



Syracuse City Arts Council

Meeting Minutes

August 5, 2020

Public meeting held electronically in accordance with Executive Order 2020-1 issued by Governor Herbert on March 18, 2020 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19 Novel Coronavirus. No physical meeting location will be available.

Join Zoom Meeting

<https://us02web.zoom.us/j/9771610462?pwd=RjBWNGlKTE1yTm1Ka3E3cDNBeWxydz09>

Meeting ID: 977 161 0462

Passcode: 1xrH6d

1. Opening Business

- Call to Order at 8:05 pm
- Tara amended agenda to remove item three. LeAnna motioned to adopt the amended August 5, 2020 Agenda. Brie seconded. All voted in favor.
- Councilman Maughan has a few grammatical error fixes, but content was fine. He will send the fixes to me. Russ moved to adopt the July 1st and July 23rd, 2020 minutes and Sheila seconded. All voted in favor.

2. Open and Public Meetings Act Training – Paul Roberts, City Attorney

This training should be done every year to comply with state code. SCAC is a public body. SCAC can meet for social gatherings and it not be a public meeting as long as we don't discuss or make SCAC decisions. The city publishes our annual schedule of pre-planned meetings for us. Notice of meetings should be published with 24-hour notice. We can't talk about something if it's not on the agenda. If a citizen brings up a subject, we can talk about it; but we can't make decisions about it. We can put it on the agenda for next time. Meeting notice/agenda is sent to the City website, newspapers, and state notice website. Newspapers are not required to post it and in the future it may not be required to send it to them.

Agenda specificity is required, so that the general population will know what we are discussing. Final action or decisions cannot be made about things not on the agenda. Brie asked if sub-committee's need specific agenda's. If there is not a SCAC quorum there we don't need to. They are not a public body and do not have decision making power. They are bringing the decision to the body. They do not need to post their agenda/meeting minutes/etc. Councilman Maughan asked about having bigger committee's than the board. It is not a concern, because it's not a public body unless it's created by ordinance.

Closed Meetings are allowed for certain things. Discussions about the character, professional competence, physical/mental health of an individual must be discussed in a closed meeting with no recording taken. Litigation, exchange of purchases, exchanges or lease of real property, safety plans, and sale of real property (if it is sensitive to the success of the purchase/lease/transaction), or criminal misconduct can meet the requirements of closed meetings and recordings are kept of these meetings.

Brie asked about talking about a participant who has COVID-19. We can talk in general about a situation, but cannot violate an individual's rights. If it needs to be discussed with specifics the meeting should be closed. Closing a meeting is done by motion with a vote. Visitors are required to leave. We could schedule another meeting at another time. For zoom meetings a new meeting could be scheduled and joined to ensure no visitors are there. Closing a meeting improperly is a misdemeanor.

Cindy asked what kind of notes are needed for a closed meeting. If a closed meeting is held regarding a person's health we do not record it, but the general notes taken are deemed a protected/private record under Granma. Cassie at the city can walk us through what to do with these general notes if we have a closed meeting. The published meeting minutes would say, 'We had a closed session. We came out of closed session.'

James asked for clarification on notification of our agenda/meeting. We must notify a newspaper, (*The Standard Examiner*), and publish it on the City site, and the Utah State Public Notice Website. Newspapers are not required to publish it. If we have a problem with posting online, we need to record those things and make sure we contact the city to rectify the problem. If it's not posted properly in any way, we might postpone the meeting. It is most important the postings happen if it's an extra meeting. In the future state law may not require information be sent to newspapers. Cassie posts all the city's annual meetings every year.

