

1 **PROVIIDENCE CITY COUNCIL MEETING MINUTES**

2 Providence City Office Building, 164 North Gateway Drive, Providence UT 84332

3 July 25, 2017 6:00 p.m.

6 **Call to Order:** Mayor Calderwood

7 **Attendance:** Kirk Allen, Dennis Giles, John Drew, Roy Sneddon, Jeff Baldwin

8 **Absent:** None

9 **Excused:** None

11 Meeting began at 6:00 pm

13 Mayor Calderwood led in the Pledge of Allegiance.

15 **Public Comments:** Citizens may appear before the Council to express their views on issues within the City's  
16 jurisdiction. Comments will be addressed to the City Council. Remarks are limited to 3 minutes per person. The  
17 total time allotted to public comment is 15 minutes. The City Council may act on an item, if it arose subsequent to  
18 the posting of this agenda and the City Council determines that an emergency exists.

20 **Laura Fisher** – Her understanding is that the City Council may elect a Mayor Pro Tempore if the Mayor is unable to  
21 attend one or more meetings. She has never heard of a Mayor Pro Tempore to have any other responsibilities. She  
22 was surprised that two members of the City Council feel it important to change the Mayor Pro Tempore that they  
23 approved, and who has done nothing wrong, that they are aware of, to shake their confidence in him. The current  
24 Mayor Pro Tempe and one other City Council Member are Mayoral candidates in the upcoming election. It  
25 occurred to her that the two Council Members who called this special meeting may wish for their preferred  
26 candidate to be the designated Mayor Pro Tempore, in order to increase his chances of being elected. Apparently  
27 the only actual reason for changing the Mayor Pro Tem at this time is political and is aimed at the hope of  
28 influencing the upcoming election. Should the City Council really be used for political purposes? Are those that  
29 called this special meeting really thinking of the best interests of this city and its people? Setting the City Council  
30 meeting agenda has historically been the prerogative of the Mayor. Now suddenly our legislative body wants some  
31 of the administrations powers reassigned to the legislative body, but why? We prefer to leave the legislatures in  
32 charge of making and changing ordinances as needed, and to leave the administrative duties to the administrative  
33 branch. If this is to be changed, those that want the change should convince the voters that it is a good idea, we  
34 are not convinced. Do we need a public hearing on this matter? Was there some reason for such haste in  
35 attempting such a change? Shouldn't we know a little more about it before such decisions are made? The last time  
36 we had to struggle with whether or not to reassign Mayoral duties was in the recent vote on the recent City  
37 Manager Initiative, it lost on the ballot two votes to one because voter in the Mayor and voter reluctance to  
38 weaken the Mayor's position in our municipal government.

40 **Jan Arnell** – It would be really sad to push this agenda item past the primary election. She also wanted to thank  
41 and give appreciation to whomever was in charge of the flags around the round-a-bout, because it was beautiful.

43 **Chad Checketts** – He would like to encourage the City Council to vote on the Mayor Pro Tempore. He felt very  
44 strongly that the Mayor would not table to ignore something that was brought up by the Council and to stop a  
45 vote from happening that has traditionally happened. In the past the Mayor Pro Tempore has been talked about  
46 by the Council and the Council has voted on the decision. He again encouraged the Council to vote on a Mayor Pro  
47 Tempore.

49 **Todd Hendricks** – He agreed with Chad Checketts that the Council should vote on a Mayor Pro Tempore. He  
50 believes that when the Council Members want to have an agenda item added that it should be added and that we  
51 should all be heard.

53 **Kristina Eck** – She doesn't understand why the Mayor wouldn't put the agenda item on the City Council meeting  
54 agenda. She has heard because it is a political decision but she pointed out that that goes both ways. She is  
55 disheartened and although she doesn't have proof, she believes that the Mayor has employed attorneys' for

1 advice. She is wondering how much this will cost the city, and why it couldn't have been resolved through  
2 communication.

3  
4 **Public Comments are closed.**

5  
6 **Business Items:**

7 **Item No. 1. Election of Mayor Pro Tempore.** The Providence City Council will elect a mayor pro tempore.

8  
9 **Motion to elect Mayor Pro Tempore made by J Baldwin, seconded by D Giles.**

10  
11 Mayor Calderwood pointed out the City Council doesn't need a reason to change the Mayor Pro Tem, they have the  
12 right to elect a Mayor Pro Tempore from meeting to meeting or month to month if they decide to do so.

13 R Sneddon disagreed with the Mayor that the City Council should have a reason for electing a Mayor Pro Tem, the  
14 reasons are: A. Mayor is sick, B. Mayor is unable C. Mayor refuses.

15 Mayor Calderwood responded that the City Council has the right to elect a Mayor Pro Tem, whether they have a  
16 reason to do so, they always have the right.

17 R Sneddon suggested a different way of going about the election of a Mayor Pro Tem. In the instance that the  
18 Mayor is sick and cannot attend the meeting, who ever is voted as the Mayor Pro Tem for that particular meeting,  
19 goes back to their normal position unless the Mayor is unable to attend the next meeting.

20 K Allen responded that the way he interrupted the code is that once a Mayor Pro Tem is elected he stays elected  
21 until the Council elects another Councilman.

22 J Baldwin responded that he agreed with K Allen, that once a Mayor Pro Tem is elected, he stays until the Council  
23 decides otherwise.

24 R Sneddon responded that we wishes the Council to be wise and to go about this in the right way, he believes there  
25 doesn't need to be a Mayor Pro Tempore. He suggested the Council take a rigorous approach and say that K Allen is  
26 no longer the Mayor Pro Tempore, and that the City doesn't need another one unless the Mayor isn't able to fulfill  
27 his responsibilities.

