

Approved

**MINUTES OF A WORK MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON APRIL 15, 2020 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH AND ONLINE AS A ZOOM MEETING. THE MEETING BEGAN AT 6:00 P.M.**

**Mayor and Council Members Present:**

Mayor Brent Marshall  
Jewel Allen, arrived at 6:13 pm  
Jeff Hutchins, participated on Zoom  
Darrin Rowberry  
Krista Sparks  
Scott Stice

**Appointed Officers and Employees Present:**

Christine Webb, City Recorder  
Brett Coombs, City Attorney  
Jesse Wilson, HR  
Corinna Mathis, Deputy City Recorder

**Citizens and Guests Present:**

Rob Patterson  
Adam Long  
Lori Colson  
Neil Critchlow

**AGENDA:**

**1. Duties of City Council Members Training.**

Rob Patterson presented information on Utah law and municipal ordinances that govern city governments. Utah Code Title 10, Chapter 3b defines the forms of government. He explained when it comes to a city; there are several forms of government. There is a council form of government. In this form, there are five or six members of a council, one of which is a mayor who has certain rights but somewhat limited powers. Another form of council government is called the “Strong Mayor Form”. It is a lot like the federal or state government with an executive branch, who runs the administration of the government. In addition, you have the separate branch, the legislative or the council, who does all of the ordinances and sets up the basic rules. Mr. Patterson commented that he was told Grantsville runs under a Strong Mayor Form of Government. He explained that even with this form, the council sets the rules (they adopt the budget and define what departments exist) and the mayor implements them.

Mr. Patterson stated there are some specific guidelines set out in the Utah Code for who controls what. He explained the council sets the overarching policies, goals, and rules for the city and the

mayor is the one who carries them out. The mayor is the one who is checking up on things. He gets the city from point A to point B and the council determines where point A and point B are. The city administrator or manager and department heads work with the mayor to keep everything running and moving forward.

Mr. Patterson compared the “Weak Mayor” and the “Strong Mayor” council forms of government. He shared, “The council may not direct or request, other than in writing the appointment of a person to or the removal of a person from executive municipal office” from Utah Code. He explained that the council can only submit a letter to the mayor saying they would like them to do this. The council may not interfere in any way with the executive officer’s performance of the officer’s duties. Administration, under the Strong Mayor form of government is delegated entirely to the mayor. The council cannot interfere with the mayor’s requests or decisions. The council may not publicly or privately give orders to a subordinate of the mayor.

Councilwoman Allen arrived at this point in the meeting.

Mr. Patterson pointed out the council adopts the budget. He said if there is a specific project they want to carry out, they can assign funds for it. As an example, he used a road project and asked who gets to authorize it and who determines the priority of specific roads to be improved. The council will adopt the budget for projects and approves bonds if necessary. At the high level, it is the council deciding which projects get done by how much money they want to allocate for them. After that, it is up to the mayor to carry them out.

Mr. Patterson moved to how employment matters work. Under the Strong Mayor form, the council adopts a framework for the administration of the city. It creates the different departments and puts a department head over each of them, but then the mayor carries out those ordinances. He appoints, with the advice and consent of the council, the department heads. The mayor is the one who gives direction to the department heads and then on to the employees. The mayor carries out firing, hiring, and disciplining employees. The council adopts the personnel policies. The council’s job is to set a high-level framework of how everything runs and then turn it over to the mayor to implement.

The next point covered was how to get along with conflict. Mr. Patterson commented there is no real way to avoid conflict because the mayor and city council are elected to represent the interests of their constituents. The policy goals and ideas each one has do not always line up with each other. He felt the debate is healthy and necessary for a well-functioning city, however, you don’t want the debate to result in gridlock where nothing gets done. His general tips for getting along with conflict is to first recognize the intent. Sometimes when there is a conflict, it is because there is a different view on how to best serve the community. The next tip is to get involved. Many conflicts stem from a lack of information where one group is operating under certain assumptions or knowledge about how things are, and another group lacks that information so they don’t understand why certain decisions are being made. The third tip for helping to get past conflict is to achieve finality. Mr. Patterson has seen a lot of city councils where contention arises because there are contentious issues. And rather than make a final

decision, the issue gets continued for a month, so the conflict stew. When it comes back there is still contention over it and there is no finality reached because they feel everyone has to be onboard, which continues to cause conflict. The final tip is to proactively clarify the rules. Mr. Patterson stated cities will have traditions on how they carry things out. For smaller communities, the council will take on administrative work by helping out, run things, or coordinate between a district and the council. It is often not clear whether that is an official thing and no one is sure if that is what is supposed to be happening. He recommended putting these traditions, or ways things have been done, in writing.