Written minutes and recording are kept for all open meetings. Minutes include date, time, and place, names of who is there, substance of what is discussed, record of all votes taken, names of those who make comments or provide testimony, and other information that a Body member requests be entered. We need names of visitors in the minutes only if they make a comment. Getting their city of residence is good practice, but not required. Do the best we can to provide names (zoom meetings have challenges-do our best). Meeting notes do not have to be verbatim, but for reference it helps to have details. Post the meetings on the city website and Utah website, usually within three days. James brought up that having sufficient details in the minutes is helpful to citizens, even though it isn't required. The school board has skeletal minutes which aren't very helpful to him. Brody said what is legally required and ethical are different. It's better to have good meetings. Cryptic meeting notes may lead to public distrust.

A quorum can send electronic messages to each other and the whole group unless it's during the public meeting (no side conversations), however, we must deliberate and make decisions in the open meeting. The public has a right to hear the thought process. It makes people suspicious if we all show up and vote yes to something.

The Board can have a special meeting with 24-hour notice. For urgent things (usually a natural disaster) we can have a special meeting with a couple hour notice. If there is a violation of the Open Meeting Act the court may void a final action taken and require a new meeting to address the issue. The Attorney General or county attorney office would enforce this, not the city. Possible closed meeting violations would require a judge to review the notes/recordings and decide if the meeting notes be made public or not. While looking at the notes/recording the attorney general might find additional issues. James mentioned that the school board had to re-do some of their business when they made decisions outside of a public meeting. Paul says the public loses trust when there are skeletal minutes and secret discussions. It is more helpful to citizens for minutes to have some details. Cindy's connection to the meeting has come and gone a few times. Paul's connection was lost for a minute.

Tara asked about what happens when our recordings fail. Sometimes the recording fails for one reason or another. No one holds that against us. If you catch it, fix it. James asked about problems using personal email for SCAC business. Paul said it is best not to use personal email for SCAC business to protect our personal information to protect our personal emails. We have had some issues with people receiving emails from our city email. A Gramma request would require we submit emails regarding the subject asked about in the Gramma request. Only with a court order (likely with litigation) would a court possibly look at all of our emails and decide what is made public. If needed, we could make a personal email account that we only use for SCAC. We discussed that we still can't email anyone in the city. Councilman Maughan will follow up with Steve regarding email problems.

Paul will send us a copy of the slides. If we ever have any legal questions, contact him. He is here to serve the whole city and all the boards. Paul left our meeting.

~~3. Discussion on how to better serve our underserved population with Roxane Durtschi~~

4. Discussion and vote on small cast musical

LeAnna discussed the choices for a small cast musical. They would like to do a comedy considering what is going on in the world right now. Councilman Maughan shared concerns about the process. Because of the pandemic situation he believes we should follow procedure and discuss if we have a season and then we can assign a sub-

committee to advise us. He is concerned decisions are being made in sub-committees. He received more negative feedback from citizens after our fundraising concert than he has in the past five years combined. Some of the feedback is questioning if we are following the same rules as other committees. LeAnna, Tara, and James reference that we voted at our last meeting to proceed with the musical and have a sub-committee bring us suggestions for a show. Councilman Maughan addressed the need to decide if with the current circumstances we are at a point to be naming a show. Tara would like to be prepared and ready if we can do a show in January. Councilman Maughan said that before we decide the title of the show, given the current circumstances we should decide if we are going forward with that plan. We discussed that our other events are on hold and we won't know real possibilities until at least November. Tara mentioned that until we have facilities we won't plan on anything. Given the feedback of last week Councilman Maughan is concerned we are losing support of the city by plowing ahead.

Christopher questioned why we need a monthly meeting if there is nothing to plan. Councilman Maughan says we could suspend the group until a certain situation or catalyst happens. The board decided that during this time we can work on updating our bylaws and creating a procedure manual. LeAnna moved to table the discussion and Brie seconded. All voted in favor except Cindy who voted Nay. James confirmed that there was no a quorum at the sub-committee meeting.

5. Update on bylaws changes

The bylaw committee met. Russ has been working on bylaw changes and Dave was working on city laws. They gave suggestion for changing the city laws and Councilman Maughan approached the city about the change requests to city law and was informed we need to bring our adjusted bylaws to the city and then they will look at how to restructure city laws.

