

ORDINANCE NO. 26-03
AN ORDINANCE AMENDING THE SANDY CITY MUNICIPAL
CODE CREATING ADDITIONAL COMPENSATION LIMITATIONS FOR THE
MAYOR AND MEMBERS OF THE CITY COUNCIL

WHEREAS, the Sandy City Council finds that transparency in compensation for the Mayor and members of the City Council is essential to public confidence; and

WHEREAS, the public benefits from fair and reasonable compensation limitations for the Mayor and members of the City Council; and

WHEREAS, the State of Utah has authorized the governing body of the City to fix by ordinance compensation for the Mayor and members of the City Council.

NOW, THEREFORE, the Sandy City Council ordains as follows:

Section 1. Adoption. Sandy City Municipal Code Title 4 is amended to include a new section implementing additional compensation limitations for the Mayor and members of the City Council.

Section 2. New Section. As drafted in Exhibit “A” (Redline) and Exhibit “B” (Clean), a new section is added to Sandy City Municipal Code Sec 4-5-15.

Section 3. Severable. The provisions of this ordinance shall be severable; and if any provision thereof, or the application of such provision under any circumstances is held invalid, it shall not affect any other provision of this ordinance, or the application in a different circumstance.

Section 4. Effective Date. This Ordinance shall become effective upon publication.

PASSED AND APPROVED by the Sandy City Council on _____, 2026.

Cyndi Sharkey, Chair
Sandy City Council

PRESENTED to the Mayor this _____ day of _____, 2026.

APPROVED by the Mayor this _____ day of _____, 2026.

Monica Zoltanski, Mayor
Sandy City

ATTEST:

Wendy Downs, City Recorder
Sandy City

RECORDED this _____ day of _____, 2026.

SUMMARY PUBLISHED this _____ day of _____, 2026.

Exhibit "A"

- CODE OF ORDINANCES
Title 4 - ADMINISTRATIVE CODE
CHAPTER 4-5. HUMAN RESOURCES

CHAPTER 4-5. HUMAN RESOURCES

Sec. 4-5-1. Scope.

This chapter shall create and establish a comprehensive personnel management system for Sandy City.

(Revised Ords. 1978, § 6-5-1; Ord. No. 17-06, 2-7-2017)

Sec. 4-5-2. Statement of Policy.

The following principles and policies are hereby established:

- (1) Employment and promotion in the City government shall be based on qualifications and performance without regard to any class protected by applicable Federal, State, or local employment laws.
- (2) Just and equitable incentives and conditions of employment shall be established and maintained to promote efficiency and economy in the operation of the City government.
- (3) The system shall provide the means to recruit, select, develop and maintain an effective and responsive work force, and shall provide plans for employee hiring and advancement, training and career development, job classification, salary administration, retirement, fringe benefits, discipline, discharge and other related activities.
- (4) Continued employment of employees, subject to U.C.A. 1953, §§ 10-3-1105 and 10-3-1106, shall be subject to good behavior, satisfactory work performance, the necessity for performance of the work, and the availability of funds.
- (5) Positions having similar duties and responsibilities shall be classified and compensated within a uniform compensation range.
- (6) Appointments, promotions, and other actions shall be based on qualifications, systematic test evaluations, or documented performance.
- (7) The maintenance of high morale shall be achieved by fair and just administration of this chapter and by every consideration of the rights and interests of employees consistent with the best interest of the public and the City.

(Revised Ords. 1978, § 6-5-2; Ord. No. 17-06, 2-7-2017)

Sec. 4-5-3. Appointed Officers and Employees.

