

**Pleasant Grove City Council Work Session Minutes
November 10, 2009
7:00 p.m.**

PRESENT:

Mayor:

Michael W. Daniels

City Council Members:

Mark K. Atwood

Bruce Call

Lee G. Jensen

Jeffrey D. Wilson

Excused:

Cindy Boyd, City Council Member

City Recorder:

Kathy T. Kresser, City Recorder

Colleen A. Mulvey, Deputy Recorder

Others:

Frank Mills, City Administrator

Gary Clay, Finance Director

Tina Petersen, City Attorney

Ken Young, Comm. Dev. Director

Richard Bradford, Economic Dev. Director

Deon Giles, Leis. Services Director

Lynn Walker, Public Works Director

Marc Sanderson, Fire Chief

Tom Paul, Police Chief

Libby Flegal, NAB Chair

The City Council Members and staff met in the City Council Chambers at 86 East 100 South, Pleasant Grove, Utah 84062 at 6:00 p.m.

1. Call to Order

Mayor Daniels called roll for the Council and noted that Council Members Atwood, Call, Jensen and Wilson were present. Council Member Boyd was excused.

2. Approval of Meeting's Agenda

Mayor Daniels remarked that this evening's agenda is very short and asked if there were any changes to the agenda. In that there were none, the Mayor asked for a motion to approve.

ACTION: Council Member Call moved to approve the agenda. Council Member Atwood seconded and the motion passed unanimously with Council Members Atwood, Call, Jensen and Wilson voting, "Aye."

3. To consider a Resolution (2009-042) authorizing the Mayor and Municipal Council sitting as the Board of Canvassers to accept the election returns and declaring and certifying the results of the Municipal General Election held on November 3, 2009

City Recorder Kresser stated that pursuant to Section 20A-4-301 of the Utah State Code, the Municipal Council and Mayor constitute the Board of Municipal Canvassers for Pleasant Grove City and do hereby canvass the returns of the November 10, 2009 General Election.

Mayor Daniels asked who can participate in this process. Recorder Kresser stated that she had checked with the County Election Official, Scott Hogenesen and he suggested that anyone who is on the ballot for this election not be part of the verification process.

Recorder Kresser passed out to Mayor Daniels, Council Member Atwood and Deputy Recorder Mulvey the tally sheets from each of the precincts in order to have them certify the total votes cast. Each precinct list was received and verified by the Mayor, Council Member Atwood, Deputy Recorder Mulvey and City Recorder Kresser, there were no discrepancies.

Recorder Kresser next explained that there were several Absentee Ballots rejected and not counted by poll workers on election day due to the fact that there was no application inside the Absentee Ballot envelope, these voters were verified through the County Elections office as being valid registered absentee voters, so these ballots are eligible to be counted. The totals from these Absentee Ballots added four (4) additional votes for Bruce Call, one (1) additional vote for Jeffrey D. Wilson, four (4) additional votes for Laurel Backman-Riddle, three (3) additional votes for Lee G. Jensen, and three (3) additional votes for Kimberly Robinson.

The total for the official count on the election returns is as follows:

Bruce Call	2,306
Jeffrey D. Wilson	1,590
Laurel Backman-Riddle	1,691
Milton Fugal	1,895
Lee G, Jensen	1,895
Kimberly Robinson	2,135

Mayor Daniels stated that we have an exact tie between two candidates, Milton Fugal and Lee Jensen. The Mayor then asked for a motion to approve Resolution 2009-042 to authorize the Board of Canvassers to accept the election returns for Mayor and for one of the City Council seats, the second City Council seat is undecided at this time because it is a tie.

ACTION: Council Member Atwood all moved to approve Resolution 2009-042, authorizing the Mayor and Municipal Council sitting as the Board of Canvassers to accept the election returns and declaring and certifying the results of the Municipal General Election held on November 3, 2009. Council Member Call seconded and the motion passed unanimously with Council Members Atwood, Call, Jensen and Wilson voting, "Aye."

Mayor Daniels explained that in a case of a tie, we will absolutely have a recount and it will be handled by our Recorder's office. That recount will be advertised and scheduled and take place when the Council can be present to canvass those results immediately after that count takes place.

Council Member Call asked when this recount can take place. Recorder Kresser stated that she will have to check with all of the Council Members to ensure that there can be a quorum present to canvass the results. Attorney Petersen stated that the statute requires that the Board of Canvassers meet in their normal meeting place.

Mayor Daniels asked if we knew how long it would take to conduct the recount and are we allowed to bring in poll workers to assist us. Recorder Kresser stated that she did not know how long it will take but that we can use poll workers to help us.

It was decided that the recount would take place next Tuesday, November 17th, and the canvass of the results would take place at the scheduled City Council meeting that evening as the first item on the agenda.

Mayor Daniels asked if there was any further discussion on this item, there was none.

Mayor Daniels asked the Council to review the package with the information for next week's agenda items and to direct any questions to staff before then, particularly on the item which is a public hearing for updating the ordinance to allow substance abuse facilities as a conditional use.

Mayor Daniels mentioned that this Thursday, the interviews for the three final applicants for the City Administrator position are scheduled.

The Mayor asked if there was any other business to discuss, in that nothing else was mentioned, the Mayor asked for a motion to adjourn.

ACTION: At 7:22 p.m. Council Member Jensen moved to adjourn the meeting. Council Member Atwood seconded and the motion passed unanimously with Council Members Atwood, Call, Jensen and Wilson voting, "Aye."

4. Adjourn

Meeting adjourned at 7:22 p.m.

This certifies that the Work Session Minutes of November 10, 2009 are a true, full and correct copy as approved by the City Council on January 19, 2010.

Colleen A Mulvey, Deputy City Recorder