

COTTONWOOD HEIGHTS

ORDINANCE NO. 386

AN ORDINANCE ESTABLISHING AN AMENDED COMPENSATION SCHEDULE FOR ELECTED AND APPOINTED (STATUTORY) OFFICERS

WHEREAS, on 5 July 2022, acting pursuant to its authority under UTAH CODE ANN. §10-3-818, the city council (the “*Council*”) of the city of Cottonwood Heights (the “*City*”) met in a regular meeting to consider, among other things, reviewing and potentially amending the compensation schedule for the City’s elected and appointed (statutory) officers; and

WHEREAS, UTAH CODE ANN. §10-3-818(2) provides, among other things, that Council set a time and place for a public hearing regarding the adoption or amendment of a compensation schedule for such officers; and

WHEREAS, the Council set 6:30 p.m. on 19 July 2022 at 2277 East Bengal Blvd., Cottonwood Heights, Utah as the time and place of a public hearing regarding the adoption of such amended compensation schedule; and

WHEREAS, UTAH CODE ANN. §10-3-818(3) provides, among other things, that at least seven days prior to the hearing, notice of the time, place and purpose of the meeting be published (a) in at least one issue of a newspaper of general circulation in the City, and (b) on the Utah Public Notice Website created in UTAH CODE ANN. §63A-16-601; and

WHEREAS, notice of the public hearing was timely published as required by statute; and

WHEREAS, a public hearing was held at 6:30 p.m., or soon thereafter, on 19 July 2022 at 2277 East Bengal Blvd., Cottonwood Heights, Utah, where all interested persons were given the opportunity to provide written or oral comment concerning the proposed amended compensation schedule; and

WHEREAS, on 19 July 2022 the Council voted to continue the public hearing until 6:30 p.m. on 2 August 2022 at 2277 East Bengal Blvd., Cottonwood Heights, Utah; and

WHEREAS, the public hearing, as continued, was held on 2 August 2022 at 2277 East Bengal Blvd., Cottonwood Heights, Utah, where all interested persons were given the opportunity to provide written or oral comment concerning the proposed amended compensation schedule; and

WHEREAS, on 2 August 2022 the Council met in regular session to consider, among other things, amending the compensation schedule as proposed; and

WHEREAS, after careful consideration of the comments, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of the City to amend the compensation schedule for its elected and appointed (statutory) officers;

NOW, THEREFORE, BE IT ORDAINED by the city council of the city of Cottonwood Heights as follows:

Section 1. **Adoption of Amended Compensation Schedule.** The Council hereby adopts the amended compensation schedule that is attached as an exhibit hereto as the compensation schedule applicable to the City’s elected and appointed (statutory) officers specified therein from and after the date specified therein.

Section 2. **Future Amendment.** The Council shall have, and hereby expressly reserves, the right to hereafter further amend the attached compensation schedule at any time or from time to time in compliance with all applicable legal requirements.

Section 3. **Action of Officers.** All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 4. **Severability.** All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 5. **Repealer.** All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.


Section 6. **Effective Date.** This Ordinance, assigned no. 386, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City’s Recorder, or such later date as may be required by Utah statute.

PASSED AND APPROVED this 2nd day of August 2022.

ATTEST:

By: 
Paula Melgar, Recorder



COTTONWOOD HEIGHTS CITY COUNCIL
By: 
Michael T. Weichers, Mayor

VOTING:

| | | |
|---------------------|---|------------------------------|
| Michael T. Weichers | Yea <input checked="" type="checkbox"/> | Nay <input type="checkbox"/> |
| Douglas Petersen | Yea <input checked="" type="checkbox"/> | Nay <input type="checkbox"/> |
| J. Scott Bracken | Yea <input checked="" type="checkbox"/> | Nay <input type="checkbox"/> |
| Shawn E. Newell | Yea <input checked="" type="checkbox"/> | Nay <input type="checkbox"/> |
| Ellen Birrell | Yea <input checked="" type="checkbox"/> | Nay <input type="checkbox"/> |

DEPOSITED in the Recorder’s office this 2nd day of August 2022.

POSTED this 3rd day of August 2022.

COTTONWOOD HEIGHTS

COMPENSATION SCHEDULE FOR ELECTED AND STATUTORY OFFICERS (JULY 2022)

The elected and statutory officers of Cottonwood Heights (the “city”) shall be compensated as follows:

Elected Officials

- (a) The annual salary of the mayor shall be \$40,000.
- (b) The annual salary of each city council member (“*councilmember*”) shall be \$22,500.
- (c) Effective July 1st of each year, commencing 1 July 2023, the annual salaries of the mayor and councilmembers (“*Elected Officials*”) shall be automatically granted a cost-of-living percentage adjustment (a “*COLA*”) equal to the same COLA percentage adjustment granted to city staff as of that July 1st. If, for example, (a) if Councilmember A’s annual salary specified above is \$22,500 as of 30 June 2023, and (b) city staff is granted a three percent (3.0%) COLA adjustment as of 1 July 2023, then Councilmember A’s COLA-adjusted annual salary for the period of 1 July 2023 through 30 June 2024 would be $\$12,000 \times 1.03 = \$23,175$, which would determine both the monthly salary for Councilmember A during the city’s 2023-2024 fiscal year and also would be the base salary used for a possible COLA percentage adjustment to Councilmember A’s salary on 1 July 2024.
- (d) Each Elected Official may elect to use their salary to participate in benefits offered by the city such as medical, dental and group life insurance and “Section 125 Plan” subject to the rules and regulations thereof. Non-contributory retirement benefits also shall be provided to the Elected Officials.
- (d) Because the Elected Officials represent city on many County and State level committees and functions, they are required to use their personal vehicles for city business-related travel and will be compensated for such travel expense through monthly stipends of \$400 for the mayor and \$200 for each councilmember.
- (e) The Elected Officials also shall receive reimbursement for all other reasonable expenses related to performance of their duties.

Manager

- (a) Because the City is organized in the council-manager form of municipal government, the office of city manager is a statutory, full-time position. The annual salary of the manager shall be as provided in any employment agreement between the city manager and the city from time to time which is approved by the city council, or as otherwise approved by the city

council as part of its annual budgeting process for city. The manager also shall be entitled to such discretionary, incentive bonuses as the city council may direct from time to time. As a salaried employee, the manager shall not be entitled to overtime pay.

(b) Benefits shall be provided to the manager for non-contributory retirement; for medical, dental, disability, group life and any other insurance coverage; and for any other customary benefits, in the same manner, if any, provided to other full-time city employees.

(c) Because the manager is required to be on-call 24 hours per day, seven days a week, the manager shall be provided with (1) either a city-owned cell phone or a monthly cell phone allowance, and (2) a monthly car allowance, all as provided in any employment agreement between the city manager and the city from time to time which is approved by the city council, or as otherwise approved by the city council as part of its annual budgeting process for city.

(d) The manager also shall receive reimbursement for all reasonable expenses related to performance of the manager's duties.

(e) City shall pay for the manager's travel and attendance at the ICMA's annual conference, the UCMA annual conference, and the Utah League of Cities and Towns' annual conference in accordance with the travel policies approved from time to time by the city council. City also shall pay for the manager's attendance at other seminars, conferences and committee meetings as are approved in city's annual budget or as are authorized separately from time to time by the city council.

Appointed Officers

(a) City's Recorder, Director of Finance/Budget Officer, Treasurer, Engineer and Chief of Police are full-time, statutory appointed officers of city ("*Appointed Officers*"). The annual salary of each of the Appointed Officers shall be as approved by the city council as part of its statutory annual budgeting process for city. Each Appointed Officer also shall be entitled to such discretionary, incentive bonuses as the manager may direct from time to time from amounts budgeted by the city council for employee bonuses.

(b) Benefits shall be provided to each of the Appointed Officers for non-contributory retirement and medical, dental, disability and group life insurance in the same manner, if any, provided to other full-time city employees.

(c) Each Appointed Officer shall also receive reimbursement for all reasonable expenses related to performance of his/her duties.

Attorney

(a) The office of city attorney will be a part-time position performed on a contract basis. The city attorney shall be compensated as approved by the city council through its statutory annual budgeting process for city.

(b) The city attorney shall also receive reimbursement for all reasonable expenses related to performance of his/her duties, including but not limited to mileage allowance in the same amount allowed by the Internal Revenue Service pursuant to §162 of the Internal Revenue Code of 1986.

General

The compensation paid hereunder shall be effective 1 July 2022; shall be subject to any and all applicable payroll taxes and withholdings; and shall be paid in accordance with the city's payroll procedures and practices adopted from time to time.