

CHAPTER 2 ADMINISTRATION

2.01 Board of Trustees: The Village Board of Trustees shall consist of the President of the Board of Trustees and six trustees. It shall constitute the supreme legislative authority of the Village.

2.01.01 Eligibility: No person shall be eligible for the office of Trustee or of President unless he is a qualified elector in the Village of Pesotum. Also, no person shall be eligible for either office if:

- A. He is in arrears in the payment of any tax or liability due to the Village; or
- B. He is directly or indirectly interested in any contract to which the Village is a party; or
- C. He has been convicted of malfeasance, bribery, corrupt practice, or any other crime showing dishonesty; or
- D. He is Village Treasurer or Village Clerk; or
- E. He has not resided in the Village of Pesotum continuously for the year immediately prior to taking office;

If any of conditions A. through E. occur during the term of office of a President or Trustee, that person may be removed from office by vote of the majority of the remaining members of the Board.

2.01.02 Terms of Office:

- A. Trustees: The term of office of a trustee shall be four years from the date his is elected, and until his successor is elected and has qualified. The terms of office of the trustees shall be staggered so that three trustees shall be elected each second year.
- B. President: The term of office of the President shall be four years from the date is is elected, and until his successor is elected and has qualified.

2.01.03 Powers:

- A. Trustees: The Trustees shall have all powers allowed to them by the laws of the State. Failure to exercise these powers to the full extent authorized by the laws of the State shall in no way derogate from their authority to exercise these powers in the future, unless this Code expressly provides otherwise.
- B. President: The President shall have all powers allowed to him by the laws of the State. Failure to exercise these powers to the full extent authorized by the laws of the State shall in no way derogate from his authority to exercise these powers in the future, unless this Code expressly

provides otherwise. The President is authorized to appoint members of standing committees of the Board.

2.01.04 Oath: Before entering upon the duties of their respective offices, a President or Trustee shall take and subscribe the following oath:

“I, (name), do solemnly swear or affirm that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of (President or Trustee) of the Village of Pesotum according to the best of my ability.”

This oath, so subscribed, shall be filed in the office of the Village Clerk.

2.01.05 Vacancies: Vacancies in the offices of President and Trustee shall be defined and treated as provided by statute.

2.02 Meetings of the Board of Trustees: The regular meetings of the Board of Trustees shall be held at the Village Hall of the Village of Pesotum on the first Wednesday of every month at 6:30 p.m.

2.02.01 Holidays and Election Days: When the regular meeting falls on a public holiday or on a regular election day, the Board of Trustees shall meet at the Village Hall of the Village of Pesotum on the first Tuesday of the month at 7:00 p.m., unless otherwise scheduled.

2.02.02 Completion of Adjourned Meetings: Adjourned meetings may be reconvened for the purpose of completing the unfinished business of the initial meeting at such time and place as may be determined by majority vote of the Board of Trustees and announced prior to adjournment.

2.02.03 Special Meetings: Special meetings of the Board of Trustees may be called by the President or by any three (3) Trustees whenever they deem it necessary. The meeting shall be called in the following manner:

A. The President or three (3) Trustees shall file in the office of the Village Clerk a written statement of object and purpose of the meeting and directing the Village Clerk to give notice of the meeting.

B. Upon filing of the statement, the Village Clerk shall notify the President and each member of the Board of Trustees setting forth the object and purpose of the meeting and the time and place of the meeting, and shall post notice as required by statute.

No business other than that mentioned in the Clerk's notice shall be transacted at a special meeting unless all of the members of the Board of Trustees are present and vote to transact business other than that mentioned in the Clerk's notice at the special meeting, and then only to the extent allowed by statute.

2.02.04 Quorum: Four Trustees or the President and three Trustees shall constitute a quorum.

2.02.05 Meetings Open to the Public: All meetings of the Board of Trustees shall be open to the Public, except when applicable statutes permit closed sessions.

2.02.06 Minutes: The Village Clerk shall keep minutes of all meetings of the Board of Trustees. If the Village Clerk is not present at a meeting, the minutes shall be kept by any qualified person who shall be appointed by the President or, if the President is absent, by vote of a majority of the members of the Board of Trustees present. The minutes shall be preserved in the office of the Village Clerk for public inspection at reasonable times.