- (a) Except as provided in Subsection (b) below, each employee of the City shall hold employment without limitation of time, being subject to discharge, suspension of over two days without pay, or involuntary transfer to a position with less remuneration only as provided in Section 4-5-4 of the Revised Ordinances of Sandy City.
- (b) Subsection (a) does not apply to the following officers and employees of the City:

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- (1) Category 1 Appointed Officers which include those in the positions of: Deputy to the Mayor, City Council executive director, senior advisor to the Mayor, Mayor's office manager, police chief, fire chief, deputy fire chief, deputy police chief, chief administrative officer, city attorney, public utilities director, public works director, community development director, finance and information technology director, economic development director, parks and recreation director, assistant chief administrative officers, deputy city attorney, city engineer, deputy finance and information technology director, assistant public works director, assistant parks and recreation director, justice court judge, assistant community development director, city treasurer, city recorder, and other Category 1 Appointed Officers as stated annually in the staffing and compensation plan approved by the City Council in the annual budget;
 - (2) Category 2 Appointed Officers which include those in the positions of: Police captain, city prosecutor, human resources director, risk manager/fund counsel, information technology director, public utilities operations manager, public utilities engineering manager, and other Category 2 Appointed Officers as stated annually in the staffing and compensation plan approved by the City Council in the annual budget;
 - (3) Category 3 Appointed Officers which include those who have been hired under formal written agreement for specific terms based on temporary and exceptional workload demands or because funding is based upon grants or other identified revenues of limited duration;
 - (4) Probationary, part-time, and seasonal employees as defined by City policy;
 - (5) Elected officials; and
 - (6) Such other officers which may be classified as appointed officers from time to time by the Mayor or other person or body exercising executive power in the City.
- (c) The Mayor, at his sole discretion for Executive branch employees, may enter into written agreements at the time of hire with officers and employees specified in subsection (b)(1) and (b)(2) establishing a severance payment or allowing for their return to a prior position of employment provided that:
- (1) No such agreement shall be effective unless in writing and attested by the City Recorder;
 - (2) No severance payment shall exceed three months' pay without express approval by the City Council;
 - (3) The officer or employee has at least one year of full-time employment with Sandy City; and
 - (4) Officers or employees with less than one-year employment with Sandy City may not exceed 25 percent of the pay earned for each week of employment during the first year of employment.
- (d) All severance agreements authorized by the Mayor must be disclosed in writing to the City Council within one week of execution.
- (e) Officers identified in subsections (b)(3), (4), (5), and (6) are not eligible for severance and may not enter into written agreements establishing a severance agreement.
- (f) The Council may authorize an exception to the requirements of subsection (b) upon written request of the Mayor.
- (g) Nothing in this section or Section 4-5-4 of the Revised Ordinances of Sandy City may be construed to limit the City's ability to define cause for an employee termination or reduction in force either by general policy or through written directives to individual employees.

(Revised Ords. 1978, § 6-5-3; Ord. No. 17-06, 2-7-2017; Ord. No. 19-17, § 1(Exh. A), 7-30-2019)

Sec. 4-5-4. Appeal Procedures.

The Mayor shall promulgate procedures to provide for the creation and function of an employee appeals board as required by U.C.A. 1953, §§ 10-3-1105 and 10-3-1106, and shall conform City procedures to such statutes as they may be amended or succeeded from time to time. City appeal procedures shall specify the method and manner of choosing the members of the appeal board, the number of members, the designation of their terms of office, and the procedure for conducting an appeal and the standard of review. Such procedures may be adopted in the City's Operations Manual or summarized annually in an Employee Handbook.

(Revised Ords. 1978, § 6-5-4; Ord. No. 17-06, 2-7-2017)

Sec. 4-5-5. Legal Limitations.

City appeal procedures are not intended to establish legal interests in employment or employment benefits and the City hereby undertakes no additional obligations beyond relevant statutory or other applicable law.

(Revised Ords. 1978, § 6-5-5; Ord. No. 17-06, 2-7-2017)

Sec. 4-5-6. Human Resources Director.

