

REQUEST FOR COUNCIL ACTION

SUBJECT:

Proposed amendments to Title 1, Chapter 7, 2009 City Code, dealing with changing Mayor to be a part time position with related salary change.

SUMMARY:

Councilmember Southworth asked to have proposed 2009 City Code amendments to change the Mayor from a full-time position back to a part-time position and to resolve the Mayor compensation accordingly.

FISCAL IMPACT:

When the Mayor's salary drops, there will be a savings to the extent of the change.

STAFF RECOMMENDATION:

Staff recommends adoption of the proposed changes.

MOTION RECOMMENDED:

"I move that the City Council adopt and approve Ordinance 15-~~26~~, amending Title 1, Chapter 7 of the 2009 City Code dealing with City Administration and Government, all as provided in the Ordinance attached to the Request for Council Action."

Roll Call Vote required. not required.

Recommended By



Bryce Haderlie
Interim City Manager

Reviewed by:



Robert Thorup
Deputy City Attorney

The Mayor

Councilmember Southworth asked for proposed changes to the 2009 City Code that would essentially reverse the decision of a former council to make the Mayor a full time job with a full time salary. These changes are reflected in the attached Ordinance and Legislative presentation.

THE CITY OF WEST JORDAN, UTAH
A Municipal Corporation

ORDINANCE NO. 15-26
[MAYOR SALARY]

AN ORDINANCE AMENDING TITLE 1, "ADMINISTRATION."

WHEREAS, the City of West Jordan adopted a City Code in 2009, for the purpose of carrying into effect and discharging all powers and duties conferred by law upon the city and its officers, employees and inhabitants, and to provide for the safety, preserve the health, promote the prosperity, improve the morals, peace, good order, comfort and convenience of the city and its inhabitants, and to protect property in the city; and

WHEREAS, the West Jordan City Council finds and determines that the purpose of the 2009 City Code, and the public health and welfare, will best be reached by the adoption of the following amendments to Title 1, Chapters 6 and 7 of the 2009 City Code.

NOW THEREFORE, IT IS ORDAINED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH:

Section 1. Title 1, Chapter 6, Section 4 of the 2009 City Code shall hereafter read as follows:

1-6-4: COMPENSATION OF MEMBERS OF CITY COUNCIL:

Each member of the city council, including the mayor, shall be paid a monthly salary of eight hundred fifteen dollars (\$815.00). (2001 Code § 2-3-105; amd. Ord. 15-26 08-25-2015)

Section 2. Title 1, Chapter 7, Article B, Sections 2 and 4 of the 2009 City Code shall hereafter read as follows:

1-7B-2: MAYORAL DUTIES:

A. Functions: The mayor shall:

1. Serve as a chairperson of the city council and preside at all its meetings.
2. Have a vote in all city council proceedings.
3. Execute, on behalf of the city, all bonds, ordinances and resolutions of the city council, real and personal property title transfers or deeds, and (where required by law to effectuate city purchases) contracts and other written obligations of the city.

4. Attend and, if appropriate, officiate at ceremonial activities of the city, which events include, but are not limited to, national, state and local holiday celebrations, city sponsored events, public and business groundbreakings and ribbon cuttings, public and business open houses, public receptions and other civic and religious ceremonial activities where official city representation is needed or sought. Participation in religious activities should not suggest any city endorsement of such religion and such participation shall be widely shared with any and all religious organizations who request such participation.

5. Attend and represent the city in all its external relationships with the state agencies and legislature; the county council and departments; other political subdivisions; civic, social and fraternal organizations, including, but not limited to, one or more associations of cities and/or other local governments; and appointed boards, committees, councils and commissions, as provided by law or to which an official, nontechnical representative from the city is sought or needed. Membership on boards, committees, councils and commissions should be offered to other interested members of the city council who will act as the city's representative. In all external relationships, the mayor shall coordinate closely with and shall follow the lead of the city manager and/or the city manager's retained government relations advisor.

6. Be a spokesperson for the city council, provided that when the mayor acts as spokesperson for the city council, the mayor should reflect the policy position of the expressed majority of the city council. Otherwise, in the absence of an expressed majority city council policy position, or when the mayor is speaking as a private citizen or as an individual member of the city council, the mayor shall clearly identify that limited capacity.

7. Act in emergency situations to organize governmental response in close coordination with and following the lead of the city manager and the city's emergency preparedness officials, and to be available as needed to take and authorize governmental action together with such other city council members who may be available.

8. Be available during regular posted business hours for meetings with city staff and citizens seeking assistance with their access to the city and its services. The city manager shall provide an office and clerical assistance for the mayor at city hall.

B. No Administrative/Executive Duties: The mayor shall have no administrative or executive powers or duties. The mayor may provide citizens with names and phone numbers or e-mail addresses into specific departments of city government for assistance with citizen questions, but the mayor may not direct the city staff as to the solution or action responding to any such concern. Any issue raised by citizens or the city council concerning the level or appropriateness of city responses or services shall be discussed with the city manager and not directly with any subordinate employee. (2001 Code § 2-4-402; amd. 2009 Code; Ord. 09-13, 4-14-2009; Ord. 13-24, 7-31-2013; Ord. 15-26, 08-25-2015)

1-7B-4: COMPENSATION:

The mayor shall be paid an annual salary equal to that paid to a councilmember. This salary will be distributed to the mayor over twenty six (26) pay periods through the city's regular payroll system, including the withholding of state and federal taxes and state pension plan assessments. The mayor will not be required to submit time sheets. The mayor will also receive all other benefits provided by the city to its city council. (2001 Code § 2-4-404; amd. Ord. 13-24, 7-31-2013; Ord. 14-02, 1-29-2014; Ord. 15-26, 08-25-2015)

Section 3. Additions or amendments to the 2009 City Code when passed in such form as to indicate the intention of the city council to make the same a part of the 2009 City Code shall be deemed to be incorporated in the 2009 City Code, so that reference to the 2009 City Code hereafter includes the additions and amendments.