We need to make the suggested changes to our bylaws and city laws and then a sub-committee would look for compliance of our adjusted bylaws first before it goes to City Council. We get it to a presentable state, this group votes, and then it's taken to city council. We believe there is enough information to make a policy manual. Russ will schedule the next meeting for the bylaw committee.

6. Committee Reports

~ Tara Wilson, Chair/Sponsorships

Tara thanked everyone who helped with the fundraising concert. We have two more weeks before we are in the clear with the COVID-19 for the concert. LeAnna, Brie, and Tara heard a lot of positive feedback. From those LeAnna talked to the audience members were happy and felt safe. Brie said audience members were really happy. She only had one cranky family when they were asked for name and phone number, but they were the only ones. Cindy mentioned that under current circumstances and stresses we need to recognize those who do share negative comments (like that shared with Councilman Maughan) may do so passionately in part because of the stresses they are under. Is there something valid in the negative comments that needs to be addressed, or is it due to being in the performing arts where people get upset and start blaming others when they don't get the part? Is it something valid that we will have to deal with.

Sheila asked if we counted the numbers. We haven't. Cindy mentioned that with our surveys that she has been involved with, except for one instance, has been positive and not negative. Russ says a viable consideration is the comment on Facebook of whether we should be performing under the current circumstances. Those people are not wrong. We will please some of the people some of the time. Cindy mentioned she personally didn't attend or support the concert, however, some families may be needing the emotional and mental support of being involved in a concert such as this. Russ concurred that this seemed to be the case on Friday night. Russ was surprised at the number of Senior citizens who attended. Cindy mentioned that no one was forced to come to the concert and it may be filling a need for those who did come.

Councilman Maughan said the negative comments were not all about the concert happening in the pandemic although a large number of comments were. Some comments were about other things. He is concerned that

some of our strong art supporters are no longer supporting us and we will lose our audience and we will lose our SCAC program. He suggested he isn't saying who is right or wrong, but that with polarizing issues we have to deal with the negative. He had several people raise issues of the long history they feel has gone on of nepotistic type decisions being made in this group. He is concerned these vocal people will impact us.

Libby asked if we should be discussing this. Tara said it is in committee reports. Russ is confused on this topic as well and Councilman Maughan wasn't planning on sharing it tonight. LeAnna wonders if all the people in attendance wasn't proof of public support. We had maybe 400-500+ people there.

Tara mentioned that in September we re-elect the chair and secretary. She invited people to step up to be the chair if we want. Tara received an email from someone who would like to volunteer to be the social media representative (treating it like an internship and using it towards her college). Brie suggested she serve under Russ. We don't have to vote on it. Tara's only concern is that it's our image online. Russ can supervise to make sure it's consistent with our brand and message. James asked if we know her. It is Ashley Fawcett. She is well known to the arts council and has been involved for a few years. Tara will forward the information to Russ. Councilman Maughan said it is a good thing to make it known in a meeting.

Tara thinks it would be helpful to know what the history of the negative comments are so we can try to prevent it in the future. Councilman Maughan mentioned that a consistent theme (speaking for the community and not himself) is that our group is showcasing board members and it is not a community organization. This negative feedback goes to other councilmembers and we now have a question whether this should be a city organization. He has defended us even at city council meetings. Some people feel they will never be picked to be in a show. If every year, the same names are seen doing the same things it creates the impression that our group is exclusive. We need to find a way to diversify.

LeAnna said that people who put in a lot of volunteer hours make it a family affair and they all participate. None of the board members have had major roles. Community members have complained that Tara had a role where she was in every scene. Brie had a similar perception of board members being cast for roles in either the chorus or a major role during 'Hairspray'. That perception has changed now that she is a board member. She has not cast her own children in certain roles when they didn't audition well and we need to be willing to do that as a board. However, she understands how that could be the public perception. LeAnna suggests that there has been no favoritism in casting shows and that board members have not had lead roles. Tara feels it should be a good thing to see her participating on-stage.

