. It can be reinstated for another 10-year but needs to be re-voted. Salt Lake County has been utilizing this for about 30 years with multiple successful revotes.

Why is this such a great tax?

*Where it is a sales tax, it is supported much better than a property tax.

*Not just residents pay towards the tax. People traveling through your community will also pay toward the tax. (For example: when people buy products at Walmart in Payson, they are paying towards Payson PARC Sales Tax.

*Funds help communities pay for projects that would normally not be paid for by General Fund dollars.

How to implement:

1-Contact Utah State Tax Commission to have them give you your estimate of how much money would come to Mt Pleasant per year.

2-Determine as a City Council if this is the direction you want to go.

3-Approach Sanpete County Commissioners for their approval. County has the first right to offer to all cities in the county, if they decline, then Mt Pleasant can put on the ballot for your own citizens. (Note: they should approve, because Ephraim City is putting it on their ballot for 2020 November election.)

4-Host open houses and an information campaign to Mt Pleasant residents.

5-This must be put on a November ballot for residents to vote (Most communities pass this by over 60%)

Examples of how much money your community could receive and how money could be spent:

Nephi- \$80,000 x 10 years. (Borrowed \$200K up front to build soccer fields and pay back utility accounts with interest.)

Santaquin- \$56,900 x \$10 years. Attached copy of Santaquin first year allocation.

Ephraim- \$100,000 per year estimate.

PURPOSE

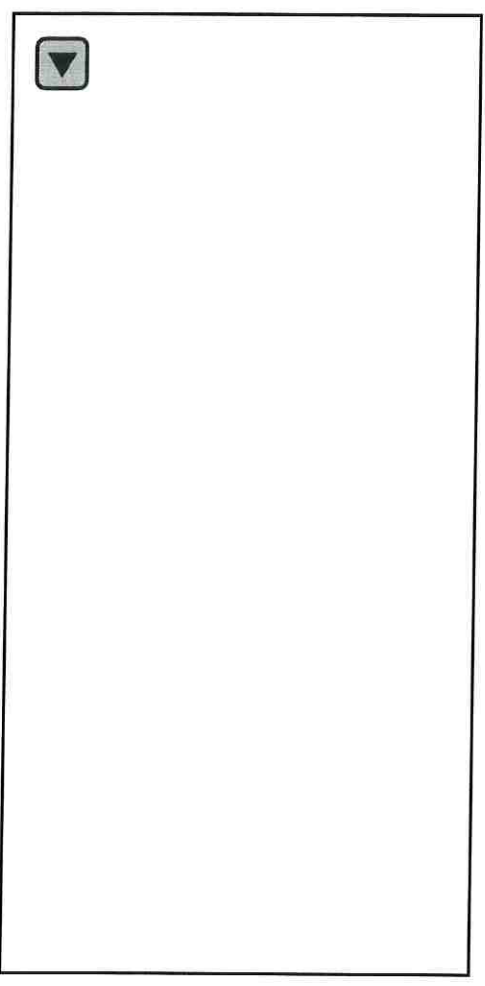
The state, its agencies
and political subdivisions
exist to aid in the
conduct the people's
business.

- Take Actions Openly
- Deliberate Openly



The RULE IS...

**MEETINGS
ARE OPEN TO
THE PUBLIC,
including quorum
workshops & executive
sessions**



Open Actions and Deliberations

ANTITHESIS OF OPEN MEETING



OPEN AND PUBLIC MEETINGS



Workshops & Executive Sessions:

Must be held at same location if held on same day as regularly scheduled meeting, unless . . .

- Regular meeting is held elsewhere and Workshop/Executive Session is at the regular place,
- Any of the meetings are a site visit or traveling tour,
- It is an electronic meeting, or
- It is an emergency meeting and impracticable to hold at regular location

WHAT IS A MEETING?

Meeting: means a convening of a public body with a quorum present to discuss, receive comment, or act on a matter under its jurisdiction or advisory power.

