

**TAYLORSVILLE CITY COUNCIL  
AGENDA ITEM SUMMARY**

**MEETING DATE:** July 17, 2013

**AGENDA ITEM:** Ordinance No. 13-15 – An Ordinance Amending Chapter 2.12 of the Administrative Code by Amending Section 2.12.035: Policy for Approval of Minutes

**PUBLIC HEARING REQUIRED – YES** \_\_\_\_\_ **NO** **X** \_\_\_\_\_

**RESOLUTION/ORDINANCE REQUIRED**

**ORDINANCE** **X** \_\_\_\_\_ **RESOLUTION** \_\_\_\_\_ **NONE** \_\_\_\_\_

**PRESENTER:** John Brems

**ISSUE SUMMARY:** This ordinance simply represents a housekeeping amendment to City Code in order to adhere to recent legislation that has changed requirements for making pending minutes available to the public and posting approved minutes to the State Public Notice Website.

**STAFF RECOMMENDATION:** Consider Ordinance 13-15

**CITY ATTORNEY (Approved as to form):**

**ACTION REQUIRED:** Consider Adoption of Ordinance 13-15

**ATTACHMENTS:** Ordinance 13-15

**TAYLORSVILLE, UTAH**  
**ORDINANCE NO. 13-15**

**AN ORDINANCE AMENDING CHAPTER 2.12 OF THE ADMINISTRATIVE CODE BY  
AMENDING SECTION 2.12.035: POLICY FOR APPROVAL OF MINUTES**

**WHEREAS**, the City Council (the “Council”) met in regular meeting on July 17, 2013, to consider, among other things, amending Chapter 2.12 of the administrative Code by amending Section 2.12.035: Policy for Approval of Minutes; and

**WHEREAS**, in the 2013 general session, S.B. 77 modified the Open and Public Meeting Act and the Government Records Access and Management Act by amending provisions relating to minutes and recording of an open meeting; and

**WHEREAS**, the Council, by this Ordinance, intends to comply with the requirements of S.B. 77; and

**WHEREAS**, after careful consideration, the Council finds that it is in the best interest of the health, safety, and welfare of the inhabitants of Taylorsville to amend Chapter 2.12 of the Taylorsville Code of Ordinances by amending Section 2.12.035: Policy for Approval of Minutes.

**NOW, THEREFORE, BE IT ORDAINED** by the Council that the administrative Code of the City is amended by amending Section 2.12.035: Policy for Approval of Minutes and is designated by interlineating the words to be deleted and underlining the words to be added, as follows:

**2.12.035: POLICY FOR APPROVAL OF MINUTES:**

- A. Definitions: All words and phrases shall have the same meaning as those words and phrases as defined in Utah Code Ann. § 52-4-101, Utah Open and Public Meetings Act.
- B. Written meetings shall be kept of all meetings of any public body in the city. The minutes of such meeting shall be kept by the city recorder or meeting clerk, as the case may be, during the course of any public meeting of the public body.
- C. Within a reasonable time following any public meeting, the city recorder or meeting clerk, as the case may be, shall prepare proposed minutes for such meeting and give a copy of the proposed minutes to each member of the public body for review and comment.
- D. ~~Once the proposed minutes have been submitted to members of the public body,~~ ¶The city recorder or meeting clerk, as the case may be, shall ~~within a reasonable time make available to the public the proposed written minutes, which shall clearly be identified as “awaiting formal approval” or “unapproved” or with some other appropriate notice that the proposed minutes are subject to change until formally approved, and they shall become a public document available to any member of the public who request to read or copy the proposed minutes~~

make pending minutes available to the public within 30 days after holding the open meeting that is the subject of the pending minutes. "Pending minutes" means written minutes of an open meeting that have been prepared in draft form and are subject to change before being approved by the public body that held the open meeting.

- E. The public body shall consider the proposed minutes for approval at the first meeting of the public body that immediately follows the city recorder or meeting clerk, as the case may be, submitting the proposed minutes to the members of the public body. The members of the public body shall either approve the proposed minutes as presented or vote to correct and amend the proposed written minutes and then approve the corrected and amended written minutes at that meeting.
- F. If the public body fails to consider proposed minutes, or does not take any action to approve the proposed minutes at the first public meeting held by the public body immediately following the public body's receipt of the proposed minutes from the city recorder or the meeting clerk, as the case may be, the proposed minutes shall be deemed to have been approved by the public body and shall stand as proposed.
- G. Once the proposed minutes have either been approved by the public body, or have been deemed to have been approved by the inaction of the public body, the minutes shall be signed by the city recorder or the meeting clerk, as the case may be, and shall become the official record of the proceedings of the public body ~~and shall be signed by the city recorder or the meeting clerk, as the case may be, and shall be retained in the official records of the city and shall be a public document available for inspection and copying by members of the public as provided under Utah law.~~ Within three business days after approval of the written minutes of an open meeting, the city recorder or meeting clerk, as the case may be, shall post the approved minutes to the Utah State Public Notice Website, and shall make the approved minutes available to the public at the public body's primary office, along with any public materials distributed at the meeting.

This Ordinance, assigned Ordinance No. 13-15, shall take effect as soon as it shall be published or posted as required by law, deposited and recorded in the office of the City Recorder, and accepted as required herein.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**TAYLORSVILLE CITY COUNCIL**

By: \_\_\_\_\_  
Dama Barbour, Chairman

**VOTING:**

Dama Barbour	Yea	___	Nay	___
Ernest Burgess	Yea	___	Nay	___
Brad Christopherson	Yea	___	Nay	___
Larry Johnson	Yea	___	Nay	___
Kristie Overson	Yea	___	Nay	___

**PRESENTED** to Mayor of Taylorsville for his approval this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
**Jerry Rechtenbach, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Cheryl Peacock Cottle, Recorder**

**DEPOSITED** in the Recorder's office this \_\_\_\_ day of \_\_\_\_\_, 2013.

**POSTED** this \_\_\_\_ day of \_\_\_\_\_, 2013.

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