



MINUTES OF THE CITY OF WEST JORDAN
COMMITTEE OF THE WHOLE
Wednesday, January 25, 2023
Waiting Formal Approval

Thomas M. Rees Justice Center
8040 S Redwood Road • West Jordan, UT 84088

COUNCIL: Chair Chris McConnehey, Kelvin Green, Zach Jacob, David Pack, Kayleen Whitelock, Melissa Worthen

STAFF: Council Office Director Alan Anderson, Council Office Clerk Cindy Quick, Policy Analyst Cassidy Hansen, City Administrator Korban Lee, Mayor Dirk Burton, Community Engagement & Government Affairs Director Tauni Barker, Public Works Director Brian Clegg, Public Utilities Director Greg Davenport, Senior PC Specialist Rodney Glore, Community Development Director Scott Langford, Fire Chief Derek Maxfield, Economic Development Director Chris Pengra, Assistant City Attorney Dave Quealy, Assistant City Administrator Jamie Davidson

1. CALL TO ORDER

Chair McConnehey called the meeting to order at 7:38 pm and noted that Vice Chair Bloom was absent.

2. DISCUSSION TOPICS

a. Discuss proposed amendments to Council Policies and Procedures

Council Office Director Alan Anderson reported that current Council Policies and Procedures were adopted in July of 2021. The last major rewrite was done in January of 2020. Mr. Anderson said staff had worked to clean up Council Policies and Procedures to be quickly referenceable, with enhanced references to Roberts Rules, and edits for efficiency. The proposed changes were reviewed by the 2022 Council Rules Subcommittee and Assistant City Attorney David Quealy.

Chair McConnehey had a list of proposed modifications. Referring to Council subcommittees, he would prefer issues to be presented or reported to the Council before being sent to a subcommittee. Council Member Green would not want all mayoral appointments or land use issues to be brought first to the Council before the subcommittees and suggested changing the verbiage to "may".

Council Member Whitelock suggested that a discussion between the Committee of the Whole and a developer regarding a potential land use issue prior to discussion with the Land Use Subcommittee would be beneficial. She felt developers had ignored directions given by the Land Use Subcommittee in recent years. Chair McConnehey had felt in the dark on several land use issues having not been on the Land Use Subcommittee. Council Member Jacob said the Land Use Subcommittee was never intended to be a required step

for developers, and feedback from the Land Use Subcommittee was never intended to be perceived as direction from the whole Council. He said the Land Use Subcommittee was formed as a convenience for developers. Council Member Green suggested a developer should come first to the Council before the Subcommittee if a proposal involved a rezone, required an MDA, or the developer was asking for an exception. Chair McConnehey suggested changing verbiage to “may” as suggested by Council Member Green and scheduling a separate discussion regarding the Land Use Subcommittee.

Chair McConnehey suggested replacing the word “shall” with “may” wherever possible in Council Policies and Procedures. Referring to page 6, he suggested replacing “shall” with “may” in reference to following Roberts Rules. Council Member Jacob said he would prefer to use “shall”, with the ability to suspend rules if desired. Council Member Whitelock said she would be comfortable with “may”.

The Council discussed appointing an “acting” chair to direct a meeting if the Council Chair and Vice Chair were unable to attend. Mr. Anderson suggested the next senior member of the Council present conduct a meeting if the Chair and Vice Chair were both absent. He commented that City Code would need to be modified.

Referring to page 8, Chair McConnehey suggested changing verbiage to “may” to say that Council Members who had not spoken on an issue may be prioritized over those who had already spoken. Council Member Green expressed agreement.

Referring to page 9, Council Member Jacob suggested striking #6 pertaining to how microphones would be set and leaving the issue to the discretion of the chair. A majority of the Council indicated a desire to keep #6, with the verbiage changed to “may”.

Council Member Jacob suggested striking “due to unforeseen circumstances” from page 12, Section 1 under 301. A majority of the Council indicated agreement. The Council discussed in-person versus remote meeting attendance. Council Member Pack would be in favor of a distinction between priority of attendance at regular City Council meetings versus Committee of the Whole or subcommittee meetings. The Council discussed excused versus unexcused absences. Council Member Green expressed the opinion that Council Members were elected by the citizens, excessive absences would be noticed by the electorate, and the Council Members would be held accountable by the electorate. He suggested much of the section was unnecessary. Council Member Whitelock pointed out the word “may” in the verbiage, and said she was comfortable leaving the section as it was. Council Member Pack spoke in favor of leaving the section in case a situation arose in the future in which it was needed. Chair McConnehey said he would be in favor of removing much of the section, and suggested having the Council Rules Subcommittee review the language and make a recommendation. Council Member Whitelock said the section had already been reviewed by the Subcommittee. She said she would be comfortable removing “due to unforeseen circumstances”. Council Member Green noted being okay with the Council Rules Subcommittee to review the rules and make a recommendation. Mr. Anderson read aloud from State Code regarding attendance of legislative bodies.

The Council discussed electronic meetings. Council Member Green said the Open Public Meetings Act (OPMA) required the Council to have a rule in place to determine a quorum for an electronic meeting. He said the position had been that if a Council Member's camera were turned on, they were present at the meeting. If they turned their camera off, it was like leaving the dais, and they were not considered present. Council Member Green added that OPMA requirements were changed in 2022. Chair McConnehey requested legal clarification on the requirements. Council Member Pack commented that leaving the camera on would be the ideal, but there may be circumstances in which having the camera on may be difficult. Chair McConnehey suggested clarifying "quorum" versus "voting ability" and bring it back for further discussion.