The Human Resources Director of Sandy City shall be responsible for the administration and technical direction of the City's human resource management system. The Director shall be appointed by the Mayor upon the recommendation of the City Administrator, with the advice and consent of the City Council. He will report directly to the City Administrator, or his designee, and be subject to the duties and guidance of that person in the fulfillment of his duties. His duties shall consist of the following:

- (1) To administer with assistance and advice of the Mayor, City Council and City Administrator, the human resource management system as set forth in this section, and the rules and regulations adopted hereunder. Also, to prepare, recommend, and enforce policies and procedures for personnel administration.
- (2) To encourage and exercise leadership in the development of an effective personnel administration within all departments of the City government.
- (3) To advise the City Administrator, Mayor and City Council with regard to utilization of human resources throughout the City.
- (4) To foster and develop programs for the improvements of employees' effectiveness, including training, safety, health counseling and other human resource areas.
- (5) To prepare, recommend, and maintain a Position Classification Plan for all positions in the municipal service based on the level and difficulty of duties performed and responsibilities assumed.
- (6) To prepare and recommend to the City Council a pay plan for all municipal employees.
- (7) To direct the procedures for recruitment, testing, selection and hiring of all City employees.
- (8) To develop and administer a program of employee performance evaluations which can serve as a basic factor in such personnel transactions as determining salary increments or increases by meritorious services, promotions, establishing order of layoffs due to lack of funds or work, reinstatements, discharge or transfers.
- (9) To establish a plan for resolving employee grievances and complaints prior to appeals.

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- (10) To coordinate procedures for disciplinary actions, such as suspensions, demotions in rank or grade, or discharge, and to provide for presentation of charges, hearings and appeals for all employees.
 - (11) To certify all employees for payroll purposes and other benefits.
 - (12) To make annual reports to the City Council regarding the condition of the overall personnel management system.
 - (13) To compute for budgetary purposes the annual salary costs for all departments.
 - (14) To supervise, develop, and maintain personnel systems, forms, procedures, and methods of recordkeeping and maintain a roster of all persons in the City service.
 - (15) To establish procedures for the appointment, promotion, demotion, discipline and other actions affecting persons in City service.
 - (16) To create and implement programs to increase the personnel relation efforts of the City in a positive manner and project a cheerful public image.
 - (17) To recommend contractual arrangements with any qualified person or agency for the performance of such technical services as may be desired in the establishment and operation of the personnel system.
 - (18) To develop, administer and coordinate the training program for City employees.
 - (19) To develop and maintain other practices and procedures necessary to the administration of the personnel system.

(Revised Ords. 1978, § 6-5-6; Ord. No. 17-06, 2-7-2017)

Sec. 4-5-7. The Department Head.

Except as provided in the Legislative and Judicial Codes, department heads and Assistant Chief Administrative Officers shall have the power to appoint, promote, demote, instigate disciplinary action, terminate, evaluate the performance and perform other personnel actions within their particular assigned departments, divisions, offices, and functions, that are consistent with this chapter and the rules and regulations developed hereunder.

(Revised Ords. 1978, § 6-5-7; Ord. No. 17-06, 2-7-2017)

Sec. 4-5-8. Appointments.

Whenever a vacancy or job opening for a non-appointed position is to be filled, selections shall be made from a pool of qualified candidates submitted by the Human Resources Office. Only the most qualified persons will be considered based on the job-related tests, examinations, or selection techniques, to the extent permitted by law. Offers of City employment shall be made from these qualified applicants. The Mayor may adopt policies at variance with this section for interns and seasonal, part-time, and temporary employees.

(Revised Ords. 1978, § 6-5-8; Ord. No. 17-06, 2-7-2017)

Sec. 4-5-9. Rules and Regulations.

- (a) Personnel rules and regulations, or revisions thereof, may be adopted by the Mayor and upon such adoption shall be filed with the City Recorder and Human Resources Office. An Employee Handbook shall be distributed annually and shall be available for public inspection during normal business hours. Rules and

regulations, job descriptions, and Employee Handbooks may cover specific procedures and policies consistent with policies as established by the City Council.

- (b) Personnel rules and regulations so adopted may be revised or amended at any time. No personnel rule or regulation, nor any Employee Handbook may create an express or implied contract of any kind.

(Revised Ords. 1978, § 6-5-9; Ord. No. 17-06, 2-7-2017)

Sec. 4-5-10. Acts Prohibited.