2.02.07 Adoption by Reference of Robert's Rules of Order: The rules of parliamentary practice comprised in the latest published edition of "Robert's Rules of Order Revised" shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with the special rules of the Board or the constitution or statutes of the State. At least three (3) copies of said Rules of Order have for 30 days heretofore been, and shall hereafter be, filed in the office of the Village Clerk, and there kept available for public use, inspection and examination. The Rules of Order may be temporarily waived by two-thirds majority approval of the Board members then holding office.

2.03 Village Clerk: A Village Clerk shall be appointed by the President of the Board of Trustees with the advice and consent of the Board of Trustees. (S)he shall hold office for a term expiring annually on the first Wednesday in May and until his or her successor is appointed and has qualified; provided that effective with the passage of the ordinance changing the office of Village Clerk from an elected to an appointive office, the vacancy created by the resignation of the Village Clerk in 2002 shall be filled by an appointed Village Clerk who shall serve until the appointment of a Village Clerk on the first Wednesday in May 2003. He or she may be removed from the office at any time by a majority vote of the Board of Trustees.

2.03.01 Eligibility: A person shall not be eligible for the office of the Village Clerk if:

- A. He or she is in arrears in the payment of any tax or liability due the Village; or
- B. He or she is directly or indirectly interested in any contract which the Village is a party, in violation of state law; or

C. He has been convicted of malfeasance, bribery, corrupt practices, or any crime demonstrating dishonesty; or

D. He or she is a member of the Board of Trustees or is Village Treasurer.

If any of the conditions A through D occur during the term of the Office of the Village Clerk, he or she may be removed from office by a vote of the majority of the members of the Board.

2.03.02 Oath: The Village Clerk, before entering upon the duties of his office, shall take or subscribe the following oath:

“I, (name), do solemnly swear or affirm that I will support the Constitution of the United States and the Constitution of the State of Illinois and that I will faithfully discharge the office of Clerk of the Village of Pesotum according to the best of my ability.”

This oath, so subscribed, shall be filed in the office of the Village Clerk.

2.03.03 Duties: The duties of the Village Clerk shall include those set forth in these ordinances and such other duties as the Board of Trustees may deem proper to entrust to him. These duties shall include but shall in no respect be limited to the following:

A. The Village Clerk shall keep and update a complete and accurate plat map of all areas incorporated in the Village of Pesotum. The map shall be filed in the office of the Village Clerk.

B. The Village Clerk shall keep a complete and accurate copy of The Village Code of Pesotum, 1980. As ordinances are added to or deleted from the Code, or as ordinances are amended, he shall revise the Code to confirm with the changes. The Code shall be filed in the office of the Village clerk.

C. The Village Clerk shall record in a book to be kept for that purpose all ordinances passed by the Board of Trustees, and at the foot of each ordinance so recorded, he shall make a memoranda of the date of the passage of the ordinance and the date of publication of the same.

D. The Village Clerk shall give public notice of all ordinances in accordance with the laws of the State of Illinois where public notice is required.

E. The Village Clerk shall attend all meetings of the Board of Trustees and shall keep a correct record of all the proceedings of the meetings in a suitable book. The book shall be filed in the office of the Village clerk.

F. The Village Clerk shall be the keeper of the Corporate Seal of the Village and shall affix the Seal to all papers requiring the Corporate Seal.

G. The Village Clerk shall, following receipt thereof, cause to be published the Village Treasurer's statement of receipts and expenditures of the Village. The statement shall be published in a newspaper of general circulation in the Village of Pesotum, or published otherwise as may be required by the laws of the State of Illinois.

H. The Village Clerk shall keep correct account between the Village and the Village Treasurer, charging him with all moneys received by him as exhibited to the Clerk by the Clerk's duplicate receipts, and crediting him with all moneys paid out by him by order of the President and the Board of Trustees, and shall allow him such other credits as he may be entitled by law and the provisions of the Village Code. The account shall be filed in the office of the Village Clerk.

