

## Memorandum

Date: September 25, 2024  
To: Kevin Jackson, Village Manager  
From: Gregory T. Smith, Interim Village Attorney  
Re: Changes to Compensation of Village Elected Officers

---

We were asked to provide a memorandum explaining procedures and limitations applicable to changes in compensation of the Village's elected officers. Below is a summary of key legal considerations.

### I. Authority to Adjust Compensation

The Village Board may set the compensation of Village elected officers. 65 ILCS 5/3.1-50-10. Compensation of the Village President, Trustees, and Clerk are fixed in Section 2-1-6 of the Village Code, a copy of which is attached.

### II. Timing for Compensation Changes

Changes to compensation must be approved by ordinance and are subject to timing requirements in the Illinois Constitution and State law. First, changes cannot take effect during an elected officer's term. Illinois Constitution, Article VII, Section 9(b).

Second, compensation changes must be approved by ordinance no less than 180 days prior to the beginning of an elected officer's term. 65 ILCS 5/3.1-50-10; 50 ILCS 145/2(a). The Village Code does not include an inauguration date for elected officers. State law provides that in the absence of a Village-specified inauguration date, terms of office begin at the first regular or special Village Board meeting occurring after receipt of election results from the Cook County Clerk. 65 ILCS 5/3.1-10-15.<sup>1</sup> As a result, the date on which elected officers' terms begin depend on the timing of the County Clerk transmitting certified election results to the Village.<sup>2</sup>

---

<sup>1</sup> The Village Code may be amended to provide for an inauguration date after a municipal election between the time the Village receives official election results from the County Clerk and the first regular or special meeting in June. 65 ILCS 5/3.1-10-15. For instance, the Village Code could set the inauguration date for newly elected officers at the beginning of the regular meeting of the President and Board of Trustees on the first, second, third, or fourth Tuesday of May, or the first Tuesday of June.

<sup>2</sup> The County Clerk must canvass the election results by April 22, 2025. 10 ILCS 5/22-17(a). After the canvass, the County Clerk transmits the certified results to the Village. 10 ILCS 5/22-18.

### III. Key Considerations

Changes to elected officers' compensation will only take effect prospectively for terms of office that begin at least 180 days after ordinance approval. If the Village Board implements a compensation change effective with terms beginning after the April of 2025 election, the changes will apply only to the offices of Village President, Clerk, and the three Trustees selected at that election. The remaining three Trustees would continue to receive their current compensation because their terms continue until after the April of 2027 election.

Compensation change timing must account for the 180-day period. Below are potential inauguration dates and related compensation approval deadlines:

<b>Inauguration Date (Tuesdays)</b>	<b>Ordinance Approval Deadline</b>
April 29, 2025	October 29, 2024
May 6, 2025	November 6, 2024
May 13, 2025	November 13, 2024
May 20, 2025	November 20, 2024
May 27, 2025	November 27, 2024
June 3, 2025	December 3, 2024

As noted above, the Village's inauguration date is currently the first regular or special Village Board meeting after the Village receives the election results from the County Clerk, but the Village Code may be amended to set a specific inauguration date no later than the first regular or special June meeting. 65 ILCS 5/3.1-10-15.

If the Village Board desires to make a compensation change effective for terms of office beginning after the April of 2025 election, the safest course is for the Village Board to approve the compensation change in the near future to avoid a situation where the change was approved less than 180 days before the start of those terms.

## **VILLAGE CODE SECTION 2-1-6, COMPENSATION OF ELECTED OFFICERS**

A. Effective for the terms of office commencing after the election of April 1999, and prior to the election of April 2003, the compensation of elected officers shall be established as follows:

1. The compensation of the Village President shall be nine hundred dollars (\$900.00) per month or ten thousand eight hundred dollars (\$10,800.00) per annum. The Village President shall not receive any insurance benefits through the Village.

2. The compensation of Village Trustees shall be six hundred dollars (\$600.00) per month or seven thousand two hundred dollars (\$7,200.00) per annum. The Village Trustees shall not receive any insurance benefits through the Village.

B. Effective for the terms of office commencing after the election of April 2003, the compensation of elected officers shall be established as follows:

1. The compensation of the Village President shall be nine hundred dollars (\$900.00) per month or ten thousand eight hundred dollars (\$10,800.00) per annum. The Village President shall also qualify for the same health insurance benefits as regular full time, nonunion employees of the Village as approved in the annual budget, except that the total premium for any health insurance option offered by the Village and accepted by the Village President shall be paid by the Village President.

2. The compensation of Village Trustees shall be six hundred dollars (\$600.00) per month or seven thousand two hundred dollars (\$7,200.00) per annum. The Village Trustees shall also qualify for the same health insurance benefits as regular full time, nonunion employees of the Village as approved in the annual budget, except that the total premium for any health insurance option offered by the Village and accepted by the Village Trustee shall be paid by the Village Trustee.