28 K Allen responded that he disagrees that if a Mayor Pro Tem is needed that he should stay elected so that he will be  
29 ready when he is needed.

30 R Sneddon responded that he is trying to save Providence City from further embarrassment.

31 J Baldwin pointed out that there have been a few times when the Mayor has not been able to make it to the City  
32 Council meetings, and he believes it is easier to have a Mayor Pro Tem ready to step in, in case the Mayor is unable  
33 to attend the meeting.

34 D Giles read from the Providence City Code 1.6.5. which discusses the possibility of a Mayor Pro Tempore and why  
35 a Mayor Pro Tempore can be elected.

36 K Allen wondered if there are other cities that elect a Mayor Pro Tem every time the need arises for a Mayor Pro  
37 Tem.

38 J Drew discussed the ease of having a Mayor Pro Tempore already put in place in case anything happens to the  
39 Mayor and he is unable to make it to a meeting or is sick. He also discussed the historical background, ever since J  
40 Drew was elected to the City Council 8 years ago, he has been to nearly every City Council and Planning  
41 Commission meeting. Historically every year the Council would elect a new Mayor Pro Tempore. The Council has  
42 agreed to give experience to every City Council Member so they would be prepared if they needed to serve has  
43 Mayor Pro Tem. The other tradition was that the Mayor Pro Tem was a senior Councilman. That tradition was  
44 broken last year when Mayor Calderwood asked K Allen to serve as the Mayor Pro Tem, even though he was a new  
45 councilman. He also believes that the Council agenda is a legislative agenda, if a Council member requests that an  
46 item be on the agenda, he believes that item should be added to the agenda. He also questioned why politics are  
47 being brought into the decision. He doesn't believe that if he is chosen to serve as the Mayor Pro Tem for the  
48 remaining 5 months of the year that he will be better off than if Councilman Allen is chosen to continue as the  
49 Mayor Pro Tem for the remainder of the year.

50 Mayor Calderwood noted that when he was elected as Mayor, Councilman Bagley was the Mayor Pro Tem, and he  
51 served for 2 years until he left the Council, and then Mayor Calderwood recommended to the Council that Kirk  
52 Allen be elected as the Mayor Pro Tem.

53 Mayor Calderwood also noted that he received an email from J Baldwin, he interpreted the email to say that if a  
54 Councilman is running for office then he shouldn't be elected Mayor Pro Tem.

55 K Allen expressed his feelings that he doesn't believe he has an advantage in the upcoming election because he has

1 served as the Mayor Pro Tem, and he stated that he hasn't been treated differently or paid more money to serve as  
2 the Mayor Pro Tem. He was bothered that none of the Councilman approached him to discuss the change. He  
3 wouldn't have been bothered if someone approached him to discuss someone else taking over the position of  
4 Mayor Pro Tem.

5 J Baldwin stated that he asked the Mayor to add this item to the agenda, not because he is supporting one  
6 candidate over another, but he felt that the Council should have a conversation about who should be the Mayor  
7 Pro Tem. He felt like the way it was handled, by the discussion not being added to the agenda, pushed the  
8 discussion and people's feelings into a direction he never meant for it to go. He merely wanted the Council to have  
9 a discussion about the possibility of someone else serving as the Mayor Pro Tem to gain more experience in the  
10 position.

11  
12 **Nomination to elect John Drew as the Mayor Pro Tempore by J Baldwin, seconded by D Giles.**

13  
14 **Vote**

15 **Yea: J Baldwin, K Allen, J Drew, D Giles**

16 **Nay: R Sneddon**

17  
18 **Item No.2. Resolution 035-2017 Providence City Council Bylaws – Amendment:** The Providence City Council will  
19 consider for adoption a resolution amending the Providence City Council Bylaws by adding 5.9 Agenda Items. Any  
20 two members of the council can request, that an item will be added to an upcoming council meeting agenda as  
21 long as adequate notice is given to the City Recorder in accordance with State Code.

22  
23 **Motion to approve Resolution 035-2017 Providence City Council Bylaws – Amendment, made by J Drew,**  
24 **seconded by R Sneddon.**

25  
26 R Sneddon wanted to point out that this is not a big change in the bylaws.

27 K Allen discussed the tradition of two Council members requesting an item to be added to the agenda, and if the  
28 Mayor refused then the Councilmen could call for a special meeting.

29 J Drew stated that although the city has had the tradition that two Councilmen can request an item to be added to  
30 the agenda. This change in the bylaws would formalize the change.

31  
32 **Vote**

33 **Yea: J Baldwin, R Sneddon, J Drew, D Giles**

34 **Nay: K Allen**

35  
36 **Motion to close Council Meeting on July 25, 2017 made by J Drew, seconded by J Baldwin.**

37  
38 **Vote**

39 **Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon**

40 **Nay: None**

41  
42 **Executive Session Notice:**

43 The Providence City Council may enter into a closed session to discuss pending or reasonably imminent litigation as  
44 allowed by Utah Code 52-4-205(1)(c).

45 The Providence City Council may enter into a closed session to discuss professional competence or other factors  
46 allowed by Utah Code 52-4-205(1)(a).

47 The Providence City Council may enter into a closed session to discuss land acquisition or the sale of real property  
48 Utah Code 52-4-205(1)(d) and (e).

49  
50 Minutes prepared by K Soelberg.

51  
52  
53 **Minutes approved 08/08/2017**