

**MILLVILLE CITY CODE**  
**TITLE 2 - ADMINISTRATION AND PERSONNEL**  
**CHAPTER 2.48 - PUBLIC MEETINGS**

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**2.48.010: DEFINITIONS**

For purposes of this chapter the following definitions shall apply so long as they are consistent with the definitions of the same terms found in the Utah open and public meetings act. If a term is defined differently in the Utah open and public meetings act, the definition found in that act shall apply:

**ANCHOR LOCATION:** The physical location where a public meeting is held and from which the electronic meeting originates or from which the participant(s) is/are connected.

**ELECTRONIC MEETING:** A meeting convened or conducted by means of a telephonic, telecommunications or computer conference.

**CONVENING:** The calling of a meeting of a public body by a person authorized to do so for the express purpose of discussing or acting upon a subject over which that public body has jurisdiction or advisory power.

**MEETING:** The convening of a public body, with a quorum present, including a workshop or an executive session whether the meeting is held in person or by means of electronic communications, for the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the public body has jurisdiction or advisory power.

"Meeting" does not mean:

- A. A chance meeting;

- B. A social meeting; or
- C. The convening of a public body that has both legislative and executive responsibilities where no public funds are appropriated for expenditure during the time the public body is convened and:
  - 1. The public body is convened solely for the discussion or implementation of administrative or operational matters for which no formal action by the public body is required; or
  - 2. The public body is convened solely for the discussion or implementation of discussion or action.

MEETING CLERK: The city recorder or town clerk (or their acting deputies) for a city or town council, or shall mean the person assigned by a public body, other than a city or town council, to record and to take the written minutes of a meeting of a public body of Millville City.

MINUTES OF A MEETING: A written record of the meeting that shall include:

- A. The date, time, and place of the meeting;
- B. The names of members present and absent;
- C. The substance of all matters proposed, discussed, or decided by the public body which may include a summary of comments made by members of the public body;
- D. A record, by individual member, of each vote taken by the public body;
- E. The name of each person who:
  - 1. Is not a member of the public body; and
  - 2. After being recognized by the presiding member of the public body, provided testimony or comments to the public body;
- F. The substance, in brief, of the testimony or comments provided by the public; and
- G. Any other information that is a record of the proceedings of the meeting that any member requests be entered in the minutes or recording.

PROPOSED MINUTES: The written minutes prepared by the meeting clerk that have been given to the members of a public body for their review and approval.

PUBLIC BODY: Any administrative, advisory, executive, or legislative body of this municipality that:

- A. Is created by the Utah constitution, statute, rule, ordinance, or resolution;
- B. Consists of two (2) or more persons;
- C. Expends, disburses, or is supported in whole or in part by tax revenue; and
- D. Is vested with the authority to make decisions regarding the public's business. (Ord. 2018-12, 2018: Ord. 2009-5 § 1, 2009)

## **2.48.020: POLICY FOR APPROVAL OF MINUTES**

The following shall be the policy and procedure for the approval of minutes for this Millville City:

- A. Written minutes shall be taken for all public meetings of any public body of this Millville City. The minutes of all public meetings of any public body of this Millville City shall be recorded and taken down by the meeting clerk during the course of any public meeting of the public body.
- B. Within thirty (30) days from the end of the meeting, the meeting clerk shall prepare proposed minutes for the meeting and give a copy of the proposed minutes to each member of the public body for his or her review and comments.
- C. Once the proposed minutes have been given to the members of the public body, the meeting clerk shall immediately make available to the public the proposed written minutes, which shall be clearly identified as "draft" 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 requests to read or copy the proposed minutes.
- D. The public body shall consider the proposed minutes for approval at the first meeting of the public body that immediately follows the meeting clerk giving the proposed minutes to the members of the public body. The members of the public body shall either approve the proposed written 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.
- E. If the public body fails to consider the 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 meeting clerk, the proposed minutes shall be deemed to have been approved by the public body and will stand as proposed.

- F. 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, they shall become the official record of the proceedings of the public body and shall be signed by the clerk of the meeting and shall be retained in the official records of this municipality and shall be a public document available for the inspection and copying by members of the public as appropriate under Utah law. (Ord. 2018-12, 2018: 2009-5 § 2, 2009)

## **2.48.025: ELECTRONIC MEETINGS**

The City Council may conduct electronic meetings where one (1) or more of its members or the clerk participates by means of a telephonic or telecommunications conference.

- A. Members so participating shall be considered present at the meeting for all purposes and shall be afforded every opportunity to participate in the discussion of the items on the agenda and cast their vote on issues coming to the Council for a vote.
- B. No council meeting may be held electronically unless at least two (2) councilmembers are present at the anchor location. The meeting shall be conducted from the anchor location by the Mayor. However, if the Mayor is not present at the anchor location, the Mayor Pro Tem shall conduct the electronic meeting. If neither the Mayor nor the Mayor Pro Tem is present at the anchor location, the City Council shall select from its membership at the anchor location a Mayor Pro Tem for the sole purpose of conducting the electronic meeting.
- C. Immediately prior to opening the meeting, the presiding officer shall communicate with the person who is participating electronically and ensure that he or she is prepared to go forward. From that time forward until the adjournment of the meeting, the communication line shall be kept open, unless the councilmember participating electronically wishes to withdraw from the meeting.
- D. If a City councilmember who participates electronically withdraws from the meeting, the rest of the meeting agenda may be completed provided there is still a quorum of the City Council present at the anchor location or there are sufficient other City councilmembers participating electronically to comprise a quorum with those at the anchor location.
- E. The public may attend the meeting at the anchor location and may participate in all public hearings to the same extent normally allowed. (Ord. 2018-12, 2018)

## **2.48.030: POLICY AND PROCEDURES**

Additional rules of policy and procedures may be adopted by resolution as deemed necessary.  
(Ord. 2011-5, 2011)