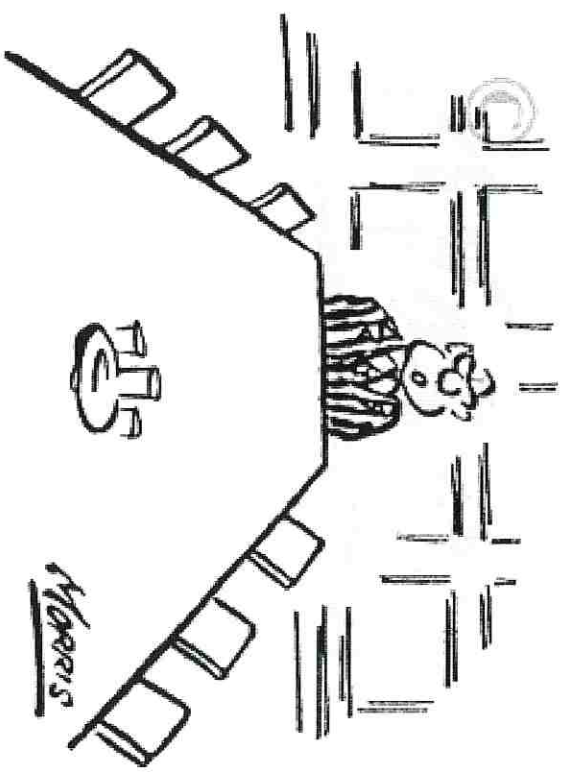
Not a Meeting: a social or chance meeting.

****When in doubt, err on the side of following the Open and Public Meetings Act. ****



ATTENDANCE

DO I HAVE TO ATTEND
MEETINGS, OR CAN
MEETINGS BE HELD
WITHOUT PEOPLE ALL
IN THE SAME ROOM?



"I've called this meeting to discuss absenteeism."

ELECTRONIC MEETINGS

Electronic meetings (phone, computer, or other electronic means), if provided for by bylaws, are permitted.

- Notice Requirements Apply
- Public Must Have Means to Attend or Participate
- Have Anchor Location (normal meeting site) – where meeting originates



Can A Meeting Be Closed?

If So, When?



A Meeting May Be Closed For:

- Discussions of a person's character, professional competence, or physical or mental health
- Discussions of security personnel, devices or systems
- Investigative proceedings regarding allegations of criminal misconduct
- Strategy sessions for pending/imminent litigation
- Strategy sessions for collective bargaining
- Strategy sessions to discuss purchase, exchange, lease or sale of real property, if public discussion would prevent best terms
 - **Public notice of terms and public notice of approval of sale required

Is There A Process To Close A Meeting?

Yes!

A properly noticed public meeting must be held before entering into a closed session AND

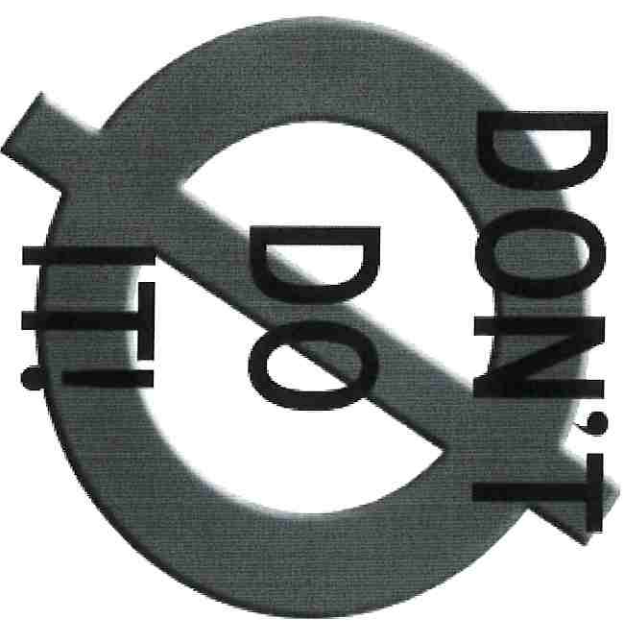
- A quorum must be present
- 2/3 must vote to close the meeting
- The body must publicly announce and enter into the minutes:
 - **Reason(s)** for holding the closed meeting
 - **Location** where closed meeting will be held
 - Vote **by name** of each member, for and against, on the motion to have a closed meeting



What Is Forbidden During A Closed Meeting?