- (a) No person shall willfully make any false statement, certificate, mark, rating or report in regard to an application, test, certification, evaluation, or appointment held or made under the personnel system hereby established, or in any manner commit any fraud or other act for the purpose of preventing a proper or impartial execution of said personnel system.
- (b) No person seeking employment or promotion shall give or pay any money or other thing of value, or render services to any person for, or on account of, or in connection with, his test, appointment, proposed appointment, promotion, proposed promotion, or for any other employment advantage with the City.

(Revised Ords. 1978, § 6-5-10; Ord. No. 17-06, 2-7-2017)

Sec. 4-5-11. Invalidity of Acts.

Any act which is in violation of the provisions of this chapter is invalid and shall be set aside.

(Revised Ords. 1978, § 6-5-11; Ord. No. 17-06, 2-7-2017)

Sec. 4-5-12. Agreements and Cooperation with other Governmental Agencies.

- (a) The Mayor may, as permitted by law, enter into agreements with any Federal, State or local government organizations for receipt of grants or services, including material or equipment which is designed to strengthen personnel administration and train municipal employees, or to improve specific access of persons to the human resource system hereby established.
- (b) The Human Resources Director, acting in behalf of the City, may cooperate with other governmental agencies charged with public personnel administration in conducting personnel tests, recruiting personnel, training personnel, establishing lists from which candidates shall be certified for appointment, and for the interchange of personnel and employee benefits.

(Revised Ords. 1978, § 6-5-12; Ord. No. 17-06, 2-7-2017)

Sec. 4-5-13. Employee Organizations.

All employees shall have the right to organize, join and participate or to refuse to organize, join or participate in any employee organization without fear of penalty or reprisal.

(Revised Ords. 1978, § 6-5-13; Ord. No. 17-06, 2-7-2017)

Sec. 4-5-14. City Volunteers.

The rights of City volunteers shall be limited to those established by the Volunteer Government Workers Act (U.C.A. 1953, § 67-20-1 et seq.). No person shall be considered a City volunteer unless approved in writing by the Mayor or his authorized representative, and by the City's Human Resources Director.

(Revised Ords. 1978, § 6-5-14; Ord. No. 17-06, 2-7-2017)

Sec. 4-5-15. Compensation Limitations for the Mayor and City Council.

- (a) The maximum salary for the Mayor and members of the Council shall be set annually in the staffing and compensation plan approved by the Council in the annual budget.
 - (1) The aggregate salary adjustment for the Mayor and any member of the Council shall not exceed the specific percentage increase authorized as a cost-of-living adjustment (COLA) for non-sworn city employees during the same fiscal period.
 - (2) The Mayor and each member of the Council shall be ineligible for merit pay adjustments, incentive pay, or any discretionary bonuses.
 - (3) Under no circumstances shall the Mayor or any member of the Council receive a vehicle allowance, a phone allowance, or any other form of additional compensation.
- (b) Subject to budgetary constraints established by the City Council, the Mayor and each member of the Council may be reimbursed for travel, training, and meeting expenses incurred in the performance of their official duties.
- (c) The Mayor and each member of the Council shall be eligible for all insurance programs and retirement benefits, including but not limited to health, dental, and life insurance, under the same terms and conditions provided to non-sworn city employees.

Exhibit "B"

- CODE OF ORDINANCES
Title 4 - ADMINISTRATIVE CODE
CHAPTER 4-5. HUMAN RESOURCES

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(New Section)

Sec. 4-5-15. Compensation Limitations for the Mayor and City Council.

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 - (2) The Mayor and each member of the Council shall be ineligible for merit pay adjustments, incentive pay, or any discretionary bonuses.
 - (3) Under no circumstances shall the Mayor or any member of the Council receive a vehicle allowance, a phone allowance, or any other form of additional compensation.
- (b) Subject to budgetary constraints established by the City Council, the Mayor and each member of the Council may be reimbursed for travel, training, and meeting expenses incurred in the performance of their official duties.
- (c) The Mayor and each member of the Council shall be eligible for all insurance programs and retirement benefits, including but not limited to health, dental, and life insurance, under the same terms and conditions provided to non-sworn city employees.