I. The Village Clerk shall have charge, custody, and control of all deeds, leases, warrants, vouchers, books and papers, the charge, custody, and control of which is not by law given to other officers. These items shall be filed in the office of the Village Clerk.

J. The Village Clerk shall perform such other duties as may be required of her/him by the Board of Trustees and the ordinances of the Village.

2.03.04 Inspection of Records: All items filed in the office of the Village Clerk and all files and papers of said office shall be kept at the office of the Village Clerk and shall be open to inspection by members of the Board of Trustees at all times and public inspection at reasonable times.

2.03.05 Bond: Before entering upon the duties of his office, the Village Clerk shall execute a bond, with security, to be approved by the Board of Trustees, payable to the Village, conditioned on the faithful performance of the office, and for the payment of all moneys received by him/her, according to the law and the provisions of this Code. This bond shall be in the amount of \$1,000.00, or such greater amount as required by the Village.

2.03.06 Vacancy: Vacancy in the office of Village Clerk shall be defined and treated as provided by statute.

2.04 Village Treasurer: A Village Treasurer shall be appointed by the President of the Board of Trustees, with the advice and consent of the Board of Trustees. He shall hold office for a term expiring annually on the first Wednesday in May and until his successor is appointed and has qualified. He may be removed from office at any time by a majority vote of the Board of Trustees

2.04.01 Oath: The Village Treasurer, before entering upon the duties of his office shall take or subscribe the following oath:

“I, _____ (name) _____, do solemnly swear or affirm that I will support the Constitution of the United States and the Constitution of the State of Illinois and that I will faithfully discharge the office of Treasurer of the Village of Pesotum according to the best of my ability.”

This oath, so subscribed, shall be filed in the office of the Village Clerk.

2.04.02 Duties: The duties of the Village Treasurer shall include those set forth in these ordinances and such other duties as the Board of Trustees may deem proper to entrust to him. These duties shall include but shall in no respect be limited to the following:

- A. The Village Treasurer shall receive all moneys belonging to the Village and shall keep a separate account of each fund or appropriation and debits or credits belonging thereto.
- B. The Village Treasurer shall give every person paying money to the Village Treasurer a receipt therefore upon request, specifying the date of the payment and upon what account paid. The Village Treasurer shall file copies of such receipt with the Village Clerk.
- C. The Village Treasurer shall pay out no money whatsoever without either an order issued by the Village Board or issued by the Village Clerk and signed by the President of the Village Board.
- D. The Village Treasurer shall keep an accurate register of all orders redeemed and paid by him showing the number, date, and amount of each, the fund from which paid, the name of the person paid, and the date of payment. The Village Treasurer shall cancel all orders as soon as redeemed by him.
- E. The Village Treasurer shall report to the Village Clerk any employee of the Village or member of the Board of Trustees who was authorized to receive money for the use of the Village but failed to make a return of the money at the time required by law or by the ordinance of the Village.
- F. The Village Treasurer shall keep his books and accounts in such a manner as to show with complete accuracy all money received and disbursed by him for the Village stating what persons the money was received from or paid to and what accounts the money was paid from or paid to. The books and accounts shall show the dates of all financial transactions involving the Village. The books and accounts shall exhibit the true financial condition of the Village of Pesotum in such manner as may be readily investigated and understood.

G. The Village Treasurer shall keep a register of all warrants and vouchers paid, describing them and showing date, amount, number, the fund from which paid, to whom, and when paid. He shall file all warrants and vouchers with the Village Clerk as soon as practical after they are settled.

H. The Village Treasurer shall at the first meeting of the Board of Trustees each month, render an account to the Board of Trustees, under oath, if so requested by the President or any Trustee showing the state of the Treasury, and the balance of the money in the Treasury together with a statement of all money received, on what account, all warrants redeemed and paid. Said account and all warrants and vouchers held by the Treasurer shall be delivered to the Village Clerk and filed in the office of the Village Clerk.

I. The Village Treasurer shall, every year, prior to the first day of September, file with the Village Clerk a detailed account of all receipts and expenditures and all other transaction undertaken by him in his capacity as the Village Treasurer during the preceding fiscal each year, as required by statute.