You May Not:

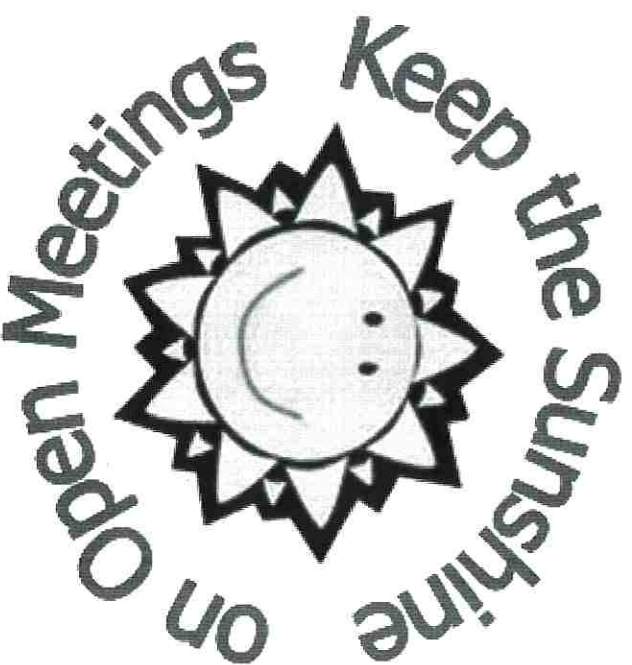
- Discuss topics outside of the purpose for the closed meeting
- Take **final action**, including approving a resolution, rule, regulation, contract or appointment



Are There Any Meetings That **MUST** Be Closed?

NO

Your decision to close a meeting to the public is **always discretionary**, not mandatory. The law does not require any meeting to be closed.





PUBLIC
NOTICE
WEBSITE

Welcome to the Utah Public Notice Website:

Public Notice Requirements

Give at least 24 hours notice of date, time, and place of meeting, including an agenda, specific enough to inform the public.

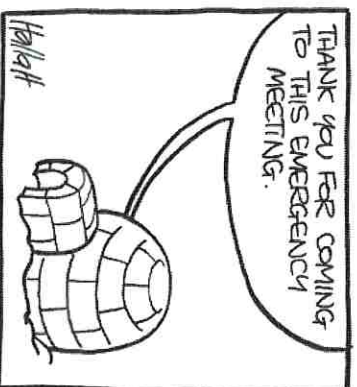
Public Notice musts:

- Annual public notice of date, time & place of meeting schedule
- Post all notices at office and on Utah Public Notice Website <http://www.utah.gov/pmn/index.html>; and
- Provide to a newspaper or local media correspondent – *subscription service of Public Notice Website satisfies this requirement*

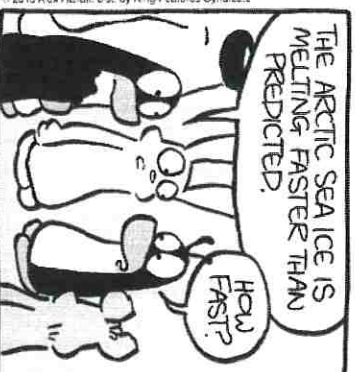
What About Emergencies?

The law allows for meetings to consider “emergency or urgent” matters IF:

- An attempt is made to:
 - Notify all members; and
 - A majority of members approve holding the emergency meeting
- The best notice practicable is given of:
 - Time, place and location of emergency meeting
 - The topics to be considered at the emergency meeting
- The minutes include a statement of the unforeseen circumstances that made the meeting necessary



© 2015 Alex Hallatt, dist. by King Features Syndicate



facebook.com/ardccartoons



WHAT ARE THE REQUIREMENTS FOR THE MEETING RECORDS?

OPEN MEETINGS

Audio Recording -

- A complete unedited recording of the public meeting, from commencement to adjournment
- Made available to the public within **3 business days** of the meeting
- Not required for site visit or travel tour, if no vote/action taken

Written Minutes -

- Pending minutes made available to public within reasonable time and clearly identified as “unapproved”
- Approved minutes made available to public within **3 business days** of approval
- **Are the official record of the meeting**

CLOSED MEETINGS

Audio Recording -

- A complete unedited recording of the closed meeting, from commencement to adjournment
- Except when discussing character, health, etc. or security matters. Then presiding person signs sworn statement as to purpose of the closed meeting.

Written Minutes -

- **MAY** keep detailed written minutes
- Both recording and minutes are **protected records** under GRAMA, but may be released with a court order

WHAT ARE THE MINUTE REQUIREMENTS?