Mr. Patterson talked about ethics. He reported the State Code does not always provide a clear answer to some ethics questions. Cities can adopt ordinances to clarify. He shared part of Robert Frost's poem Mending Wall,

“Before I built a wall I'd ask to know  
What I was walling in or walling out,  
And to whom I was like to give offense.  
Something there is that doesn't love a wall,  
That wants it down.”

He reminded the council that every time you build a wall, or say who can do or who can't do something, it will create conflict. The question is whether it is worth it or not. He stated that the elected officials are the ones who get to figure that out.

Mr. Patterson gave some ideas on how to set the rules in three areas that he often sees come up needing clarification. The first was employment. There are a lot of State and Federal rules about employment and the more clear you are, the easier it is to protect the city. He recommended taking a look at personnel policies to make sure they are up to date. The next area was contracting or purchasing/procurement. The council sets the overall budget, but how do you handle the solicitation (requesting bids, selecting the bids, and who is the committee that reviews the bids). The final topic was the mechanism for setting the rules. You can have the policy documents or you can have them in the ordinance or code. Certain things are regulated through policy, such as personnel policy, rules for order, procedures for meetings, etc. Some things you want in your ordinances or city code, such as purchasing policies, personnel policies relating to departments created, powers and duties, and committees.

Councilman Stice stated this is the second time he has heard this presentation and he had some questions from the first presentation. He asked Mayor Marshall if the council member assignments are official, if they are written down, and is there a policy that covers the assignments. He gave the example that he is assigned to the cemetery and asked if he is over the cemetery or if he is a liaison to the cemetery. Mayor Marshall answered there is nothing written, so Councilman Stice is a liaison to the cemetery. He stated the directors take order from the mayor, but it gives the council a way to communicate with their constituents over certain areas of operation. Councilman Stice said that leads into his next question, which was if he has a question or an issue with the cemetery should he make contact with James or the Mayor. He asked how to address issues like that. Mayor Marshall answered that he would prefer to be

contacted and then he will get with the directors because the council does not know all of the things the directors are working on.

Councilman Stice's next question was about receiving a question from the public. He asked if he should answer the question, refer it to the director over that area, or refer it to the mayor. Mayor Marshall answered that with the cemetery, the Public Works Director is the sexton and he did not have a problem if the director is contacted to get an answer to the question, however, if the council sends an email to the mayor, he will take it to the director and have them respond.

Councilman Stice then inquired about council interaction with city staff. He asked if he had a P & Z question, should he go in and sit down with Kristy, should he email or call her, or should he go through the mayor. Mayor Marshall answered he would prefer they send him an email and he will ask Kristy to answer directly, because the council does not know what she has going on already. Councilwoman Sparks felt that was important because the council does not know what the staff has going on in their day-to-day activities. She commented that staff may feel like the council takes precedence and feel like they have to stop doing what they are doing and it may not be feasible. Councilman Stice asked questions about emails, text messages, and social media posts of council members regarding public records and GRAMA requests. Councilman Stice asked Mr. Patterson if the council members should be careful posting things and interacting with the public concerning city items and what his opinion was. Mr. Patterson answered yes they should be careful, it may be subject to GRAMA and they should all be aware of that and keep it in mind. He commented on the State Retention Schedule and suggested that the city may adopt its own retention schedule that is more specific to address the GRAMA issue. He recommended they share their thoughts on issues, and remind the person, as appropriate, that they cannot speak for the entire city nor can you always dictate how city administration runs.

Mayor Marshall and the Council expressed appreciation to Mr. Patterson for this training.

## **2. Open and Public Meetings Training.**

There was no time for this training. It will be given later.

## **3. Adjourn.**

**Motion:** Councilman Sparks made a motion to adjourn. Councilman Rowberry seconded the motion. The meeting was adjourned at 6:46 p.m.