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## City Council Agenda Memo

Crest Hill, IL

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<b>Meeting Date:</b>	July 18, 2022
<b>Submitter:</b>	Jim Marino, City Administrator
<b>Department:</b>	Administration
<b>Agenda Item:</b>	An ordinance amending title 2 (administration and personnel), chapter 26 (finance director) of the crest hill city code.

**Summary:** At the July 11 work session the City Council asked that the City Attorney amend the Code of Ordinances by modifying ordinance 1689 to change the following items:

1. Under 2.26.010 (last sentence) change the reporting to City Treasurer from City Administrator.
2. Consider adding an additional condition under 2.26.030 duties and responsibilities: create a separate account for any project over \$500,000. Regularly monitor and report (monthly) status to City Council
3. Immediately inform City Council, City Treasurer, City Administrator and Mayor of any expenses exceeding budget on any capital project.
4. Cleanup item: (F) 941's instead of 941%.

The mayor suggested that the city attorney first be instructed to conduct a legal review of the requested changes. The Council denied this request. The Council's direction to me was to instruct the City Attorney to make the requested changes on the City Council's behalf, without delay for approval at the July 18 meeting. It was my understanding that the City Council did not want the City Attorney to deviate from the requested changes, did not want a legal opinion and did not want him to create an obstacle to the Council's requested changes.

The ordinance with the requested changes as provided to me in writing by Treasurer Conklin is attached.

**Recommended Council Action:** I recommend that the City Council take no action on this ordinance for the following reasons.

1. Ordinance 1689 adopted in 2015 was amended and superseded by ordinance 1869 adopted in 2021. Ordinance 1869 changed the name of the Finance Supervisor position to finance director and added additional duties. By amending ordinance 1689, Chapter 26 (Finance Director) of the Code of Ordinances is repealed and replaced in its entirety. The

Finance Director position title and duties revert to what was established in ordinance 1689. The duties of overseeing the property tax rebate check program, management, and compliance with GFOA criteria and requirements and preparation and submission of the annual tax levy are now removed from the list of duties for the Finance Supervisor. Elimination of these duties leaves a void for who will perform this work.

2. The Finance Director position reverts to the Finance Supervisor position. This position does not currently exist. The mayor will need to appoint a person to this position. Adoption of this amendment will leave the Finance Director with no position unless the current Finance Director is appointed to the Finance Supervisor position.
3. The last stated duty in the ordinance includes performing other duties as assigned by the City Administrator. This duty may now present a conflict with the requested change to Section 2.26.010 which makes the position reportable to the Treasurer.
4. The requested changes conflicts with Chapter 2.22 of the Code of Ordinances which makes the City Administrator responsible for the direction and supervision of all city departments.

Treasurer Conklin's stated several reasons for amending ordinance 1689 that included 1) avoid the failure of the previous City Administrator and Finance Director to report cost overruns to the City Council from occurring again 2) provide councilmembers and the City Treasurer with unfettered access to the Finance Director 3) provide unobstructed, unfiltered, and timely sharing of information 4) segregate duties 5) involvement in the future switch to monthly water billing. It is unclear to me how these issues and reasons warrant such a drastic change. More discussion is necessary to understand these concerns. There are easier and more appropriate solutions to these matters that do not require amending the Code of Ordinances.

**Financial Impact:**

**Funding Source:**

**Budgeted Amount:**

**Attachments:** Ordinance