

TO: The Mayor and City Council

FROM: Martin S. Lyons, City Treasurer

DATE: October 16, 2020

SUBJECT:
Setting the compensation of the City's elected officials.

PURPOSE:
To establish the compensation of the Aldermen to be elected in and after 2021.

BACKGROUND:
Since at least 1848, Illinois has constitutionally required that the compensation of public officers be established prior to the commencement of their term of office. Section 9(b) of Article VII of the present Illinois Constitution expressly provides that "[a]n increase or decrease in the salary of an elected officer of any unit of local government shall not take effect during the term for which that officer is elected. For this reason no local elected official may ever vote to increase (or decrease) his or her own compensation - only the compensation of the person elected by the public to hold the office at the start of the next term.

To ensure that the voters have the right to weigh in on changes to elected official compensation and to prohibit post-election lame duck adjustments, the Illinois General Assembly has further required that any changes to a local elected officer's compensation be fixed at least 180 days prior to the commencement of a term in office. The Illinois Municipal Code vests the responsibility of establishing the compensation of municipal officers in each municipality's corporate authorities, which in the case of the City, is the City Council.

The Illinois Municipal Code as well as our own Code of Ordinances provides that elected City officers begin their term no earlier than the first regular or special meeting of the City Council in May following the election. The first regular meeting of the City Council in May 2021 is scheduled to occur on Tuesday, May 11. This requires the Council to act no later than Thursday, November 12, 2020, if it wishes to make adjustments to the salaries of officers elected in 2021. If no adjustments are made at this time, the salary schedule adopted by the City Council in 2016 will remain in effect. The salaries of the aldermen elected in 2021 will increase during the first two years of their terms and remain at that level for the duration of their terms. Since it has been the goal of the City Council to ensure that all aldermen receive the same compensation, the practical implication of not taking action at this time is that the compensation of the aldermen will not change between May of 2023 and May of 2027.

DISCUSSION:
The proposed levels of compensation were developed and recommended by the Finance Committee. Other than to provide historical information, information about comparable compensation in other communities and the legal considerations involved, staff offered no

direction or advice to the Finance Committee as to whether and what changes to elected official compensation should be made.

At its special meeting of October 8, 2020, and again on October 15, 2020, the Finance Committee recommended increasing the salaries of the aldermen on a 3%-3%-3%-5% structure, effective with the inauguration of aldermen in 2023 as follows:

From June 1, 2023, through May 31, 2024 - \$22,971.00 (3%)
From June 1, 2024, through May, 31, 2025 - \$23,660.00 (3%)
From June 1, 2025, though May 31, 2026 - \$24,370.00 (3%)
From June 1, 2026, and continuing thereafter - \$25,588.00 (5%)

Also, effective June 1, 2023, the \$75 stipend aldermen receive for attending official meetings of the City Council and its committees will increase to \$90.

IMPACT STATEMENT:

This ordinance establishes the compensation for the Aldermen as provided by law..

RECOMMENDATIONS:

That the Council deliberate on the proposed ordinance and takes whatever action it deems appropriate.



CITY OF AURORA, ILLINOIS

ORDINANCE NO. _____
DATE OF PASSAGE _____

An Ordinance setting the compensation of the aldermen elected in and after 2021 in accordance with the Illinois Municipal Code and the Local Government Officer Compensation Act.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, Section 3.1-50-5 of the Illinois Municipal Code provides that the salaries or other compensation of all municipal officers shall be fixed by ordinance; and

WHEREAS, Section 3.1-50-10 of the Illinois Municipal Code and Section 2 of the Local Government Officer Compensation Act provide that the salaries or other compensation of the elected officers must be fixed at least 180 days prior to the commencement of the terms of the officers whose compensation is to be fixed; and

WHEREAS, the City Council desires to set the compensation of the Aldermen for the terms commencing in and after May 2021; and

WHEREAS, the commencement of the terms of said officers will not occur fewer than 180 days after the effective date of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows: that the annual compensation for the Aldermen for the terms commencing in or after May 2021 shall be and hereby is set as follows:

From May 1, 2021, through April 30, 2022, twenty-one thousand two hundred twenty seven dollars (\$21,758.00) as previously fixed by Ordinance O16-060;

From May 1, 2022, through May 31, 2023, twenty-two thousand three hundred two dollars (\$22,302.00), as previously fixed by Ordinance O16-060;

ORDINANCE NO. _____
DATE OF PASSAGE _____

From June 1, 2023, through May 31, 2024, twenty-two thousand nine hundred seventy-one dollars (\$22,971.00);

From June 1, 2024, through May 31, 2025, twenty-three thousand six hundred sixty dollars (\$23,660.00);

From June 1, 2026, through May 31, 2026, twenty-four thousand three hundred sixty-nine dollars (\$24,370.00); and

From June 1, 2026, and continuing thereafter, twenty-five thousand five hundred eighty-seven dollars (\$25,588.00); and further

BE IT ORDAINED, that in addition to the annual salaries set forth in this Ordinance, until June 1, 2023, the compensation of the Aldermen shall include an amount of seventy-five dollars (\$75.00) for attending each meeting of the City Council, and any committee thereof to which the Alderman is appointed, as previously ordained by the City Council; and further

BE IT ORDAINED, in addition to the annual salaries set forth in this Ordinance, the compensation of the Aldermen shall include an amount of ninety dollars (\$90.00) for attending each meeting of the City Council, and any committee thereof to which the Alderman is appointed, effective June 1, 2023 and continuing thereafter; and further

BE IT ORDAINED, that the City Council specifically intends that this Ordinance shall be read together with any previous enactments establishing the compensation of the City's elected officials and shall not be construed to revoke or repeal by implication or otherwise any previous enactment; and further

BE IT ORDAINED, that the City Council intends that nothing in this Ordinance shall be construed as effecting a change in the compensation of any of its elected officers during their present term of office.