LeAnna questioned how we can defend ourselves. Councilman Maughan has defended us for five years. He has defended our right for directors to make casting decisions and that if we are heavily involved in the show it is appropriate to be cast in the show and to have our family involved in the show and expressed it is getting tougher to defend us. If this perception gets out of control and we don't address the problem, we won't be successful. We need to work on public perception whether it is based in truth or not. LeAnna asked how we are to defend ourselves. Sometimes Councilman Maughan has passed along emails to Tara to decide if the criticism is shared or not. Emails to Councilmembers regarding SCAC get forwarded to Councilman Maughan.

Cindy commented that we should take these thoughts and think about how we can address the problem. The idea may not be viable, but we could pick two or three shows to let the public vote on. We should look for ways to change the image. In politics it doesn't matter if the perception is based in truth. The perception could be based in something that is absolutely not true. It's still a problem we need to address whether it's true or not. We don't want more and more people in Syracuse to feel that way and have it get out of hand. We can all think about it and bring back those ideas to help change the public perception. Individually we can't maybe knock on people's doors and change their minds, but maybe we can do things to appear to be what we think that we are.

James said Dave represents the city citizens as a councilmember. The SCAC board represents the citizens interested in the arts. What do the citizens want from the arts council? Do they want a mid-summer musical or an orchestra concert? What do the citizens want from us versus what do we want from us? Christopher asked

about polling the citizens. We can't have the city send out an email to its citizens. We have been using the city newsletter.

Councilman Maughan said he has defended us. Recently he talked about SCAC partnering with the city and was asked several times by at least one councilmember if this is a body that is being exclusionary or if it's a body that can be supported. He has to fight very seriously for the arts and promote its benefits and is concerned about our public image and the future of SCAC with the city. He thinks we can try to make it easier or harder for him. LeAnna asked what we can do to make it easier and that our efforts have backfired. We need to look for consistent issues we are being challenged on. It is unbelievable what is being thrown out there. One thing that has been a big change, is that more decisions are being made in subcommittees. The first year or two all of these discussions were being held by the board. Now, in the last two years more decisions are being made in smaller groups and it's not on the record. Because some people don't know about it they feel excluded from the conversation. In city council some of the feeling is... 'do we even need an arts council anymore?' He's not bringing this up to make us mad, but for us.

LeAnna suggest until tonight we haven't known about this perception and questions how we are to defend ourselves. LeAnna feels that the crowd at the fundraiser shows how much the public supports us. Five former board members have emailed with their concerns.

What else can we do as we go forward to help change perceptions. Councilman Maughan suggests we make as many debatable in the public meeting so that there is proof we are having discussion in public meetings. Bring it up and make it happen here. LeAnna wonders if we should disband committees. Those people want to have more influence. Invite them to positions on the board. Or they can come to the meetings and give public meeting. It would be wonderful to have public input on the season. Get public to come to the meeting. It becomes part of the record. When we meet at someone's house and meet for two hours. When we say the committee says they feel strongly about something, then it comes across that the committee influenced our board too much.

James suggested that we have a business meeting, but when we talk about choosing our season we send the invite to our mailing list and Facebook groups and invite them to come and give their input. It could be the normal meeting. We put less on our agenda and that agenda item becomes a public hearing and everyone gives their opinion for so many minutes. Everyone can talk once and then the board could debate what is given. We could have a public hearing about our entire season once a year. If the public doesn't come, we have had the meeting and invited people to come. It is really hard to defend us when the majority of the discussion didn't happen in a public meeting. We could have a special meeting to discuss how to proceed. There are lots of ways to do this, but having debate in public alleviates a lot of people's concern about backroom deals being made.