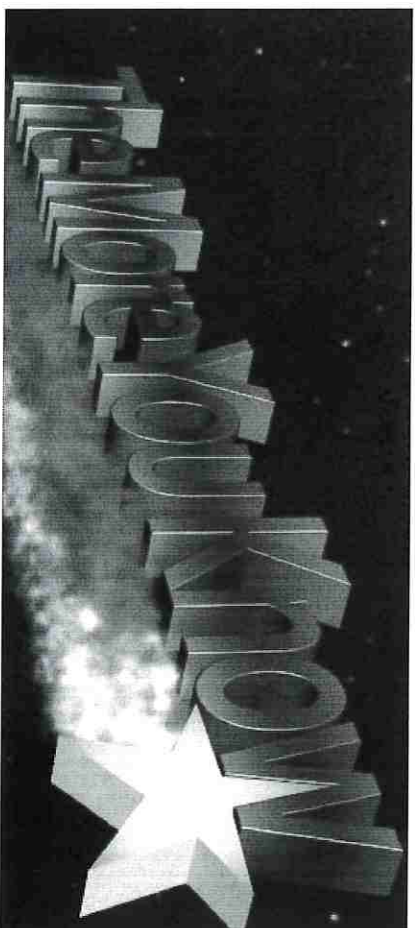
OPEN MEETINGS

- Date, time and place
- Names of members present and absent
- Substance of all matters proposed, discussed or decided
 - **May** include summary of comments by members
- Record **by individual member** of votes taken
- Name of any non-member who is recognized and comments or provides testimony
 - The substance, in brief, of the comments or testimony given
- Any other information that a member requests to be part of the record

CLOSED MEETINGS

Minutes and Recordings shall include:

- Date, time and place
- Names of members present and absent
- Names of all others present except if disclosure infringes on necessary confidentiality to fulfill purpose of closed meeting



You may discuss a topic raised by the public that is not listed on the agenda, but may not take final action on the topic

You may only take a final action if the topic is listed on the agenda and part of the advance public notice

Any person in attendance may record the meeting as long as the recording does not interfere with the meeting

You may remove a person from a meeting if they are willfully disrupting the meeting to the extent that its orderly conduction is seriously compromised

VIOLATIONS OF THE OPMA

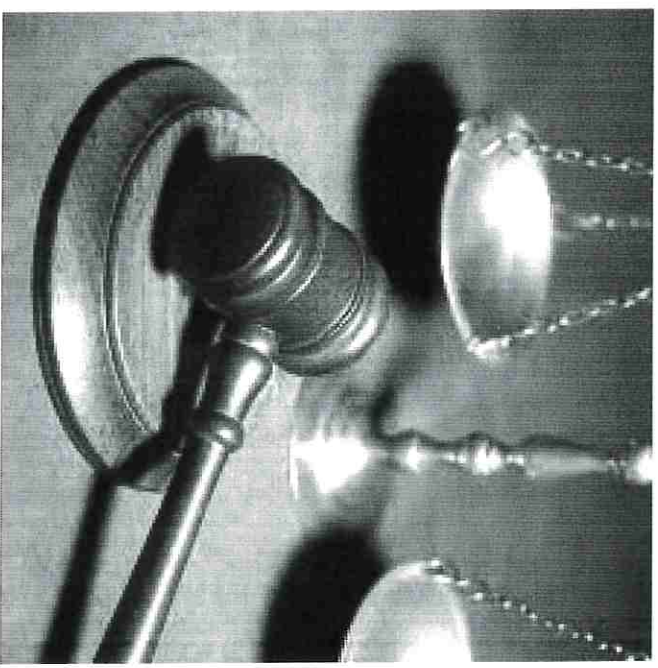


- It is a class B misdemeanor for a member of a public body to **knowingly or intentionally** violate or abet or advise a violation of any closed meeting provisions
- A court may void any final action in violation of the law
- May have to pay court costs and attorney fees
- Sometimes a violation can be “cured” by noticing up, discussing and taking a public vote in a subsequent meeting



WHO CAN ENFORCE OPMA AND WHEN?

- Attorney General
- County Attorneys
- Any person denied rights under OPMA





COMMON VIOLATIONS

Closing a meeting without first voting on a motion to close in an open meeting

Conducting a closed meeting for reasons other than those allowed by the Act

Taking an official or final action in a closed meeting

Failing to provide proper notice of a public meeting

Failing to provide adequate notice of a public meeting (descriptions of agenda items that do not meet the "reasonable specificity" requirement).

