

MEMORANDUM

TO: The Honorable Mayor and City Council
FROM: Michael G. Dzigan, City Manager
DATE: January 17, 2023
SUBJECT: **Codification of Personnel Manual Amendments**

The Staff is recommending City Council consideration of an amendment to Chapter 2, Article VI, Section 481 changing the way amendments to the Personnel Manual are codified.

The amending language would eliminate the issue of whether the manual needs to be republished and reprinted with every amendment. As currently written, the City Code has been interpreted to require republishing and reprinting of each amendment making the process very cumbersome.

The Ordinance is placed on the agenda for a first reading.

Attachment



ORDINANCE NO. O-2023-xx

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WHEATON CHAPTER
2 (ADMINISTRATION), ARTICLE VI (PERSONNEL)**

WHEREAS, the City of Wheaton ("City") is an Illinois Home Rule Municipality pursuant to provisions of Article VII, Section 6 of the Illinois Constitution, and as such the City may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the subject matter of this ordinance pertains to the government and affairs of the City and its residents; and

WHEREAS, based upon the frequency of amendments to Exhibit 1 in Sec. 2-481 (Personnel manual adopted), the Mayor and City Council find that it is necessary to update Sec. 2-481, (Personnel manual adopted) of Article VI, (Personnel) of Chapter 2, (Administration) of the Wheaton City Code.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Wheaton, Illinois by its home rule authority, that the Wheaton City Code, Chapter 2 (Administration), Article VI (Personnel), Division1 (Generally) is hereby amended.

SECTION 1. That Chapter 2 (Administration), Article VI (Personnel), Division 1 (Generally) is hereby amended as follows:

Sec. 2-481. - PersonnelEmployee manual adopted.

The personnel manual dated May 1, 2011, hereinafter titled "Employee Manual," a copy of which is on file in the office of the city clerk, city hall, is adopted and further amended by the adoption of Exhibit 1 attached to Ord. No. F-1931, which is also on file in the office of the city clerk, city hall, and said Employee Manual and Exhibit 1 are incorporated in this article by this reference as though fully set forth herein. The Employee Manual may be further amended by the City without a complete reprinting or republication of Exhibit 1, so long as the amendment is adopted by the Corporate Authorities by ordinance referencing that form of amendment and incorporating it into Exhibit 1 as an addendum on file with the City Clerk. The City Clerk shall maintain the comprehensive amended Employee Manual online and with a print copy which shall be available in the City Clerk's office. The City Clerk shall prepare an addendum index, to be kept as face pages of the addendum to facilitate efficient identification of the sections of the Employee Manual which have been amended as described. Those sections of the Employee Manual referenced in Exhibit 1, and which may be amended as described herein, shall be the personnel rules and regulations related to the matters set forth therein and shall fully supplant and replace those sections of the Employee Manual existing prior to the adoption of Ord. No. F-1931 which hereby are rescinded. In all other respects, the Employee Manual is reaffirmed.

SECTION 2. In all other respects, the terms and provisions of the Wheaton City Code are ratified and remain in full force and effect.

SECTION 3. All ordinances or parts of ordinances in conflict with these provisions are hereby repealed.

SECTION 4. In the event that any section, clause, provision, or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 5. This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

Mayor

ATTEST:

City Clerk

Roll Call Vote:

Ayes:

Nays:

Absent:

Passed:

Published: