



**VILLAGE OF ELBURN  
COMMITTEE OF THE WHOLE MEETING  
MONDAY, JUNE 19, 2023  
IMMEDIATELY FOLLOWING THE VILLAGE BOARD MEETING  
ADJOURNMENT, OR 7:15 pm, WHICHEVER IS LATER**

1. Call to Order
2. Roll Call
3. Public Comment
4. Discuss:
  - a. Wayside Horn Repair Options
  - b. Updates to the Administrative Code
5. Other Business
6. Adjournment



## Village of Elburn

301 E. North Street Elburn, IL 60119  
 Phone: 630-365-5060 Fax: 630-365-5063  
 www.elburn.il.us

To: Village Board  
 From: Phil VanBogaert, Superintendent of Public Works  
 Date: June 15, 2023  
 Subject: Wayside Horns  
 SAP: Routine

The wayside horn system (WHS) in Elburn has been malfunctioning since approximately October 2022. Multiple attempts, including input from Railroad Controls Limited (RCL, the original manufacturer and contractor of the WHS) technicians, were made by Leyden Electric to repair them. In addition, RCL announced they were going out of business in May and that they would not be replenishing their stock for repair parts. After much research, we have found Rio Grande Pacific Technology (RIOTECH) who was founded by several former employees from RCL.

- RIOTECH provided a list of customers they support, including Bensenville, IL.
- RIOTECH does not have technicians in the Chicagoland area. If on-site support is necessary, it would be from Texas. However, RIOTECH has been very successful in providing technical assistance via phone support or live streaming. In addition, it will be possible to download event logs from RIOTECH's system which will allow diagnosis of any issues occurring at the crossings.
- With RCL no longer in business, there are no other contractors, other than RIOTECH, who support wayside horns.

We received a proposal (see attached) from RIOTECH for the installation of two new WHSs at South Main Street and South First Street in Elburn in the amount of \$125,905. In addition to the \$125,905, the following costs will need to be factored in for the repair:

<b>Additional Items</b>	<b>Cost</b>
UPRR cost for minor wiring changes	\$ 1,000
Railroad flagging services (approx. 8 days)	\$18,000
Meter Service/Meter Pole	N/A
Total	\$19,000
RIOTECH Installation Cost Proposal	\$125,905
Grand Total	\$144,905
Suggested Budget Amount Including Overruns	\$150,000

The \$150,000 to install new WHSs is not included in the FY2024 budget and will require a budget amendment. Direction is requested from the Board.

June 6, 2023

Phil Van Bogaert  
Superintendent of Public Works  
City of Elburn, IL  
630-365-5064

**RE: City of Elburn Wayside Horn System Replacement**

Mr. Van Bogaert,

RIOTECH is pleased to provide this proposal for the installation of two new Wayside Horn System (WHS) at S. Main St. and S. 1<sup>st</sup> St. in Elburn, IL.

**Inclusions:**

- Engineering/Design
- Project Management
- Complete Horn Control Location including the Horn Controller Cabinet, Wayside Horn, LED Double Confirmation Indicator (QZI) and mounting hardware at both crossings.
- Complete Secondary Horn Location including, a Wayside Horn, two LED Confirmation Indicators (QZI).
- Reuse existing cable from Wayside Horn System to UPRR signal house.
- Reuse existing cable from Wayside Horn System to Secondary Horn location.
- Reuse existing cable to City's meter service.
- Onsite field training
- Freight

**Exclusions:**

- Sales tax
- UPRR cost for minor wiring changes
- Railroad flagging services (approx. 8 days)
- Meter Service/Meter Pole

**Functional Requirements:**

1. The design and operation of the Wayside Horn System shall be in compliance with Federal Railroad Administration's (FRA's) Federal Register 49 CFR 222.
2. The system as furnished shall be configured for installation at the double track crossing at both crossings.



3. The System shall generate a pre-determined crossing warning pattern with the sound levels required by CFR 222.
4. The System shall be configured to repeat the pre-determined crossing warning until island occupancy then truncate or finish the pre-determined pattern.
5. A maximum timer shall be provided to shut the system down after 90 seconds if the island circuit has been not occupied within the 90 second time period (train has stopped prior to reaching the crossing). Shutdown will extinguish the flashing X and all horns will be silenced.
6. All sound outputs shall be monitored, and failure of a horn to sound within specified time period will extinguish the flashing X indicator.
7. A health output shall be provided to indicate system operational status to an external recording device.

Our quote to provide these services is \$125,905.

