

**July 10, 2013**

**Task Force Members**

Kelly Allen – Absent  
Marilyn Coffey – Present  
Pastor Michael Cole – Present  
Jim Marshall – Absent  
Jack Schrauth – Present  
Tom Shaw – Present  
Bill Wadsworth – Present

**Also Present**

City Attorney – Rob LeSage III  
Special Assistant to the City Council – Danny Langloss, Jr.

**Call to Order by Marilyn Coffey**

**Approval of Minutes**

Approval of 7/10/2013 Minutes: motion by Tom Shaw to accept minutes seconded by Jack Schrauth. Unanimously approved.

**Discussion with the City Attorney, Rob Lesage III**

Rob: Gave caveat before answering questions: I do not have all the codes memorized and may have to give answers later. I may, at times, qualify an answer and give what I think is the most accurate answer.

**Q:** Regarding the powers and duties of a city manager – Are the 8 listed powers and duties listed in section 5-3-7 in the Illinois Municipal Code the only state mandated powers and duties? How does the council add or subtract from the managers powers and duties that are not mandated by the state?

**A:** The first seven are straight forward, while the eighth is a catchall – administrative duties. To add to the duties of a City Administrator or City Manager, the powers and duties would need to be outlined in a contract or by ordinance. The Council would not be able to alter any duties outline in the Illinois Municipal Code.

**Q:** Regarding Rock Falls form of government – Exactly what type of government is Rock Falls? They have eight aldermen (2/ward), but list the administration as a city administrator, not a city manager. Does Rock Falls elect their City Clerk and City Treasurer?

**A:** Rock Falls is a De facto: Mayor/Council form of government. Rock Falls elects both the City Clerk and the City Treasurer. They appoint their City Administrator.

**Q:** Can Dixon have this form of government?

**A:** For this scenario to happen, the first step would be to have petition signed to abandon the Commission form of government. The number of signatures needed on the petition is 25% of the number of votes at the last election. The petition would then be given to the City Clerk who in turn gives it to the voting officials. The referendum would then be placed on the ballot at the next election. The citizens of Dixon would then have to vote to abandon the Commission form of government.

At this point, the City of Dixon then becomes an Article 3 Municipality and would revert back to the type of government it was before it was the Commission form of government.

**Q:** Is the City mandated by the state to have a Code of Ethics for city officials and employees?

**A:** There are ways that the state enforces ethical practice – mostly by prohibition. However, I am not aware of a state mandated Code of Ethics.

**Q:** If Dixon would hire a permanent City Administrator – Under our present form of government would it be an ordinance or a simple vote of the council to hire a City Administrator? Is the job description for a permanent city administrator voted on by the council or is it a part of the ordinance? Can the job description be adjusted as time and market demands change? By whom and how is that done?

**A:** The process to obtain a city Administrator would begin with council action by ordinance. City Administrators are given their power through an ordinance (voted on by council). Most City Administrators will request a formal contract. The contract will outline the powers and duties given to the City Administrator that are constant throughout his/her career with the city. I have not seen a time where City Administrator's duties are taken away.

**Q:** How does a city have aldermen and not have their city clerk and city treasurer by elected office? Is that done by a special charter or ordinance?

**A:** The council can vote to have those positions appointed.

I think that it would be valuable to hear how the city of Rock Falls manages with an elected City Clerk and Treasurer.

**Q:** In a city like Rochelle, who terminates those positions?

**A:** I don't know the answer to that question. It might be the code that gives overview on who has the authority to terminate.

**Q:** Can you give an Administrator so much power that it nullifies the position of a council member?

**A:** The job description can be set up so that the structure of the council and the City Administrator are preserved. It depends on the job description. I think that job description that has been envisioned by Chief Langloss, has the City Administrator

involved in the day to day workings while the commissioners are mainly involved in policy making.

The people that you elect as officials for your government are key. This is true across all forms.

I feel that it is important for the Governmental Task Force and the public to know that this current council has taken aggressive action since "the situation" to put policies that act as checks and balances.