Referring to page 14 number 3, Council Member Green emphasized the need to be in compliance with OPMA. Chair McConnehey suggested using the term "communication devices" in place of listing individual types of devices on page 14.

Council Member Jacob suggested striking specific prohibition language on page 32. Chair McConnehey preferred changing the verbiage to "discourage" instead of a complete removal. Council Members Whitelock and Green agreed with Chair McConnehey.

Council Member Green, referring to the motions on page 36 and 37 asked that staff create a quick reference sheet with all motions on one page.

b. ***Discussion establishing the Mayor's Salary for the next Mayoral term beginning January 2024***

Mr. Anderson explained that if the Council did not make a change to mayoral compensation prior to the deadline for filing a declaration of candidacy for the next mayoral term, the Mayor's Salary would remain the same. The filing deadline for the mayoral term beginning January 2024 was June 7, 2023. He showed a history of the West Jordan Mayor's salary and mayoral salary for other cities similar to West Jordan.

The Council discussed mayoral compensation. Council Member Jacob wanted West Jordan to have a mayor who could recognize talent and hire/fire, help set policy, and help create/set agendas. He recognized that salaries had increased in general in the last four years. Council Member Whitelock believed the mayor should be compensated fairly and believed the salary of residents in West Jordan should be considered. She gave an example of \$93,000 for a two-income household, and said she would not be supportive of a huge raise for the mayor position.

Council Member Worthen preferred to change the schedule so that mayoral compensation was not determined in an election year. Council Member Green would be comfortable with \$112,000 or \$115,000.

Council Member Pack wanted the mayor position to be open to all demographics and wanted to be protective of tax dollars without lagging behind with elected official compensation. He pointed out that the mayor position had full-time staff support of multiple individuals specifically tailored to running a city. The City needed a mayor with

public relations ability, emotional intelligence, and business acumen to instill confidence in the many City employees and residents, which would come at a cost. Council Member Pack pointed out mayoral compensation had remained constant with no cost-of-living adjustment (COLA) for four years. He said he would be in favor of raising mayoral salary to be commensurate with cities of similar size.

Council Member Worthen said elected officials were not supposed to be in the positions for the salary or benefits and said she did not believe it was necessary to offer a high salary to attract the right people.

Council Member Green stated that, in theory, the mayor was the chief executive officer of the City – the CEO of an organization that had 300-400 employees. He said it was a fact that CEOs of companies that size were paid higher than the median income in West Jordan. Council Member Green spoke of the need to have a balance. The mayoral salary needed to be enough to pay a CEO of an organization a respectable amount of money to make important decisions, balanced with the knowledge that it was taxpayer money.

Chair McConnehey wanted to offer fair compensation for the job required. He wanted to see candidates who wanted to do the job for the City instead of candidates who wanted the job for the compensation. Chair McConnehey suggested lower compensation would diminish the pool of qualified candidates.

Chair McConnehey asked if the Council wanted to include a COLA with the mayor's salary. Council Member Whitelock suggested the Council consider an elected-official-compensation commission made up of residents as done in Provo City. Chair McConnehey noted that West Jordan had tried that before with an Ethics Committee but was unsuccessful in recruiting members. Council Member Green was not in favor of including a COLA. Council Member Jacob would not want a COLA included in code but would like to see it in practice. Council Member Pack was in favor of including a COLA in the compensation but agreed it did not need to be codified. Council Member Worthen suggested going by population with \$1 per person in West Jordan (\$116,541). Chair McConnehey noted not enough Council in favor of adding COLA.

Chair McConnehey asked Council Members to give a preferred minimum and maximum for the mayor's salary. Council Members Whitelock and Worthen suggested a minimum of \$93,000 and a maximum of \$116,000; Council Member Green suggested a minimum of \$108,000 and a maximum of \$118,000; Chair McConnehey believed \$120,000-\$130,000 would be fair; Council Member Pack suggested a minimum of \$115,000 and a maximum of \$130,000; and Council Member Jacob suggested a minimum of \$122,000 and a maximum of \$135,000. Chair McConnehey calculated an average of the averages at \$116,333.09. Chair McConnehey liked the idea of tying the amount to the population for now, and said he was comfortable with \$116,000. Council Members Jacob and Pack said they believed \$116,000 was too low and would want it to be at least \$120,000. Council Members Green, Worthen, Whitelock, and McConnehey indicated they would be comfortable with \$116,000. Mr. Anderson said staff would prepare a resolution using \$116,000.

3. ADJOURN

Council Member Green moved to adjourn the meeting. Council Member Worthen seconded the motion.

Chair McConnehey commented that the meeting that evening was Assistant City Attorney David Quealy's last with West Jordan. He expressed appreciation for Mr. Quealy's service, and wished him luck at his new position with Salt Lake City. The Council echoed his appreciation. City Administrator Korban Lee commented that Mr. Quealy would be truly missed.

The motion to adjourn passed by unanimous vote (6-0).

The meeting adjourned at 8:57 pm

I hereby certify that the foregoing minutes represent an accurate summary of what occurred at the meeting held on January 25, 2023. This document constitutes the official minutes for the West Jordan Committee of the Whole.

Cindy M. Quick, MMC
Council Office Clerk

Approved this ____ day of ____ 2022