Section 4. This Ordinance shall become immediately effective.

Passed and adopted by the City Council of the City of West Jordan, Utah this 25th day of August, 2015.

CITY OF WEST JORDAN

By: _____
KIM V. ROLFE
Mayor

ATTEST:

MELANIE S. BRIGGS, MMC
City Clerk

Voting by the City Council

“AYE” “NAY”

Council Member Jeff Haaga	_____	_____
Council Member Judy Hansen	_____	_____
Council Member Chris McConnehey	_____	_____
Council Member Chad Nichols	_____	_____
Council Member Sophie Rice	_____	_____
Council Member Ben Southworth	_____	_____
Mayor Kim V. Rolfe	_____	_____

CITY CLERK/RECORDER'S CERTIFICATE OF PUBLICATION

I, Melanie S. Briggs, certify that I am the City Clerk/Recorder of the City of West Jordan, Utah, and that the foregoing ordinance was published in the Legal Section, of the Salt Lake Tribune, on the _____ day of _____, 2015, pursuant to Utah Code Annotated, 10-3-711.

MELANIE S. BRIGGS, MMC
City Clerk/Recorder

[SEAL]

Legislative

1-6-4: COMPENSATION OF MEMBERS OF CITY COUNCIL:

Each member of the city council, ~~other than~~ including the mayor, shall be paid a monthly salary of eight hundred fifteen dollars (\$815.00). (2001 Code § 2-3-105; amd. Ord. 15-____, 08-25-2015)

1-7B-2: MAYORAL DUTIES:

- A. Functions: The mayor ~~is a full time position requiring at least forty (40) hours of service to the city each week, although such service may be performed before, during and/or after the city's normal business hours. By way of example and not limitation, except as otherwise expressly provided, the mayor shall:~~
1. Serve as a chairperson of the city council and preside at all its meetings.
 2. Have a vote in all city council proceedings.
 3. Execute, on behalf of the city, all bonds, ordinances and resolutions of the city council, real and personal property title transfers or deeds, and (where required by law to effectuate city purchases) contracts and other written obligations of the city.
 4. Attend and, if appropriate, officiate at ceremonial activities of the city, which events include, but are not limited to, national, state and local holiday celebrations, city sponsored events, public and business groundbreaking and ribbon cuttings, public and business open houses, public receptions and other civic and religious ceremonial activities where official city representation is needed or sought. Participation in religious activities should not suggest any city endorsement of such religion and such participation shall be widely shared with any and all religious organizations who request such participation.
 5. Attend and represent the city in all its external relationships with the state agencies and legislature; the county council and departments; other political subdivisions; civic, social and fraternal organizations, including, but not limited to, one or more associations of cities and/or other local governments; and appointed boards, committees, councils and commissions, as provided by law or to which an official, nontechnical representative from the city is sought or needed. Membership on boards, committees, councils and commissions should be offered to other interested members of the city council who will act as the city's representative. In all external relationships, the mayor shall coordinate closely with and shall follow the lead of the city manager and/or the city manager's retained government relations advisor.
 6. Be a spokesperson for the city council, provided that when the mayor acts as spokesperson for the city council, the mayor should reflect the policy position of the expressed majority of the city council. Otherwise, in the absence of an expressed majority city council policy position, or when the mayor is speaking as a private citizen or as an individual member of the city council, the mayor shall clearly identify that limited capacity.
 7. Act in emergency situations to organize governmental response in close coordination with and following the lead of the city manager and the city's emergency preparedness officials, and to be available as needed to take and authorize governmental action together with such other city council members who may be available.

8. Be available during regular posted business hours for meetings with city staff and citizens seeking assistance with their access to the city and its services. The city manager shall provide an office and clerical assistance for the mayor at city hall.

- B. No Administrative/Executive Duties: The mayor shall have no administrative or executive powers or duties. The mayor may provide citizens with names and phone numbers or e-mail addresses into specific departments of city government for assistance with citizen questions, but the mayor may not direct the city staff as to the solution or action responding to any such concern. Any issue raised by citizens or the city council concerning the level or appropriateness of city responses or services shall be discussed with the city manager and not directly with any subordinate employee. (2001 Code § 2-4-402; amd. 2009 Code; Ord. 09-13, 4-14-2009; Ord. 13-24, 7-31-2013; Ord. 15-____, 08-25-2015)

1-7B-4: COMPENSATION:

The mayor shall be paid an annual salary of up to a maximum of eighty nine thousand five hundred dollars (\$89,500.00); provided that the actual salary for any period of time may be determined by the mayor in a written notice to the finance director equal to that paid to a councilmember. This salary will be distributed to the mayor over twenty six (26) pay periods through the city's regular payroll system, including the withholding of state and federal taxes and state pension plan assessments. The mayor will not be required to submit time sheets. The mayor will also receive the standard benefits provided by the city to appointed officers of the city; provided that the mayor will be allocated no executive or compensatory leave all other benefits provided by the city to its city council. (2001 Code § 2-4-404; amd. Ord. 13-24, 7-31-2013; Ord. 14-02, 1-29-2014; Ord. 15-____, 08-25-2015)