

THE CITY OF WEST JORDAN, UTAH
A Municipal Corporation

ORDINANCE NO. 24-11

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(FOR TITLE 1 ADMINISTRATION, CHAPTER 4, 6, 9, AND 15)**

WHEREAS, the City of West Jordan (“City”) adopted West Jordan City Code (“City Code”) in 2009; and

WHEREAS, the City Council of the City (“City Council”) desires to amend and repeal certain sections of the City Code, regarding and related to Title 1- Administration; and

WHEREAS, the City Council finds it to be in the best interest of the public health, safety, and welfare of the residents of the City to adopt the following proposed City Code amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, AS FOLLOWS:

- Section 1.** Amendment of Code Provisions. City Code Title 1, Chapter 4, 6, 9 and 15 are hereby amended as shown in Exhibit A.
- Section 2.** Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all other sections, parts, and provisions shall be severable.
- Section 3.** Effective Date. This Ordinance shall become effect immediately upon posting or publication as provided as law and upon (i) the Mayor signing the Ordinance, (ii) the City Council duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance within fifteen (15) days after the City Council presents the Ordinance to the Mayor.

**PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS
13TH DAY OF MARCH 2024.**

CITY OF WEST JORDAN

By: 

Zach Jacob
Council Chair

ATTEST:

 

Cindy M. Quick, MMC
Council Office Clerk

(continued on the following page)

Voting by the City Council

"YES"

"NO"

Council Chair Zach Jacob

Council Vice Chair Chad Lamb

Council Member Bob Bedore

Council Member Pamela Bloom

Council Member Kelvin Green

Council Member Kent Shelton

Council Member Kayleen Whitelock

PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON MARCH 18, 2024.

Mayor's Action: X Approve Veto

By: 
Mayor Dirk Burton

 19/03/24
Date

ATTEST:

 
Tangee Sloan, CMC
City Recorder

STATEMENT OF APPROVAL / PASSAGE (check one)

 X The Mayor approved and signed Ordinance No. 24-11.

 The Mayor vetoed Ordinance No. 24-11 on _____ and the City Council timely overrode the veto of the Mayor by a vote of _____ to _____.

 Ordinance No. 24-11 became effective by operation of law without the Mayor's approval or disapproval.

 
Tangee Sloan, CMC
City Recorder

CERTIFICATE OF PUBLICATION

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the 20th day of March , 2024. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

 
Tangee Sloan, CMC
City Recorder

**Attachment to
(ORDINANCE NO. 24-11**

**(AMENDING THE 2009 WEST JORDAN CITY CODE
(FOR TITLE 1 ADMINISTRATION, CHAPTER 4, 6, 9, AND 15)**

1-4-1: CITY COUNCIL COMPENSATION:

A. Each member of the city council shall be paid through the city's regular payroll system at a minimum of once a month, in an amount set forth in the compensation schedule or salary table adopted with the annual budget and pursuant to Utah Code 10-3-818 or successor provisions.

B. Each member of the city council may opt into any benefit provided to full-time employees as adopted in the annual budget.

C. Increase In Council Compensation: Any increase in council compensation shall be approved in a compensation schedule or salary table adopted by the city council by ordinance, after a public hearing, in a manner consistent with all other relevant requirements of this code and Utah Code 10-3-818 or successor provisions. (Ord. 22-42, 8-10-2022)

1-4-2: MAYOR'S COMPENSATION:

The annual salary for the position of mayor shall be determined prior to each mayoral election and will be established through the following procedure:

A. During the fourth year of each four (4) year mayoral term and prior to the deadline for filing a declaration of candidacy for the upcoming mayoral term, the city council may express the desired value of the mayoral salary for the upcoming mayoral term by resolution. This desired successor salary within the resolution shall be included in the fiscal year budget that includes the end of the current mayoral term and the beginning of the upcoming mayoral term. The budget, like any other fiscal budget, shall be approved by ordinance.

B. Should the city council neither:

1. Provide the desired value of the successor mayoral salary prior to the filing deadline; nor
2. Include the successor salary in the appropriate fiscal year budget as provided in this subsection, the successor salary shall be the same as that salary provided to the incumbent mayor in the year four (4) budget.

C. The successor salary shall take effect on the first Monday of January following the mayoral election per Utah Code 10-3-201 or successor provisions.

D. Should any person elected to complete a full mayoral term not complete such term, the individual appointed to complete the remainder of the mayoral term shall receive the same salary provided to the prior mayor at the time the prior mayor left office.

E. Mayor Consent Required To Reduce Compensation: The sitting mayor may voluntarily reduce mayoral compensation for any given budget year, with the amount of the reduction to be placed in the general fund. The mayoral compensation may not be reduced during the mayor's term of office without the mayor's consent.