Comment was made that there hasn't been as much concern with public perception regarding the choir and orchestra. These are not auditioned groups right now though that may change in the future, the nature of these groups is not as problematic. We have not picked the exact songs for the concerts, but we have approved the theme and approved the songs chosen. Theatre doesn't perform as often.

LeAnna asks, what do we do when we have a show and no volunteers. James suggests that there are people in the community who would help and would volunteer who don't feel welcome. It was discussed that the director for the Jr. shows be approved by the board. Brie mentioned that this year there were actually several people who applied and they had picked a director who was known to SCAC and an assistant director who had less experience. James felt this was good. Involving new people will help with public perception. Usually we don't have enough people apply. Some people choose not to participate because we don't pay and that's fine.

Clarification was made that James is a concerned guest, not on the board anymore.

~ Kresta Robinson, Vice-Chair (not present, excused-on vacation)

~ **Dave Maughan, City Liaison**

No report made

~ **Libby Fawcett, Treasurer**

We made about \$400 on the fundraising concert. LeAnna invited the food trucks to donate money, but it wasn't a requirement. Many donated. LeAnna will get the budget papers ready for September.

James sent receipts via email to Libby. She will check her email for them as she doesn't recall reading the email. She will find it and pay him.

~ **Cindy Hellewell, Secretary**

Turn in volunteer hours by the end of August so we can wrap up volunteer hours for this fiscal year.

~ **Christopher Weaver, Orchestra Committee Chair**

Doesn't have anything

~ **Russ Lynch, Publicity Committee Chair**

We don't have a season and we've missed the deadline to publish anything next month. Do we need a motion to involve the public in October? We could decide that from now on our seasons will include a public meeting. It's a great best practice because it makes it very defensible that we are welcome to the public input. Under a normal calendar we would want the public hearing in May, but October is fine this year. Tara is concerned we don't have anything to discuss in October. We could have general input for our goals and what the public would like to see performed.

~ **Sheila Worley, Fundraising Committee Chair**

Sheila has nothing to report. She wanted to work on a fundraiser with pizza night, but since we were advertising the concert as a fundraiser she didn't want to throw another one on top of it.

~ **LeAnna Hamblin, Theater Committee Chair**

Nothing to report

~ **Brie Corrington, Junior Theater Committee Chair**

Brie asked about the need to re-address the decision to cancel 'Matilda Jr.' in an open meeting. We can't do it tonight, because it's not on the agenda. It was decided that it could be addressed in a future meeting regarding the upcoming season and it doesn't need to be done separately.

Brie reminded us that people know we are on this board. When we comment on how other theatres are doing things, they recognize that we are on the board and we need to remember that we are public figures and should be careful with what we say.

~ **Nathan Fawcett, Choir Committee Chair**

Not present. It was decided that he has abandoned his post. In the future our revised bylaws will make this process easier. This position is currently vacant. We could advertise that we have two open board positions. The preferred path is to say what the openings are. Tara would like to hold off on that till September when we have our new elections. Councilman Maughan concurred.

~ **Candice Dallin, Grants Chair**

Not able to make it. Tara reported that the grant report due at the end of the month and they are working to get it submitted.

Councilman Maughan reiterated that he brought the public perception issues forward to make us aware, not to offend. He doesn't intend to hurt our feelings and would like our help with the problem.

7. Adjournment

Russ moved to adjourn the meeting. Brie seconded. Meeting adjourned at 10:22pm.

Visitors Present:

James Hansen, Syracuse

Action Items:

Everyone: Look at ways to change our public perception. Turn in volunteer hours.

Councilman Maughan: Check with the city about our emails not going through to city email addresses.

Russ: Schedule another bylaw committee meeting

Tara & Candice: Continue to work on the grant report

Minutes Approved by the Board: 9-9-2020

Cindy Hellewell, Syracuse City Arts Council Secretary
Tara Wilson, Syracuse City Arts Council Chair