C. Effective for the terms of office commencing after the election of April 2017, the compensation of elected officers shall be established as follows:

1. The compensation of the Village President shall be two thousand one hundred dollars (\$2,100.00) per month or twenty five thousand two hundred dollars (\$25,200.00) per annum. The Village President shall also qualify for the same health insurance benefits as regular full time, nonunion employees of the Village as approved in the annual budget, except that the total premium for any health insurance option offered by the Village and accepted by the Village President shall be paid by the Village President.

2. The compensation of Village Trustees shall be one thousand two hundred fifty dollars (\$1,250.00) per month or fifteen thousand dollars (\$15,000.00) per annum. The Village Trustees shall also qualify for the same health insurance benefits as regular full time, nonunion employees of the Village as approved in the annual budget, except that the total premium for any health insurance option offered by the Village and accepted by the Village Trustee shall be paid by the Village Trustee.

D. The compensation of the Village Clerk shall be as follows:

1. Effective for the term of office commencing in April 2005, and running through March 31, 2006, the Village Clerk shall be paid on the same biweekly pay schedule as regular full time employees of the Village at a rate of pay equal to seventy thousand one hundred twenty three dollars (\$70,123.00) per annum.

2. The annual rate of pay for the Village Clerk shall be increased by three percent (3%) on April 1, 2006, April 1, 2007, and April 1, 2008.

3. The Village Clerk shall qualify for the same benefits and be subject to the same general work hour requirements as regular full time employees of the Village.

Municipality	Village President/Mayor	Alderman/Trustee	Clerk	Clerk Status
Arlington Heights	\$8,500.00	\$2,800.00	\$108,008.00	Full-Time Appointed
Barrington	\$3,600.00	\$1,200.00	\$6,000.00	Part-Time Elected
Berwyn	\$50,000.00	\$10,000.00	\$30,000.00	Full-Time Elected
Brookfield	\$5,400.00	\$3,000.00	\$3,600.00	Part-Time Elected
Buffalo Grove	\$8,450.00	\$4,550.00	\$6,500.00	Part-Time Appointed
Des Plaines	\$9,600.00	\$3,000.00	\$6,000.00	Part-Time Elected
Elk Grove Village	\$40,000.00	\$6,000.00	\$108,691.00	Full-Time Appointed
Elmhurst	\$8,400.00	\$2,400.00	\$8,400.00	Part-Time Elected
Elmwood Park	\$28,000.00	\$12,000.00	\$13,000.00	Part-Time Elected
Evanston	\$25,317.00	\$15,990.00	\$64,120.00	Full-Time Elected
Highland Park	\$13,500.00	\$9,500.00	\$95,347.00	Full-Time Appointed
Hoffman Estates	\$30,000.00	\$6,000.00	\$68,800.00	Full-Time Elected
La Grange	\$3,600.00	\$0.00	\$3,000.00	Part-Time Elected
Lombard	\$8,400.00	\$2,400.00	\$3,600.00	Part-Time Elected
Maywood	\$8,400.00	\$7,800.00	\$12,700.00	Part-Time Elected
Mount Prospect	\$5,500.00	\$2,750.00	\$97,086.00	Full-Time Appointed
Niles	\$11,400.00	\$5,500.00	\$87,239.00	Full-Time Appointed
Oak Lawn	\$42,744.00	\$6,000.00	\$57,000.00	Full-Time Elected
Oak Park	\$25,200.00	\$15,000.00	\$76,625.00	Full-Time Elected
Palatine	\$15,000.00	\$6,000.00	\$6,000.00	Part-Time Elected
Park Ridge	\$12,000.00	\$1,200.00	\$9,000.00	Part-Time Appointed
Schaumburg	\$22,462.00	\$4,934.00	\$4,320.00	Part-Time Elected
Skokie	\$35,000.00	\$9,500.00	\$87,000.00	Full-Time Elected
St. Charles	\$17,500.00	\$4,200.00	\$4,500.00	Part-Time Elected
Tinley Park	\$32,000.00	\$13,000.00	\$17,000.00	Part-Time Elected
Wheaton	\$12,000.00	\$12,000.00	\$0.00	
Wheeling	\$19,200.00	\$8,000.00	\$7,000.00	Part-Time Elected
<b>Average</b>	<b>\$18,561.96</b>	<b>\$6,471.26</b>	<b>\$36,686.52</b>	
<b>Clerk Average - Full-Time</b>			<b>\$79,992.36</b>	
Min	\$3,600.00	\$1,200.00	\$30,000.00	FT
Mid	\$26,800.00	\$8,595.00	\$69,345.50	FT
Max	\$50,000.00	\$15,990.00	\$108,691.00	FT
<b>Oak Park Range Penetration</b>	<b>47%</b>	<b>93%</b>	<b>59%</b>	

**No Compensation:**

Kenilworth  
Lake Bluff  
Lake Forest  
Melrose Park  
Northfield  
River Forest  
Wheaton  
Wilmette  
Winnetka