

SPESIA & TAYLOR

MEMO

To: Mayor and City Council
From: Michael R. Stiff, Spesia & Taylor
Date: November 25, 2024
Re: Proposed changes to Civil Service Commission Compensation

Mayor and City Council,

The current version of the Ordinance amending the City Code sections regarding compensation and absences for members of the Civil Service Commission is attached. This version is per the Council's direction at the two prior work sessions at which it was discussed.

You may also recall that back on September 16 the Council passed Ordinance 1999 which amended the Plan Commission Compensation sections of the Code along with some other cleanup provisions regarding the number of absences for which a Commissioner would be paid.

During the work session at which this Ordinance was discussed, I pointed out the fact that the Plan Commission Members were paid monthly (based on 12 meetings per year). The Council decided to keep this monthly payment intact rather than changing the compensation to being only for actual meetings attended but allowing a certain number of what would amount to "excused" absences for a scheduled meeting which is missed.

Ordinance 1999 is attached to this Memorandum for ease of reference. My Memorandum of September 9, 2024 is also attached.

MRS

SPESIA & TAYLOR

MEMO

To: Mayor and City Council
From: Michael R. Stiff, Spesia & Taylor
Date: September 9, 2024
Re: Proposed changes to Plan Commission Ordinance(s)

Mayor and City Council,

The Plan Commission last month revised its Bylaws to reflect the new monthly meeting date on Thursday and to change the meeting location from the old City Hall address to the new City Center. In the process of reviewing the Bylaws to make those changes, Bill Thomas, the PC Chair suggested some additional modifications to make the Bylaws consistent with current practice. It was unclear when the Bylaws were originally drafted and approved, or when they were last amended since there was no date on the document.

In working with Bill Thomas to get the Bylaws updated, we looked to the City's Code Sections which create the Plan Commission to make sure that the Bylaws were consistent with those Ordinances, and in doing so, we noted that the Ordinance on Plan Commission compensation could be subject to varying interpretations.

As a result, Bill Thomas met with the Mayor to discuss these issues and concerns. The Mayor advised that the matter would need to be discussed with the City Council at a work session to determine the Council's direction as to what modifications should be made to the Ordinances.

Attached is the version of the Bylaws passed by the Plan Commission in August. The one section which was not changed at all, pending the Council's direction at tonight's meeting, is the Section on meeting attendance and the potential removal of a Plan Commission member due to absences.

In addition to the Plan Commission Bylaws, I have attached the current Plan Commission Ordinances for the City, specifically Chapter 2.80, Sections 2.80.010 through 2.80.080, as well as a document showing Bill Thomas' proposed changes to Section 2.80.040 in red. You will note that depending on what the Council directs tonight, there will need to be a corresponding change to the Plan Commission Bylaws Section V.

For discussion tonight is the topic of Plan Commission Compensation and the proposed modifications regarding removal for excessive absences. I have included all the Plan Commission Ordinances for review in case the Council wants to make any other changes. One other item that I noted in my review of these ordinances is the mandatory language in Section 2.80.050 regarding

an annual report being mandated. I am not aware of any annual report being filed with the Mayor and Council during Spesia & Taylor's time as City Attorney. Each of the Plan Commissions "transactions and recommendations" as referred to in Section 2.80.050 are communicated to the Mayor and City Council via "Findings and Decision" documents which are attached to Ordinances which come to the Council for approval or denial following the monthly Plan commission meetings, so I see no reason for an annual report to be mandated. My recommendation would be that Section 2.80.050 be amended to require the Plan Commission to continue its practice of submitting written Findings and Decision on all matter to the Mayor and City Council rather than via an "annual report."

With respect to the proposed changes to the Compensation Section of the Code, the Council can consider alternative options such as going to a per meeting attended model.

MRS

ORDINANCE NO. 1999

AN ORDINANCE AMENDING SECTION 2.80.040 (COMPENSATION) OF CHAPTER 2.80 (PLAN COMMISSION) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE CITY OF CREST HILL CODE OF ORDINANCES

WHEREAS, the City of Crest Hill is authorized by Section 11-12-4 of the Illinois Municipal Code to create a Plan Commission (65 ILCS 5/11-12-4); and

WHEREAS, the City of Crest Hill has previously exercised said authority by adopting Title 2, Chapter 2.80, Sections 2.80.010 through 2.80.080 creating a Plan Commission; and

WHEREAS, Section 2.80.040 of the Crest Hill Code governs the compensation and attendance at meetings of Plan Commission members; and

WHEREAS, pursuant to its express authority granted by the Illinois Municipal Code, the City of Crest Hill has from time to time deemed it necessary to amend its Code of Ordinances; and

WHEREAS, the Corporate Authorities have determined that Section 2.80.040 should be amended to increase the compensation for Plan Commission Members, to replace references to "Chairman" with "Chairperson." and to clarify the number of absences for which the Plan Commission Members will be paid.

NOW, THEREFORE, BE IT ORDAINED by the Corporate Authorities of the City of Crest Hill, Illinois, as follows:

SECTION 1: PREAMBLE. The preamble of this Ordinance is declared to be true and correct and is incorporated by reference as if fully set forth in this Section 1.

SECTION 2: APPROVAL.

Section 2.80.040 (Compensation) of Chapter 2.82 (Plan Commission) of Title 2 (Administration and Personnel) of the City of Crest Hill Code of Ordinances is hereby repealed in its entirety and replaced as follows, with all other sections of Chapter 2.80 remaining unchanged:

§ 2.80.040 COMPENSATION.

(A) The Chairperson of the Plan Commission shall be paid the sum of \$60 per month, based on the commission having twelve regular meetings per calendar year. The Chairperson of the Plan Commission shall be allowed two (2) absences from scheduled meetings per calendar year. The Chairperson shall not be compensated for the third and any subsequent missed meetings in a calendar year. If the Chairperson is absent for more than five (5) scheduled meetings in a calendar year, it may result in removal from the Plan Commission. Additionally, the Chairman of the Plan Commission shall be paid \$60 per special meeting attended.

(B) The regular members of the Plan Commission shall be paid the sum of \$50 per month, based on the commission having twelve regular meetings per calendar year. The regular members of the Plan Commission shall be allowed two (2) absences from scheduled meetings per calendar year. A regular member of the Plan Commission shall not be compensated for the third and any subsequent missed meetings in a calendar year. If a regular member of the Plan Commission is absent for more than five (5) scheduled meetings in a calendar year, it may result in removal from the Plan Commission. Additionally, regular members of the Plan Commission shall be paid \$50 per special meeting attended.

('78 Code, § 2.80.030) (Ord. 1093, passed 5-17-99)

SECTION 3: SEVERABILITY. If any section, paragraph, clause or provision of this Ordinance is held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any other provision of this Ordinance.

SECTION 4: REPEALER. All ordinances, resolutions or orders, or parts thereof, which conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

SECTION 5: EFFECTIVE DATE. This Ordinance shall be in full force and effect immediately upon its passage and publication according to law.

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PASSED THIS 16TH DAY OF SEPTEMBER, 2024.

	Aye	Nay	Absent	Abstain
Alderwoman Jennifer Methvin				
Alderman Scott Dyke				
Alderwoman Claudia Gazal				
Alderman Darrell Jefferson				
Alderperson Tina Oberlin				
Alderman Mark Cipiti				
Alderman Nate Albert				
Alderman Joe Kubal				
Mayor Raymond R. Soliman				

Christine Vershay-Hall, City Clerk

APPROVED THIS 16TH DAY OF SEPTEMBER, 2024.

Raymond R. Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk