

Bluff Town Council Special Meeting with Chris McAnany  
February 12, 2020  
Bluff Community Center at 1:30 p.m.  
190 N 3<sup>rd</sup> East P.O. Box 324  
Bluff UT 84512  
435-672-9990

Regular meetings are held the first three Tuesdays of every month at 6:00 p.m. at the Bluff Community Center. Requests to be on the agenda may be submitted in writing to Ann Leppanen (ann@townofbluff.org) at least 4 days before the meeting. Agendas and minutes are posted at:  
townofbluff.org and audio, in addition, at the Utah Public Notice Website

### Draft Minutes

The meeting started at 1.37 p.m.

Roll Call Mayor Ann K. Leppanen, Luanne Hook, Brant Murray, Jim Sayers, and Linda Sosa, with Chris McAnany, legal counsel

#### 1. GRAMA Requests in General and Specifically, Planning and Zoning Records; How P and Z Retains Records (Sosa)

Sosa asked for basic information about storing information and correspondence for the Town, P&Z, individuals working on projects, and others. McAnany started with new files for P&Z applications. Each new application should be in a dedicated file that keeps the entirety of the record together including applications, ordinances, comments, staff reports, etc. Audio recordings may be part of the file, emails may be included or can be accessed from Google-Suite. Town records need to be kept in house. For a GRAMA request the Council decides how to classify it. GRAMA requests are sometimes precursors to lawsuits. Large or complex requests can be asked to be more specific. Leppanen suggested saving draft copies and McAnany pointed out that comments on drafts are subject to GRAMA and can look like collaboration or a meeting. No kind of deliberation or action should happen outside of a meeting. For instance, a comment like, I would not vote for this if this if it is included, written as a comment and outside of a meeting could be challenged and overturned in a court case. The Council agreed and has practiced not making comments in P&Z meetings, so as not to undermine their decisions and processes. Robin Cantrell will be working on the transfer of information between the entities.

#### 2. Business License Applications, Ordinance for Business License Application, and Discussion of Setting Fee

Business licenses need to be ordinances, which the Council has done, and their objective is public health, welfare, and safety. McAnany explained these can be a minimum level of oversight or be more involved with things like looking at code. P&Z would check to make sure businesses are in the correct zone. McAnany will work on our business license ordinance and give us input.

Land use ordinances must come to P&Z before the Council, who may accept, modify or deny their recommendations. McAnany suggested if a big difference is apparent between the entities a joint session would be helpful to understand both sides and find

compromise. Some issues are not land use, like animal control. Murray would like a walkable town and feels things like no drive thru businesses promote that.

Break – 2:37p.m.

Resume – 2.47p.m.

### 3. General Workshop

Hook asked for input about the difference between hiring as an employee or a private contractor. The Council has leeway, employees have worker's comp. and all wage laws must be followed. McAnany suggested hire for the task, do not create risk, and make sure the terms are clear. A transcriber could be either an employee or contractor. Confirm official decisions in writing so everything is trackable. Approve by resolution where needed.

McAnany noted the importance of codifying financial procedures such as how many signatures on checks, where are specific things kept, etc. It makes it easier for future councils. He clarified that the Other category on agendas is discretionary, issues we can mention but take no action on.

Break – 3:15 p.m.

Resume – 3:27 p.m.

### 4. Executive Session to Discuss the Purchase, Exchange, or Lease of Real Property and to Discuss Pending or Reasonably Imminent Litigation

At 3:27 p.m. Sayers motioned that the Council go into Executive Session to discuss the purchase, exchange, or lease of real property and to discuss pending or reasonably imminent litigation, Murray seconded and Leppanen, Hook, Sosa, Murray, and Sayers voted in favor.

At 4:00 p.m. Murray motioned to close the Executive Session and resume the regular meeting, Sayers seconded and Leppanen, Sayers, Murray, Hook, and Sosa voted in favor.

Adjourned at 4:02 p.m.

Linda Sosa Recording Officer