F. Mayor Salary Accrual; Timesheets; Benefits; Salary Increases: The mayor's compensation will be distributed to the mayor through the city's regular payroll system a minimum of once a month. The mayor is not required to submit time sheets. The mayor shall also receive the standard benefits provided by the city to appointed officers of the city; provided however that the mayor will neither:

1. Be allocated executive or compensatory leave; nor
2. Be entitled to merit increases, performance increases, and cost of living increases afforded city employees, without specific approval of the city council as noted in subsection G of this section.

G. Increase In The Sitting Mayor's Compensation: Any increase in the sitting mayor's compensation shall be approved in a compensation schedule or salary table adopted by the city council by ordinance, after a public hearing, in a manner consistent with all other relevant requirements of this code and Utah Code 10-3-818 or successor provisions. (Ord. 22-42, 8-10-2022; amd. Ord. 23-13, 3-8-2023)

1-6-5: DUTIES AND ACTS OF CITY COUNCIL:

A. Council Duties: The city council, by majority vote in an open meeting, shall:

1. By ordinance, provide for the manner in which:
 - a. City property is bought, sold, traded, encumbered, or otherwise transferred; and
 - b. A subdivision or annexation is approved, disapproved, or otherwise regulated.
2. Pass ordinances; appropriate funds, including tax levies; adopt fee schedules and service rates; and review city administration;
3. Provide advice and consent for the mayor's appointments of the city administrator; statutory officers, statutory committee members, and department heads, as defined in section 1-3-2 of this code;
4. Appoint city council members to serve as council representatives or liaisons to external organizations pursuant to section 1-6-14 of this code;
5. Appoint, or nominate, as applicable, qualified persons to serve as board members on local district boards pursuant to section 1-6-15 of this code;
6. Perform all duties that the law imposes on the council, including appropriating emergency expenditures authorized by Utah Code 10-6-129 and chapter 2a of title 53, or their successor provisions; and
7. Elect one of its members to be the council chair and another one of its members to be the council vice-chair, using the procedures set forth in section 1-6-9 of this code.

B. Council Action: The city council's will is expressed by ordinance, resolution, declaration, budget approval, and other written statements of policy and concern. In every case, unless otherwise required or allowed by law, the will of the city council shall be expressed in an open meeting by a majority vote of the city council, with a minimum of four "yes" votes, regardless of the number of council members present. No statement or act of any individual member of the city council shall be viewed as the will of the city council.

C. Presenting Council Action To Mayor, Veto, And Reconsideration: Consistent with Utah Code 10-3b-204, or successor provisions:

1. The council shall present to the mayor each ordinance, tax levy, and appropriation passed by the council;

2. The mayor may veto an ordinance or tax levy or all or any part of an appropriation passed by the council;

3. If the mayor vetoes an ordinance or tax levy or all or any part of an appropriation, the mayor shall return the ordinance, tax levy, or appropriation to the council within 15 days after the council presents the ordinance, tax levy, or appropriation to the mayor, with a statement explaining the mayor's objections; and

4. At its next meeting following a mayor's veto under subsection (2), the council shall reconsider the vetoed ordinance, tax levy, or appropriation.

D. When Council Action Takes Effect: An ordinance, tax levy, or appropriation passed by the council takes effect upon recording as provided in Utah Code 10-3-7, (Municipal Ordinances, Resolutions, and Procedure), or successor provisions, if:

1. The mayor signs the ordinance, tax levy, or appropriation;

2. The mayor fails to sign the ordinance, tax levy, or appropriation within fifteen days after the council presents the ordinance, tax levy, or appropriation to the mayor; or

3. Following a veto, the council reconsiders the ordinance, tax levy, or appropriation and passes it by a vote of at least two-thirds (2/3) of all council members. This two-thirds (2/3) vote means a minimum of five "yes" votes, regardless of the number of council members present. (2001 Code § 2-3-106; amd. Ord. 09-13, 4-14-2009; Ord. 19-32, 10-23-2019, Effective at 12 noon on January 6, 2020; Ord. 21-04, 2-10-2021; Ord. 22-04, 2-23-2022)

1-6-10: POWERS OF COUNCIL CHAIR:

A. The council chair or the meeting's acting council chair shall sign all ordinances, resolutions, and correspondence, on behalf of the council as a whole. The council chair or council chair's designee shall also sign all other necessary documents on behalf of the council as a whole which are not otherwise specifically delegated to someone other than the council chair by this chapter or by law.

B. The council chair shall oversee time off requests and the annual review of the council office director.

C. Subject to the other provisions of this code and the council rules, the council chair may delegate responsibilities to the council office director, the council vice-chair, or another council member.

D. The council chair, in consultation with the council vice-chair, shall set the agenda for and conduct all meetings of the council as a whole, subject to council rules.

E. In the absence of the council chair, or upon the council chair's inability to function or at the council chair's direct request, the council vice-chair shall be acting council chair and shall have and exercise all the powers and authority of the council chair.

