



Home Rule Referendum FAQs

Shall the United City of Yorkville become a home rule unit of government pursuant to Article VII, Section 6 of the Constitution of the State of Illinois?

☐ YES

☐ NO

Background

At the general election on November 8, 2016, the City Council would like you to vote on whether the United City of Yorkville should become a home rule unit of government or should continue to be a non home rule unit of government.

What does it mean if I vote yes?

Voting yes on this referendum question means you want the United City of Yorkville to become a home rule unit of government. By state statute, the United City of Yorkville is currently a non-home rule unit of government as it does not met the population threshold of 25,000 residents.

What does it mean if I vote no?

By voting no on this question you are opting to have the United City of Yorkville retain its status as a non home rule unit of government. If the United City of Yorkville ever reaches a certified population of 25,000 residents, the City will become a home rule unit of government automatically.

What is Home Rule?

In Illinois, home rule is the State constitutional authority of local governments to self-govern provided the General Assembly did not explicitly limit that power or maintain the exclusive exercise of authority in a specific area. Essentially, home rule communities may do anything they deem necessary, unless the state specifies they cannot. This is contrary to non-home rule communities which only have the authority that is specifically granted to them under state statutes. Having home rule authority results in decision making being shifted from the state level to the local level.

How can a community become Home Rule?

A municipality can become a home rule unit of government in one of two ways. First, municipalities with certified populations over 25,000 are automatically granted home rule status. Otherwise, communities under this population threshold, such as the United City of Yorkville can place a referendum question on a ballot and let the voters decide.

What nearby communities are Home Rule?

Oswego, Aurora, Joliet, Plainfield, and Shorewood are all home rule communities. In fact, in April 2015, Shorewood passed a home rule referendum.

What limitations do Home Rule municipalities have?

One example of a limitation is that home rule municipalities cannot issue debt with a maturity period longer than 40 years. Further, the General Assembly has and in the future may impose additional limits on home rule units by preemption or declaration that certain actions are an exclusive power of the State. Preemption by the State has included certain licensing powers, pensions, the Open Meetings Act and the Public Labor Relations Act. In addition

any home rule action would still be subject to all of the restrictions in the federal and State constitutions such as due process requirements.

What are the potential advantages of Home Rule?

The City would have more flexibility and authority to address local issues as they present themselves. Additionally, while no formal plans have been established and new and innovative uses of home rule authority can be developed to solve future problems, the City Council has endorsed a list of eight possible actions and outcomes as follows:

1. Improve the City's Bond Rating. This could possibly save thousands of dollars in interest costs on future bond issuances.
2. Incur debt beyond 20 years. Stretching out payments over several years lowers the burden on residents.
3. Reduce property tax burden on residents by shifting tax burden to non-residents. This could be done through multiple ways including an increase in amusement taxes or the enactment of a food and beverage tax that would also be imposed on those that are visitors to the City.
4. Changing the size of the City Council. Permanently setting the number of wards and aldermen would result in a cost savings as the population grows. Having home-rule status would simply allow the City to authorize a referendum to let the voters decide.
5. Administrative Adjudication Improvements. Implementing a monthly hearing process instead of a weekly process would save the City money.
6. Reduce residential speed limit default to 25 mph. This is one of the most requested ordinances by residents. Under Home Rule Authority, the City would be able to do this.
7. Opt out of certain state unfunded mandates as they are created unless preempted by the State.
8. Modify the zoning and planning process

What are the potential disadvantages of Home Rule?

Typically, home rule municipalities have broad taxing and regulation authority, including the ability to increase property taxes without a referendum, to issue an unlimited amount of debt, to create new taxes and fees, and to regulate property.

Because of these concerns, the City Council has passed a resolution of broad restrictions on home rule authority, if the referendum is passed. This resolution commits the existing City Council to continue to follow the property tax caps, to issue debt within current restrictions, and to conduct public hearings if any new taxes are approved or any existing taxes are increased.

How do residents oversee the use of Home Rule?

Residents oversee the use of home rule through the normal election process. Every two years half of the aldermen are elected and every four years the Mayor is elected. Additionally, participating in City Council and Committee meetings is another forum in which to enact oversight. Citizens have the right at every meeting to address the governing body. Furthermore, all ordinances are published, discussed, and acted upon in open session and all agendas and ordinances are posted on the City's website at least 48 hours before a vote. Finally, voters can file a petition to rescind Home Rule by referendum.



Clerk and Treasurer Referendum FAQs

PUBLIC QUESTION(S)	
UNITED CITY OF YORKVILLE Shall the elected office of the City Clerk of the United City of Yorkville be abolished and the duties of the City Clerk be assigned to the Deputy City Clerk, at a cost savings to the City? <input type="radio"/> YES <input type="radio"/> NO	 Shall the elected office of the City Treasurer of the United City of Yorkville be abolished and the duties of the City Treasurer be assigned to the City Finance Director at a cost savings to the City? <input type="radio"/> YES <input type="radio"/> NO

Background

At the general election on November 8, 2016, the City Council would like you to vote on whether the City Clerk and City Treasurer positions should be abolished at a cost savings to the City, or should continue to be an elected position.

What does it mean if I vote Yes?

Voting yes on these referendum questions means you want the positions of City Clerk and City Treasurer to be abolished and all duties of those offices assigned to existing staff, at a cost savings to the City. By state statute, both positions are currently elected. If the referendum questions are approved, both positions would be appointed beginning in May 2019.

What does it mean if I vote No?

By voting no on this question you are opting to keep the process of selecting a City Clerk or Treasurer the same. This means that the clerk and treasurer positions will still be elected.

Does this have to be approved through referendum?

Yes, the state considers this to be a change in the form of government which can only occur with voter approval through a referendum.



What happens when the elected offices get abolished?

The current work conducted by the clerk and treasurer would be assigned to an existing staff member. In most other municipalities with an appointed treasurer, the Finance Director is appointed as treasurer with no additional compensation to the Finance Director. Likewise, an appointed administrative office staff member is assigned clerk duties. In Yorkville's case, we have a Deputy Clerk who has been carrying out the full-time day-to-day duties of the Clerk's Office for the past several years, and the Finance Director has been appointed as Deputy Treasurer and handling all Treasurer office duties since February 2013.

What are the benefits to abolishing the elected offices of the clerk and treasurer?

The main benefit is financial. We expect the City to save between \$7,000 and \$10,000 annually through the elimination of the salaries for the elected clerk and treasurer. Another benefit is that it allows for the City to consider individuals for the positions based on the City's professional merit standards. Currently, anybody can be elected to the City Clerk and Treasurer position, even if they have no administrative or financial expertise. Further, abolishing the elected positions and transferring the day-to-day duties to an in-house staff member allows for greater immediate accountability should the clerk or treasurer not fulfill their duties while in office. If the elected clerk does not complete minutes within appropriate timeframes, or completes poor minute transcriptions, the City has no recourse for dismissal, other than the next election cycle. As a staff member, a clerk could be dismissed at anytime for poor performance. Likewise, if the elected treasurer were to misreport the City's financial transactions, the treasurer would still remain in office through the remainder of the four year terms.

What are the benefits of keeping the clerk and treasurer as an elected position?

The residents are allowed a direct say in the selection of an individual to carry out the administrative tasks of the clerk's and treasurer's offices.