

**ORDINANCE NO. 4438**

**AN ORDINANCE DESIGNATING NEWLY ELECTED COUNCIL MEMBERS  
TO SERVE AS COMMISSIONERS OF SPECIFIC DEPARTMENTS AND  
REGARDING THE STATUS OF THE MAYORAL POSITION**

**WHEREAS**, the Mayor and Commissioners are each respectively charged with the responsibility of serving as the head of a specific department of the City, and accepting the responsibility for the management of that department; and

**WHEREAS**, in furtherance of their respective charges, the Mayor and each of the commissioners are required by the Illinois Municipal Code to devote such time to the duties of the respective offices as a faithful discharge may require; and

**WHEREAS**, pursuant to the Illinois Municipal Code, the Mayor shall be Commissioner of the Department of Public Affairs and the City Council is to designate one Commissioner to be the Commissioner of the Department of Accounts and Finance, one to be Commissioner of the Department of Public Health and Safety, one to be Commissioner of the Department of Streets and Public Improvements and one to be Commissioner of the Department of Public Property; and

**WHEREAS**, via Ordinance No. 2777 on December 6, 1994, the City Council fixed the compensation for the Mayor and each of the Commissioners; and

**WHEREAS**, in recognition that the duties of the position of Mayor, as the chief executive officer of the City, change over time given the needs of the City, the City Council fixed the compensation for the Mayor for performance of duties on a full-time basis and, separately, fixed the compensation for the Mayor for performance of duties on a part-time basis; and

**WHEREAS**, the fixed salaries of all Commissioners and that of both a full-time and part-time Mayor were set by said Ordinance, but upwardly adjust annually according to the change in the Consumer Price Index for the preceding calendar year as reported by the United States Department of Labor; and

**WHEREAS**, recognizing increased demands, on August 8, 2016, the position of City Administrator was filled with the objective of professionalizing the governmental operation by strengthening the role of the City Administrator; and

**WHEREAS**, on November 1, 2016, by reason of having revised the City's organizational structure by strengthening the role of the City Administrator, the position of Mayor was designated a part-time position; and

**WHEREAS**, the position of City Administrator became vacant on September 30, 2018; and

**WHEREAS**, pursuant to the Illinois Municipal Code, the Council shall determine the powers of and duties to be performed by each department and shall make such rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the municipality; and

**WHEREAS**, the City Council chooses not to fill the position of City Administrator; and

**WHEREAS**, in the absence of a City Administrator, the Mayor shall in addition to the duties of the Commissioner of the Department of Public Affairs perform the customary duties of a City Administrator and pursuant to statute shall report to the Council for its actions on all matters requiring attention in any department; and

**WHEREAS**, in the absence of a City Administrator, greater demands are placed upon the Mayor and given the needs of the City the faithful discharge of the duties of the Mayor requires that the position be a full-time position; and

**WHEREAS**, the City has fixed the compensation of the Mayor for the performance of duties on a full-time basis more than 180 days before the beginning of the term commencing on May 7, 2019; and

**WHEREAS**, designating the position of Mayor a full-time position with all of the duties and compensation attendant thereto in lieu of filling the position of City Administrator results in a cost savings to the City in excess of \$55,000 annually; and

**WHEREAS**, in advance of the municipal election held on April 2, 2019, the City Council resolved that those yet to be elected by the voters to serve on the next City Council should determine if it is in the best interests of the City that the position of Mayor be part-time or full-time, the salaries for both such positions having been previously fixed by the City Council; and

**WHEREAS**, it is in the best interests of the City that the Mayor elected at the April 2, 2019 municipal election perform duties on a full-time basis;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:**

**Section 1.** The statements set forth in the preambles to this Ordinance are hereby found to be true and correct.

**Section 2.** Mark E. Hill is designated Commissioner of the Department of Accounts and Finance.

**Section 3.** Seth D. Mingus is designated Commissioner of the Department of Public Health and Safety.

**Section 4.** Daniel S. Decker is designated Commissioner of the Department Streets and Public Improvements.

**Section 5.** Michael L. Sutherland is designated Commissioner of the Department of Public Property.

**Section 6.** John P. Kahl, elected Mayor at the April 2, 2019 municipal election, shall perform duties on a full-time basis.

**Section 7.** This Ordinance is hereby ordered to be published in pamphlet form by the East Peoria City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

**Section 8.** This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

**Section 9.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

**PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

**APPROVED:**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk

**EXAMINED AND APPROVED:**

\_\_\_\_\_  
Corporation Counsel