

DATE: May 23, 2018

TO: Honorable Mayor Jerry Smith
City Council

FROM: Dean Frieders, City Attorney

SUBJECT: Authorizing the Appointment of an Interim City Manager.

I. Summary

This resolution authorizes the appointment of an Interim City Manager.

II. Background

With the recent resignation of the City Manager, Assistant City Manager Patty Hoppenstedt has been serving in the role of City Manager on an interim basis. Prior to the City Manager's resignation, Ms. Hoppenstedt had advised the Mayor and Council that her employment with the City would be ending this summer, based upon her family's relocation to another state. Ms. Hoppenstedt accepted the interim appointment to continue the City's operations, pending her planned resignation and move. Under City Code and state law, various authority is provided to the formally appointed position of City Manager, and it is recommended to consider the formal appointment of an Interim City Manager to replace Ms. Hoppenstedt.

At this time, based upon the direction provided by the Mayor, it is requested that the Council consent to the appointment of Molly Talkington as Interim City Manager. This interim appointment only contemplates the service as Interim City Manager until the first to occur of a permanent City Manager appointment being made, the further action by Council to terminate the appointment, or Ms. Talkington's resignation from the position. The appointment includes a 10% increase in compensation in recognition of acting duties, with that compensation starting as of the first date of her employment as Interim City Manager and ending upon the day before her last day as Interim City Manager. The appointment would be effective on the first day after the effective date of Ms. Hoppenstedt's resignation.

III. Community Groups/Interested Parties Contacted

This item is anticipated to be discussed at the Regular City Council meeting of May 29, 2018.

IV. Legal Impact

Under City Code Section 3.08-5, the Assistant City Manager has the obligation to serve as the Acting City Manager “in the City Manager’s absence.” As that language does not facially apply to circumstances where the City Manager position is vacant, an interim appointment is recommended to ensure that the City retains operational consistency pending Council direction on selection of a permanent City Manager.

V. Financial Impact

The resolution contemplates the approval of a 10% acting pay classification for the Interim City Manager. The acting pay classification will result in a cost to the City of \$1,285.55 per month, which may be offset by savings in the City Manager budgeted salary, depending on the length of vacancy of that position.

VI. Options

1. Council may approve the resolution authorizing the interim appointment.
2. Council may elect to not approve the resolution.

VII. Recommendation

Approval of the Mayor’s designation of Molly Talkington as Interim City Manager is recommended.



RESOLUTION 2018-

**AUTHORIZING THE APPOINTMENT OF AN INTERIM CITY
MANAGER.**

WHEREAS, the City of DeKalb is a home-rule municipality with the power and authority conferred thereupon by virtue of the Illinois Constitution, the Illinois Municipal Code and the City Code of the City of DeKalb; and

WHEREAS, the City currently employs Molly Talkington as its Finance Director and has determined that it is mutually beneficial and advantageous to make the appointment of an Interim City Manager pursuant to the terms of this Resolution;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
DEKALB, ILLINOIS:**

Section 1: The City Council of the City of DeKalb hereby approves of and consents to the Mayor's appointment of Molly Talkington as the City of DeKalb's Interim City Manager. Said interim appointment shall take effect upon the first day following the effective date of resignation of current Interim City Manager Patty Hoppenstedt, and shall be in place until the selection and appointment of a City Manager on a permanent appointment basis, until Talkington resigns the position or until the action of the Mayor and City Council to terminate the appointment, whichever occurs first. Upon termination or revocation of this appointment, Talkington shall return to her currently-held position as Finance Director (it being recognized that this appointment is interim in nature, to fill a vacancy in the office of City Manager on a short-term basis).

As a component of her interim appointment, Talkington shall be entitled to a temporary pay increase in the amount of 10% of her current base salary. Said pay increase shall be effective as of the first day of Talkington's service as Interim City Manager and shall remain in effect until the day before the end of Talkington's service as Interim City Manager, at which time her compensation shall revert back to her current base salary and she shall revert back to the position of Finance Director unless the City Council should approve an alternate appointment or compensation. In the event that Talkington separates from employment during the tenure of her appointment as Interim City Manager, any compensation she is due upon separation from employment, such as payout of accumulated paid time off, shall be made at the rate payable for her services as Finance Director, at her base pay.

Section 2: That the City Clerk of the City of DeKalb, Illinois be authorized and directed to attest the Mayor's Signature and shall be effective thereupon.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, at a Regular meeting thereof held on the ___ day of _____, 2018, and approved by me as Mayor on the same day.

ATTEST:

SUSANNA HERRMANN, City Clerk

JERRY SMITH, Mayor