

Minutes of the **Work Session** of the **City Council** held Tuesday, **June 16, 2015**, at 4:00 p.m. at the Lehi City Administration Building, 153 North 100 East, Lehi, Utah.

Members Present: Bert Wilson, Mayor
Chris Condie, Council Member
Paul Hancock, Council Member
Mark Johnson, Council Member
Johnny Revill, Council Member
Mike Southwick, Council Member

Others Present: Jason Walker, City Administrator; Robert Ranc, Interim Assistant City Administrator; Ryan Wood, City Attorney, Cameron Boyle, Management Analyst; Erin Wells, Management Analyst; Teisha Wilson, Deputy Recorder; and 1 citizen.

1. Welcome and Opening Comment

Mayor Wilson welcomed everyone and noted that all City Councilmembers were present. Councilor Johnson gave the opening comment.

2. Discussion of Council Assignments

Mayor Wilson distributed a list showing various committees in the city. Mr. Walker stated that the items in red are Boards or Commissions that have asked for a staff member or the Mayor to be a part of.

Councilor Condie inquired if the Archives would like to have a Councilmember as part of their Board. Mr. Walker replied that he recommended that to the Archives Board, but that it would be up to them.

Councilor Johnson inquired as to what happened to the list that they had with all the operations of the City that were part of the Resolution. He stated that he currently does not have an assignment. Councilor Southwick stated that he is a member of the Museum Board of Directors. Mayor Wilson stated that Councilor Southwick has worked with the Archives, but it wasn't as a Council assignment. Ryan Wood, City Attorney, stated that he didn't recall assigning Councilmembers to Boards such as the Planning Commission and Board of Adjustment. Councilor Condie remembers discussing Council assignments in January and the decision was to put a hold on assigning Councilmembers to City Boards and Departments to give it some time and see how it goes. He thought the purpose of tonight was to follow up and discuss how things are going and if any changes should be made. Councilor Hancock's recollection is similar to Councilor Condie's and that he thought they would discuss department assignments and not the committees on the list that the Mayor distributed.

Resolution No. 2013-08 was distributed to the Council

Councilor Condie reported that there are a couple of issues that have come up that concern him. One is the water issue of moving from red to yellow and the other is the stop sign that was removed on 2300 West. He feels that there could have been better communication with

the Council regarding these issues. He stated that it would be nice to have a mechanism in place so that the Council is aware of these issues before they get calls from residents. He feels that they are not looking good in front of the residents right now. He would rather be the front facing part of the City rather than staff and he feels like the Council is being more reactionary instead of helping to get information out. Mayor Wilson agreed that the Council should have been given a heads up before the water phase change was announced on Facebook. Councilor Condie stated that he is not wanting to be in charge of a department, but he wants to know if there is a way to be more involved with what's coming out of those departments so that they can be more proactive and recognize issues that may become "hot" items in the community. He would like to get out in front of the public and let the Council be accountable to the public and not have to be reactionary to issues. Mayor Wilson replied that there are some things that can't be predicted.

Mayor Wilson stated that he is not trying to hold items back from the Council, but that it is difficult to determine what information the Council may or may not need to know about. Councilor Condie believes that had he known about the stop sign issue on 2300 West, he could have been a great asset to Wade in communicating with residents. Mayor Wilson stated that they can work on notifying the Council about potential hot issues.

Councilor Southwick stated that this issue comes up with the Council over and over. He said that something comes up that Council wished they had known about sooner. He suggested finding ways to get information to the Council without the Council being over a department.

Councilor Johnson stated that they are beginning to focus on the disbursement of information and that's not the problem. He feels the issue is how the information is managed with the Council and delivered. He stated that when the Council had assignments, no one was concerned about all the Council being notified at the same time. He said what was important was that a Councilmember that was assigned to a department was aware of any issues that came up and could sort through the issues and bring up what was important to the rest of the Council during round-table. He feels that the Council was able to identify issues that may be important to the other Council members and that the Council needs to be involved in different rolls in the City. He stated that it is the Council's roll and responsibility to determine what information and issues should be pushed to the top and what needs attention. He brought up the example of Councilor Southwick communicating with the Archives Committee and noted that he believed it was important for that committee to have an elected official's ear when they were working through some issues. He stated that citizens don't see staff as their representatives because they are not and that the Resolution was meant to preserve what has happened historically. He feels the Council is a representative of the people and that the Council should be involved in the dealings of the City so when things happen, they can determine what's important to bring up to the rest of the Council.

Jason Walker agreed that Councilor Southwick was helpful with resolving the issues with the Archives Committee. He stated he has some serious concerns when staff goes to the Council and circumvents him and he finds out issues after the fact. He stated it's difficult for him to run an organization and hold people accountable when he's not the first person to find out about an issue.

Councilor Condie stated that if a staff member were to come to him with a complaint, then he would direct that person to their department head or Human Resources or tell Jason. He

would like to be a point person in a department so that he is aware of issues, but he does not want to be seen as being in charge. After reading the Resolution, Councilor Condie inquired if the Council really wants to supervise departments. Mr. Wood explained that the Resolution allows the Council to exercise any function, but if the Council chooses to cross over the line of what is considered the Mayor's power, then an ordinance would have to be adopted that requires a unanimous vote of the Council.

Councilor Condie stated that there is a new administration and he wants to figure this out and not bring up this issue over and over again.

Councilor Southwick reported that he is hearing from the Council that generally if they had known about this or done something about this, that it wouldn't have happened, but it still would have happened. He feels that staff can find ways to communicate hot issues to the Council, but stated that there will always be something that happens that no one is going to know if it's a hot issue until it is one. He stated that he doesn't have time to meet with departments on a regular basis.

Councilor Johnson stated that the Council could be better prepared on how to respond to certain issues if they know about the issues beforehand.

Mr. Wood stated that the issue seems to be that staff can improve on identifying what issues will become hot button items, and then the questions becomes how to solve that problem. He suggested giving Mr. Walker a chance to tell staff that it's important to communicate issues with him so that Mr. Walker can in turn communicate those to the Council before the public starts barraging the Council.

Councilor Revill said that when they had the Council liaison positions it seemed to work, but he believes that there could be another way that they can figure out how to make it work so that Council gets the information they want. He feels that the Council can help "sell" the solution to residents rather than saying "I don't know, I'll find out". Council Southwick said that the Council should not be afraid to say "I don't know, but I'll find out", to a resident. He said sometimes they feel like they are supposed to know everything and they can't, and that's okay.

Mr. Wood said that the City is going through some growing pains right now as it grows into a larger city and it becomes more and more difficult to communicate everything that happens to the Council.

Councilor Revill stated that they have had Councilmembers feel like they have to know everything that goes on so that they never have to say "I don't know". He doesn't feel that way, but he would like to have a general idea of what's happening, so that they can be a tool and have everyone on the same page.

Mr. Walker stated that certain things are going to fall through the cracks, but he would like to have the Council give him the chance to be the conduit of information so that he knows what's going on as well. He said that he can do a better job of communicating to staff that they need to inform him of issues that the Council may want to be aware of.

Councilor Condie said it works well when a resident notifies him of a concern that he then sends that resident to Mr. Walker to work out with the department, and then he can follow up with both Mr. Walker and the resident. He can also talk to department heads and understand processes so that he can best inform residents regarding the City's policies and procedures. He said the issue is when staff makes a decision that affects the residents and the Council is not told about it. He said it's not that staff is doing anything wrong, it's just that he would like to be notified beforehand. Mr. Walker said that he prefers he have the chance to work that out the communication with staff.

Councilor Condie said that he would rather be on the front line with issues. Robert Ranc reported that media access can get tricky when things are moving quickly for disseminating information. He stated that for instances like the Fire Ops 101, it was a great opportunity for the Council to be interviewed and they should have been interviewed.

Councilor Hancock feels information should still be disseminated through the City's media outlets, but that it would be good to have a lag on the City's social media, which would give the Council the opportunity to get the information out to their constituents before it's posted.

There was discussion regarding the decision to change the water stage from red to yellow. Mr. Walker reported that they could have handled that decision better. Mr. Ranc explained that the ordinance was written so that staff makes the decision based on the water levels and then notifies the Council. Councilor Condie suggested that the ordinance be changed to let the Council and staff work together to make that decision and then have the Council vote on it.

Councilor Johnson stated that he appreciates the position that staff has and he wants staff to appreciate and understand that the Council has a different relationship with the public because the public expects the Council to represent them. The public expects the Council to be more sympathetic and understanding. He reported that numerous times employees have come to him and he's listened to them and nothing happens and only a few times has there been an issue that needs to be run to the top. He feels that employees sometimes go to who they feel comfortable talking to, and sometimes that's a Councilmember. Mr. Walker stated that he would like to be informed of those situations and be included in the loop.

Councilor Condie stated that if an employee comes to them it is the responsibility of the Council to guide them to Mr. Walker, or their Department Head, or Human Resources. He feels that Mr. Walker should be cc'd on communications between staff and Council. He said that the other side of the coin is the public. He would like to have more opportunities to be in front of the public and let the Council be the good or bad guys in front of the public. He believes the community is wanting to talk to the Council and Mayor more than just on Council meeting nights. Mr. Wood stated that that is where the Council should be between the public and the administration, that's what the Council was elected to do. Councilor Johnson feels that the Council can be a listening ear. Mr. Ranc stated that he and Mr. Walker want to foster openness in the organization and they want employees to come to them with concerns. He said they also need to inform employees about the grievance process through Human Resources. Councilor Johnson said that employees are still going to want to go to a Councilmember that can listen to them. He said that if they just tell that employee to go to Mr. Walker then the employee is going to think that the Council doesn't care.