F. In the event of the absence of the council chair and council vice-chair, the council may appoint an acting council chair for a meeting. The acting council chair shall be determined by drawing lots. (Ord. 19-32, 10-23-2019, Effective at 12 noon on January 6, 2020; amd. Ord. 20-27, 8-26-2020)

1-6-11: COUNCIL OFFICE AND COUNCIL STAFF:

A. The city council may appoint a council office director. Subject to budget constraints and council approval, the council office director hires part-time or full-time council staff positions. Council office employees are at-will employees under Utah Code 10-3-1105.

B. The city council may establish terms of employment, job duties, and roles for council staff. The city council may delegate to the council office director authority to negotiate and execute written employment agreements, offer letters and hiring documents on behalf of the city council.

C. Employment offers shall be processed through the human resource office and be consistent with city personnel policies and procedures in effect at the time of offer and thereafter.

D. All council office employees are city employees and are subject to city policies and procedures. Council office employees are supervised by the council office director.

E. Members of the city council are considered city employees for purposes of city policies, applicable benefits and coverages, etc. (Ord. 19-32, 10-23-2019, Effective at 12 noon on January 6, 2020; amd. Ord. 20-04, 4-15-2020; Ord. 20-27, 8-26-2020)

1-6-12: DUTIES OF THE COUNCIL OFFICE DIRECTOR:

A. A majority of the city council shall direct the council office director by resolution.

1. The city council as a body shall supervise the council office director.

B. The council office director's powers and duties may include, but are not limited to, the following:

1. Serve as a council liaison with city administration;

2. Attend administrative and executive meetings, as deemed appropriate by the mayor or city administrator, in order to encourage and facilitate effective and clear communication between the city council and city administration;

3. Serve as a council liaison with the residents;

4. Coordinate all council activities required by law associated with independent audits;

5. Coordinate all council activities related to the analysis of the city budget, including, but not limited to, its review and adoption by the council;

6. Coordinate all council activities related to city appropriations;

7. Coordinate all council activities related to the council's duty to give advice and consent to the mayor for appointments, pursuant to subsection 1-6-5(A)(3);

8. Coordinate services provided for the council when serving as the board of the redevelopment agency, building authority, a special service district, or any other agency the council is called to serve upon;

9. Evaluate, report, and make recommendations to the council as to whether the general intent of council policies, in the form of ordinances and resolutions, are being complied with and carried forth by the city, in order to determine whether additional ordinances, resolutions or policies are required;

10. Coordinate and attend council meetings, and other meetings as requested by the council;
11. Supervise council staff, provide staff training, conduct performance evaluations, and perform pay adjustments for staff as set by city policy;
12. Coordinate the preparation of council agendas, information regarding agenda items, and minutes; and prepare analysis of legislative issues for council review;
13. Act as a policy analyst for the council;
14. Perform such other duties as may be directed by a majority of the city council, to the extent permitted by federal, state, and local law, including established ethical standards of conduct; and
15. Unless prohibited by law or council rules, these duties may be delegated by the council office director to other council staff.

C. The council office director may be removed by resolution at the sole discretion of the council. (Ord. 19-32, 10-23-2019, Effective at 12 noon on January 6, 2020)

1-9-5: COMPENSATION SCHEDULE ADOPTED:

- A. Policies And Schedules To Be Adopted: City officers, statutory officers, and employees of the City shall be paid in conformity with compensation schedules periodically adopted by the City Council, with the specific pay level determined by the mayor in his/her sound discretion.
- B. Employment Agreement: An employment agreement shall govern the employment relationship only to the extent it modifies general city policies and procedures with specificity.
- C. Adjustments In Compensation: Except for changes authorized by contract, increases in compensation shall not be made. Authorization for lawful changes shall be made by the mayor and made in conformance with applicable State law.
- D. Justice Court Judges: Compensation for any Justice Court Judge will be as provided in the city compensation plan or in a salary schedule adopted by the city council, but any such compensation shall be in full conformity with minimum, maximum and other requirements provided in State law. (2001 Code § 2-4-605; amd. 2009 Code; Ord. 19-14, 3-27-2019; Ord. 21-04, 2-10-2021)

1-15-6: VACANCIES IN OFFICE:

- A. If a vacancy occurs on the city council the city council will appoint a registered voter who meets the qualifications of office by following the process in Utah Code 20A-1-510 or successor provisions.
- B. If a vacancy occurs in the Office of the Mayor, the city shall fill the vacancy following Utah Code 20A-1-510(3) or any successor provisions. The city shall appoint a temporary mayor in accordance with state law. (Ord. 20-44, 12-2-2020)

Ordinance No. 24-11 amd Title 1, Ch 4, 6, 9, 15

Final Audit Report

2024-03-20

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