Taking action on an item not listed on the agenda

Questions?



Open and Public Meetings Act

A Summary of Key Provisions for Legislators | May 2018



The Open and Public Meetings Act (OPMA) requires that members of a public body be "provided with annual training on the requirements of [the Open and Public Meetings Act]" (Section 52-4-104). This document is intended to facilitate compliance with that requirement and to help legislators understand OPMA. This summary is intended for a state legislative audience and does not attempt to explain or address requirements for other public bodies. Key terms are defined at the end of the document.

OPMA's stated goal is to ensure that the state, its agencies, and its political subdivisions deliberate and take action openly (Section 52-4-102).

Public Notice (Section 52-4-202)

A public body is required to provide public notice of a meeting at least 24 hours before the meeting. The public notice is required to:

- specify the date, time, and place of the meeting;
- include an agenda that specifies topics the public body will consider;
- be posted on the Utah Public Notice Website and at the location of the meeting; and
- be provided to a newspaper or local media correspondent.

A public body may discuss an item raised by the public that is not listed on the agenda but may not take final action on the item at the meeting.

Minutes and Recordings (Section 52-4-203)

- A public body is required to keep written minutes and a recording of all meetings unless the meeting is a site visit or traveling tour where no vote or action is taken.
- Draft minutes are required to be made available to the public within 30 days after the meeting.
- A recording of the open portions of the meeting must be posted on the Utah Public Notice Website within three business days after the public meeting.
- The approved minutes and any public materials distributed at the meeting must, within three business days after their approval, be:
 - posted on the Utah Public Notice Website; and
 - made available at the public body's office.

2018 Amendments to OPMA

Substantive Changes to OPMA:

- A unit of the executive branch of state government and a political subdivision are now required to provide the required annual OPMA training online in a web-based format (H.B. 179).
- A public body may reclassify a record of a closed meeting in accordance with the Government Records Access and Management Act (S.B. 137).

Now subject to OPMA:

A taxed interlocal entity (S.B. 178).

Now exempt from OPMA:

- A convening of a three-member board of trustees of a large public transit district if the members do not take a tentative or final vote or only discuss day-to-day management and operation of the public transit district (S.B. 136).
- A routine conversation between members of a board of trustees of a large public transit district if no tentative or final vote is taken (S.B. 136).
- A meeting of certain subcommittees of the Legislative Management Committee when meeting to select or evaluate a candidate for employment, except when voting to recommend a candidate for employment (S.B. 238).

Closed Meetings (Sections 52-4-204 and 52-4-205)

A public body may hold a closed meeting only for certain reasons, including to discuss:

- a person's character, competence, or health;
- pending or imminent litigation;
- certain matters regarding acquisition or sale of real property, including water rights or shares;
- the deployment of security personnel, devices, or systems;
- an investigation of alleged criminal conduct;

- the receipt or review of an ethics complaint, if the public body is the Independent Legislative Ethics Commission;
- certain matters under the jurisdiction of a legislative ethics committee; and
- certain deliberations and decision making involved in the procurement process.

A public body may close a meeting only by a two-thirds vote with a quorum present, except that a majority vote is sufficient for closing a meeting of:

- the Health and Human Services Interim Committee to review a fatality review report;
- the Child Welfare Legislative Oversight Panel to review a fatality review report or review and discuss an individual case; or
- an ethics committee of the Legislature to receive legal advice or deliberate on a complaint.

No vote is required to close a meeting of the Independent Legislative Ethics Commission to review an ethics complaint if the publicly distributed agenda for the meeting states that the meeting will be closed.

A public body that closes a meeting is required to announce and record in the minutes the reasons for closing the meeting.

A public body may not close a meeting to discuss filling a midterm vacancy or temporary absence for an elected position, or to discuss a person whose name was submitted to fill a midterm vacancy or temporary absence for an elected position.

An ordinance, resolution, rule, regulation, contract, or appointment may not be approved during the closed portion of a meeting.

Definitions (Section 52-4-103)

Meeting means a convening of a public body with a quorum present to discuss, receive public comment about, or act upon a matter over which the public body has jurisdiction or advisory power.