2.04.03 Inspection of Records: All books and accounts, files and papers of the office of the Village Treasurer shall at all reasonable times be open to examination by any member of the Board of Trustees or by the Village Clerk and shall at reasonable times be open to examination by members of the public.

2.04.04 Bond: Before entering upon the duties of his office, the Village Treasurer shall execute a bond, with security, in the amount of \$1,000.00 or such greater amount as required by the corporate authorities, to be approved by the Board of Trustees, payable to the Village, conditioned on the faithful performance of his office, and for payment of all moneys received by him, according to law and the provisions of this Code.

2.04.05 Vacancy: Vacancy in the office of Village Treasurer shall be defined and treated as provided by statute.

2.05 Elections: The general election and all special elections of the Village of Pesotum shall be governed by the laws of the State of Illinois.

2.06 Emergency Services and Disaster Agency (ESDA): The Village of Pesotum shall create a Village of Pesotum Emergency Services and Disaster Agency in accordance with the following provisions of the Code:

2.06.01 Establishment: There is hereby created the Village of Pesotum ESDA to prevent, minimize, repair, and alleviate injury or damage resulting from disaster caused by enemy attack, sabotage, or other hostile action, or from natural or man-made disaster, in accordance with “The Illinois Emergency Services and Disaster Act of 1975.”

This ESDA shall consist of the coordinator and such additional members as may be selected by the coordinator.

2.06.02 Coordinator: The coordinator of the city ESDA shall be appointed by the Village President and shall serve until removed by same.

The coordinator shall have direct responsibility for the organization, administration, training, and operation of the ESDA, subject to the direction and control of the Village President as provided by the State.

In the event of the absence, resignation, death or inability to serve as the coordinator, the Village President or any person designated by him, shall be and act as coordinator until a new appointment is made as provided in this ordinance.

2.06.03 Functions: The Village ESDA shall perform such ESDA functions within the Village as shall be prescribed in and by the State ESDA plan and program prepared by the Governor, and such orders, rules and regulations as may be promulgated by the Governor, and in addition shall perform such duties outside the corporate limits as may be required pursuant to any Mutual Aid agreement with any other political subdivision, municipality, or quasi-municipality entered into as provided the “The State ESDA Act of 1975”.

2.06.04 Service as Mobile Support Team: All or any members of the Village ESDA organization may be designated as members of a Mobile Support Team created by the director of the State ESDA as provided by law.

The leader of such Mobile Support Team shall be designated by the coordinator of the Village ESDA organization.

Any member of a Mobile Support Team who is a Village employee or officer while serving on call to duty by the Governor, or the State Director, shall receive the compensation and have the powers, duties, rights, and immunities incident to such employment or office. Any such member who is not a paid officer or employee of the Village, while so serving, shall receive from the State reasonable compensation as provided by law.

2.06.05 Agreements With Other Political Subdivisions: The Coordinator of ESDA may negotiate Mutual Aid Agreements with other villages or cities, or other political subdivisions of the State, but no such agreement shall be effective until it has been approved by the Village President and by the State Director of ESDA.

2.06.06 Emergency Action: If the Governor proclaims that a disaster emergency exists in the event of actual enemy attack upon the United States or the occurrence within the State of Illinois of a major disaster resulting from enemy sabotage or other hostile action, or from man-made or natural disaster, it shall be

the duty of the Village ESDA to cooperate fully with the State ESDA and with the Governor in the exercise of emergency powers provided by law.

2.06.07 Compensation: Members of the ESDA who are paid employees or officers of the Village, if called for training by the State Director of ESDA, shall receive for the time spent in such training the same rate of pay as is attached to the position held; members who are not such Village employees or officers shall receive for such training time such compensation as may be established by the Village President.

2.06.08 Reimbursement by State: The State Treasurer may receive and allocate to the appropriate fund, any reimbursement by the State to the Village for expenses incident to training members of the ESDA as prescribed by the State Director of ESDA, compensation for services and expenses of members of a Mobile Support Team while serving outside the Village in response to a call by the Governor or State Director or ESDA, as provided by law, and any other reimbursement made by the State incident to ESDA activities as provided by law.

2.06.09 Purchases and Expenditures: The Village President may, on recommendation of the Village Coordinator of ESDA, authorize any purchase of contracts necessary to place the Village in a position to combat effectively any disaster resulting from the explosion of any nuclear or other bomb or missile, and to protect the public health and safety, protect property, and provide emergency assistance to victims in the case of such disaster, or from man-made or natural disasters.

In the event of enemy caused or other disaster, the Village Coordinator of ESDA is authorized, on behalf of the Village, to procure such services, supplies, equipment or material as may be necessary for such purposes, in view of the exigency without regard to the statutory procedures or formalities normally prescribed by law pertaining to Village contracts or obligations, as authorized by "The State ESDA Act of 1975", provided that if the Village President meets at such time he shall act subject to the directions and restrictions imposed by that body.

2.06.10 Oath: Every person appointed to serve in any capacity in the Village ESDA organization shall, before entering upon his duties, subscribe to the following oath, which shall be filed with the coordinator:

"I, _____, do solemnly swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Illinois, and the territory, institutions, and facilities thereof, both public and private, against all enemies, foreign and domestic; that I take this obligation freely, and without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do not advocate, nor am nor have I ever been a member of any political party or organization that advocates the overthrow of the government of the United States or this State by force or violence; and that during such time as I am affiliated with Village of Pesotum ESDA organization, I will not advocate not become a member of any political

party or organization that advocates the overthrow of the government of the United States or of this State by force or violence.”

2.06.11 Office: The Village President is authorized to designate space in a Village building, or elsewhere, as may be provided for by the Village President for the Village ESDA as its office.

2.06.12 Appropriation-Levy of Taxes: The Village President may make an appropriation for ESDA purposes in the manner provided by law, and may levy in addition for ESDA purposes only, a tax not to exceed five (5) cents per one hundred (100) dollars of the assessed value of all taxable property in addition to all other taxes, as provided by “The State ESDA Act of 1975”; however, that amount collectable under such levy shall in no event exceed .25 cents per capita.

2.07 Corporate Seal: The Corporate Seal of the Village of Pesotum shall be of circular form with the words, “Corporate Seal of the Village of Pesotum” “1906” engraved upon the face thereof; and shall be and remain in the custody of the Village Clerk.

2.08 Compensation of Officers: Compensation for the Clerk, Treasurer, and President shall be paid monthly and for the Village Trustees shall be paid bi-annually, using a fiscal year basis for such bi-annual calculation, at the rates set forth hereafter as follows; provided that if any such official resigns, vacates or is otherwise removed from office, such compensation shall be accordingly prorated:

2.08.01 Compensation for Trustees of the Village of Pesotum shall be paid at the rate of \$600.00 per year.

2.08.02 Compensation for Clerk of the Village of Pesotum shall be paid at the rate of \$1,500.00 per year.

2.08.03 Compensation for the Treasurer of the Village of Pesotum shall be paid at the rate of \$5,040.00 per year.

2.08.04 Compensation for the President for the Village of Pesotum shall be paid at the rate of \$3,600.00 per year.

Revised: 1986
2.08.03

Revised 91-1
2.08.02 & 2.08.04

Revised 96-1
2.08.02, 2.08.03 &
2.08.04

Revised 99-4
2.08.03

Revised 01-7
2.08.03

Revised: 02-7
2.08 & 2.08.01

Revised: 03-3
2.08.02

Revised 06-4
2.08.04

Revised 07-4
2.08 & 2.08.02

Revised 09-4
2.08.03

Revised: 13-1
2.08.02 Only

2.09 Reimbursement of Expenses: Any officer may receive reimbursement from the Village for expenses incurred when in the course of official duties, upon presentation to the Clerk or Treasurer of a statement setting forth the nature and amount of reimbursement claimed, and upon approval by the Board of Trustees.

2.10 State Gift Ban Act; Adoption of Act: **Repealed by Ordinance 04-2, enacted May 5, 2004 and effective May 15, 2004. (See also for reference, Illinois Public Acts 93-615, effective November 19-2003 and 93-617, effective December 9, 2003).**

Revised 99-1
2.10

Revised 99-4
2.10 Repealed

See Special Ordinance
04-2 of 5/5/04
Repealing Ordinance 99-1