Councilor Southwick said that we are all in this together and believes that this all comes down to a little more communication on both ends.

Council Hancock suggested some training with various levels of staff to help them understand what information is important to communicate to the Council. He said if residents may be upset with a decision that staff makes, then the Council needs to know about it, and it should be communicated through the appropriate channels. Mr. Ranc reported that they will do some training with staff.

Councilor Johnson said that what they are doing now is not working. He said that other Councils have department assignments where they are involved with departments and attend their staff meetings. He said some of the Planning Commissioners have expressed to him that they wish he were still attending the meetings so that they could bounce things off him. He thinks that's important in every department so that the departments have some connectivity with the elected officials. He doesn't think an elected official should dictate how a department operates, but it's important to have connectivity and be part of the discussion.

Mayor Wilson stated that any Councilmember is welcome to walk into any department and find out what's going on in that department without being assigned to the departments. He feels that there is a perception if a Councilmember is assigned, then they are viewed as being over that department.

Council Johnson doesn't see a problem with the Council being assigned to departments. Councilor Condie said that he doesn't have the schedule to go and visit all the departments, but if he could focus on one or two, then it's easier to make time for that. Councilor Hancock said that they had discussed the Council having a rotating schedule with Council assignments so that the perception doesn't become reality on who is in charge in each department.

In regard to Planning Commission, Councilor Condie expressed concerns with a Council member attending Planning Commission meetings and feels it's inappropriate for a Councilmember to give guidance to the Planning Commission. He feels it would be fine for a Councilmember to attend as long as they are there to listen only and report back to the Council any concerns. He inquired about how to balance it, if they have Council assignments, to make sure that staff knows they are not there as a resource or to be their boss.

Councilor Hancock agrees that it's not appropriate to assign a Councilmember to the Planning Commission, but he feels that a Councilmember could attend a department staff meeting once a month to learn more and be engaged and can also pass along information to the other Councilmembers.

There was discussion regarding the appointing of Planning Commission members. Councilor Johnson believes that a name should never be put on a Resolution for the Council to approve without first discussing it with the Council. Mr. Wood suggested having a Closed Executive Session to discuss the appointees before they are added to the Council Agenda for approval. Councilor Revill stated that he liked that Mayor Wilson has asked that two Councilmembers sit on the interview panel to fill the open Planning Commissioner position. Councilor Johnson would like to see more diversity in professions represented on the Planning Commission. Mayor Wilson is agreeable to presenting his top 3-5 candidates for Planning Commissioners to the Council in a Closed Session for further discussion.

Councilor Johnson discussed that the language of the plat maps needs to be changed so that the Mayor is signing it for the legislative body.

Councilor Revill stated that he knows that other Councils have assignments, so he inquired how the Council assignments work for other cities. He said that in the past with his department assignments he would stop in every once in a while to see how things were going. He said that he can see how it can be abused if a Councilmember thinks they may be in charge and that maybe that is why the Mayor is turned off to the idea. Mr. Walker said that he has not seen a Council have department assignments. Mayor Wilson explained that most other City Councilmembers are assigned to committees rather than departments. Mr. Walker reported that he has no problem with Council assignments to Committees, but he does have concern with the Council inserting themselves between employees. Mr. Walker will ask around and see what other Councils and Administrations have worked out in regards to assignments.

Councilor Johnson suggested that they codify, by ordinance, that a meeting will be held once a year to discuss Council assignments and elect a Mayor Pro-Tempore. Councilor Revill suggested that they elect the Mayor Pro-Tempore each year at the first meeting in January. It was determined that they will wait until January to discuss the assignments and elect a Mayor Pro-Tempore. Mr. Wood reported that he will draft an ordinance that allows a meeting similar to this one to be held each January.

Mr. Ranc clarified that he will be sending out notices by e-mail to the Council before posting them on Facebook.

Mayor Wilson stated that if someone complains about something to let Mr. Walker know and he can look into the issue. He reported that there isn't a week that goes by that he doesn't get a complaint where he has to ask a department about what's going on.

Mayor Wilson said that there is a lot of construction going on by the new elementary school that they are hoping to have completed by August, but there could be some issues with no sidewalks and heavy traffic. Councilor Hancock suggested providing the Council with updates on the project.

Councilor Johnson stated that it's time to make improvements to Center Street and 600 East that go across Dry Creek. He said the roads are just too dangerous and that they have a prescriptive right to make the improvements. The Council would like to move forward on the project. Mayor Wilson thinks that they will only be able to complete one project this year and that Center Street would be the top priority.

3. Adjournment

With no further business to come before the City Council at this time the meeting adjourned at approximately 6:15 p.m.

Approved: July 14, 2015

Attest:

Bert Wilson, Mayor

Marilyn Banasky, City Recorder