Meeting does not mean a chance or social gathering or a convening of a public body that has both legislative and executive responsibilities in certain circumstances.

Public Body means an administrative, advisory, executive, or legislative body of the state or its political subdivisions that:

Emergency Meetings (Section 52-4-202)

A public body may hold an emergency meeting and is not required to give 24-hour notice if unforeseen circumstances arise that require the public body to consider matters of an emergency or urgent nature. However, a public body may not hold an emergency meeting unless it attempts to notify all members of the public body and a majority of its members approve the meeting.

Electronic Meetings (Sections 52-4-207 and IR3-1-105)

A public body may not convene or conduct a meeting by electronic communications unless it has adopted procedures to govern electronic meetings. The Legislature's rule governing electronic legislative meetings states that a committee member may remotely participate in a public meeting if:

- the member will be more than 50 miles away from the meeting location;
- the member requests permission of the chair to participate from a remote location; and
- the chair obtains permission from the speaker of the House of Representatives and president of the Senate to conduct an electronic meeting.

Penalties (Sections 52-4-302 and 52-4-305)

Open Meetings - Any final action taken in a meeting that is in violation of certain open-meeting provisions of OPMA is voidable by a court.

Closed Meetings - It is a class B misdemeanor to knowingly or intentionally violate the closed meeting provisions of OPMA.

- is created by the Utah constitution, state statute, rule, ordinance, or resolution;
- expends, disburses, or is supported in whole or in part by tax revenue; and
- is vested with the authority to make decisions regarding the public's business.

Public body does not include a political party, political group, or political caucus, or a conference committee, rules committee, or sifting committee of the Legislature.

Urban Deer Control Rule R657-65

Purpose: To enable a city to design and administer a control plan for the lethal or non-lethal removal of year-round, resident deer damaging private property or threatening public safety within the city.

Process

- City that has met requirements, obtains a COR(Certificate of Registration) from DWR that allows the city to design, create and administer an urban deer control plan
 - Resident deer causing significant damage to private property or threatening public safety
 - Has enacted an ordinance prohibiting feeding deer, elk, and moose
 - Has general liability insurance in the amount of \$ 1 million +
 - Holds harmless and indemnify the division
- City designs a plan with public input following COR and Administrative Rule
 - The division may provide technical assistance to the city in preparing the urban deer control plan
- City presents the plan for public comment
- City implements the plan
- City provides annual reports to the DWR (lethal removal)
- City renews COR every 3 years (public review required)

Urban Deer Control Plan Development

- Cities responsibility to design, create, and implement
- The division will provide technical assistance in creating the plan
- The plan identifies protocols and methodologies for removing deer
- Public input must be sought in creating and approving the plan
 - The city must solicit and consider input in the formulation and development of the plan from:
 - The Division - the DWR will provide limitations on time of year, gender and annual limits of number of deer allowed to be taken
 - The public
 - Interested businesses and organizations
- After formulating the draft plan, the city will hold a public meeting to take and consider input on the draft before finalizing and implementation

- The city assumes full responsibility for:
 - All costs associated with designing, establishing, implementing, and operating the control plan
 - The acts and omissions of its officers, employees, agent contractors, and licensees

COR Authority

Authorized city to create a plan to:

- Prescribe and employ lethal and/or non-lethal removal methods
- Select and supervise individuals to perform removal
- Issue authorizations and tags to individuals selected to control deer
- Select location, methods of take, and time of year for removal
- Allow a single individual to take more than one deer
- Utilize spotlighting for non-lethal deer removal or carcass recovery
- Utilize baiting to facilitate deer removal activities

Limitations:

- The city must:
 - The city must require individuals who lethally remove deer to tag carcasses
 - Comply with Fed., state and local laws on the discharge of dangerous weapons
 - Ensure carcasses are salvaged and disposed of as provided by law
 - Surrender antlers to the division
 - Have approval for, and coordinate any live captures with the division
- The city cannot:
 - Capture deer for release outside municipal boundaries w/o a written capture and relocation plan prepared in coordination with the Division
 - Remove more deer than authorized by the Division
 - Remove deer outside city boundaries
 - Sell or barter a deer carcass w/o written approval
 - Collect a fee or compensation > \$50 from a person or entity it authorizes to remove deer
 - Authorize the discharge of firearms or archery equipment between ½ hr. after sunset – ½ hr. before sunrise