I think that the broader question should be about professionalization within the city. The form of government should take a back seat to the professionalization of the City. A component of professionalism should be Key Principles or Code of Ethics. There can be value in reminding council members why they are there. However, there is an inherent limitation on how far they can go.

**Q:** How can a community adopt a Mayor Council form of government?

**A:** The Illinois Legislator has set forth the framework on how to adopt forms of government.

Citizens can, by petition, move to change the form of government:

The petition needs a minimum of 25% of voters from last election for Mayor

(Section 4-10-1 of Illinois Municipal Code)

- The ballot question would read, "Should the City of Dixon retain the Commission Form of Government?"
- If a majority of citizens vote, "No", then Dixon would revert back to the Form of Government it had prior to the Commission Form.
- Attorney Lesage does not know what form of Government Dixon had before the Commission Form.
- The law states that if in that form Officials were elected by Wards, the Wards would be set up the same as they were at that time.
- To adopt the City Manager Form, a petition signed by 10% of the previous voters in the Mayoral election be submitted to the County Clerk in a petition to the Chief Judge of the Circuit Court. (or)
- The City Council, could by ordinance, place on the ballot a question on whether or not to adopt the Council-Manager Form of government. (Section 5-1-5)
- If the Council did this without eliminating the Commission Form, then the Council - Manager Form would be overlaid on top of the Commission Form.
- Then there are certain elements of the Commission Form that remain, but the Commissioners would not have ultimate authority over department heads
- Number of Commissioners and how votes happen would remain the same
- The job description for an Administrator can reflect that of a City Manager, if the Council decides to do so by Ordinance.

**Q:** Can you give an example of ease in a specific form of government?

**A:** There is no rule of thumb for ease within government; what I have noticed is there is a differential between the cities that have and have not embraced professionalism.

There is a correlation between size and the need to professionalize the staff. It comes down to two questions:

What are the resources of the community?

What is the commitment of the governing body?

In everything, it depends on the people.

We also need to remember that a form of government doesn't steal people steal.

The value of professionalism within the city is key. I think it would be a detriment to the city if there is not a professional managing the city.

**Q:** Which Form is more efficient? For example, to sign a contract with a company, it has to go through two council meetings. The first council meeting, the contract is placed on file. The second council meeting the contract would be approved or denied.

**A:** I do not think that other forms of government have that issue? However, it does give the public time to view the document before the council makes a decision.

**Jordan Bowman:** Why is it different?

**A:** Different set of codes for processing city business.

**Q:** In a Commission form of government, can you expand the number of commissioners?

**A:** I do not believe that you can.

## **Public Comment**

Peter Shaw:

**Q:** Will the duties delegated to the City Administrator come directly from the negotiated contract?

**A:** The council will be solidifying the job description through an ordinance.

Philip LeFever:

**Comment:** In my point of view, the City Manager is more professional than the City Administrator.

**Rob LeSage:** Professionalism depends on the town and the people that are hired and elected.

Jill Polivka:

**Comment:** I speak for many people – retaining the Commission form of government is insanity. This is the time for change.

We should be out there informing the citizens. We need to think of the future.

Stan Woolston:

**Comment:** Look at which form promotes honesty and openness.

### **Plans for next meeting**

**Comment:** Do we want to speak with Rock Falls? I would also like to take a look at the East Peoria model before we go into deliberations?

**Comment from Marilyn:** Have our next meeting with Rock Falls and speak with Danny more about the operations of East Peoria. At the meeting following, we can then discuss which forms we think are the best options.

**Dennis Considine:** I would like to suggest having a meeting at a later time so that more of the public can attend.

**Comment:** The GTF is in favor of this suggestion. At the next meeting Marilyn would like everyone to have a date in mind that they can meet in the evening.

We also need to be thinking about the implication impact of our recommendation to the mayor, council and citizens. We need to go through a hypothetical situation and ask: Is there an effort that is going to be needed to educate citizens? Lastly, have we thought about the nature of the deliberation?

Motion by Tom Shaw to adjourn the meeting seconded by Jack Schrauth;  
Unanimously approved.