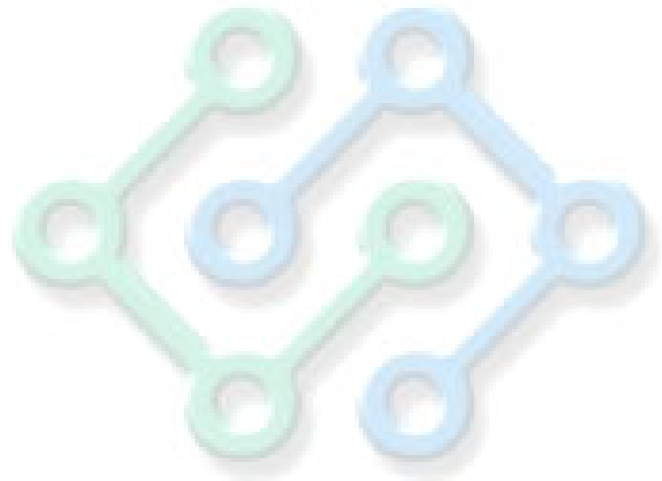
This price shall be good for 30 days.

Feel free to contact me with any questions.

Sincerely,



Danny Fregia  
Vice President of Operations  
Rio Grande Pacific Technology



DESCRIPTION	PART NUMBER	QTY	UOM
Signal, LED, confirmation "X"		8	EA
Bracket, Astro Sign-Brac, Pelco		8	EA
Hub Gasket, Pelco		8	EA
Fitting cap, Pelco		16	EA
Astro-brac, Pelco	RR-8026	4	EA
Horn enclosure assembly	CTC-HE-1202	4	EA
Microphone, Water resistant, Crown	PZM-11LLWR	4	EA
Siren Driver, Whelen, SD-210R, 100W	43-0263146-00	4	EA
Speaker Tip Kit	72-4010291-00	4	EA
Strip heater		4	EA
Shielded cable, Beldon 9460, 500' roll	BELDON 9460	1	EA
Shielded cable, Beldon 8720, 500' roll	BELDON 8720	1	EA
Shielded cable, Beldon 9740, 500' roll	BELDON 9740	1	EA
Large Single Door Style Enclosure 36"H x 24"W x 16"D	1-100-001181	2	EA
100 CFM Cooling Fan Kit(12VDC)	1-395-000145	2	EA
Pole Mount Bracket Kit	6-185-000043	2	EA
WHS Aluminum Backpanel	CTC 20-1046	2	EA
Pand G .75x2LG6 Duct P/FT, 6' Long	PANDG.75x2LG6	2	EA
Pand C .75LG6 3/4 LT Gray Cvr P/FT, 6' Long	PANDC.75LG6	2	EA
x-Amp Module	RT-AA01	2	EA
x-WHS Controller	RT X-SYS+Audio Expansion	2	EA
Feedthrough Wago Terminals,	826-160	104	EA
Feedthrough Wago Terminals,	826-160/000-016	12	EA
Feedthrough Wago Terminals, End Plate, Gray, 826-158	826-158	50	EA
Feedthrough Wago Terminal Locking Covers, Retaining Clip, 826-155	826-155	116	EA
2 Conductor Terminal (Power), Grey, Wago 283-901	283-901	4	EA
2 Conductor Terminal (Power), Green, Wago 283-907	283.907	2	EA
2 Conductor Terminal End Plate Wago 283-328	283-328	2	EA
2 Conductor Terminal (Buss), Black, Wago 280-905	280-905	30	EA
2 Conductor Terminal (Buss), Gray, Wago 280-901	280-901	20	EA
2 Conductor Terminal (Buss), Green, Wago 280-907	280-907	10	EA
2 Conductor Terminal (Buss), Red, Wago 280-903	280-903	18	EA
4 Conductor Terminal (Resistor), Gray, Wago 280-686	280-686	4	EA
3 Conductor Terminal (Hdr Buss), Gray, Wago 281-681	281-681	4	EA
4 Conductor Terminal (Hdr Buss), Gray, Wago 281-683	281-686	2	EA
2 Conductor Terminal End Plate, Wago 280-309	280-309	16	EA
4 Conductor Terminal End Plate, Wago 280-315	280-315	4	EA
Wago numbers, 1-100	793-566	10	EA
Wago, Din Rail, Steel, Slotted	210-112	2	EA
Wago, Screwless End Stop, Locking, Thin, Gray	249-116	4	EA
Omron Power Supply AC/DC 24V, S8VK-G48024	Z3751-ND	2	EA
Omron Power Supply AC/DC 12V, S8VK-G01512	Z3744-ND	2	EA
Hinges	1XLY4	4	EA
Receptacle 208979-2	70087249	2	EA
Circuit Breaker, 15A	BA1-B0-34-615-121-D	4	EA
Circuit Breaker, 20A	BA1-B0-34-620-121-D	2	EA
Circuit Breaker, 30A	BA1-B0-34-630-121-C	2	EA
EDCO Surge Arrestor	HSP121BT-1RU	2	EA
Relay, plug in, OMRON MJN3C-DC12	70178898	2	EA
Relay socket, OMRON PTF11QDC	70179031	2	EA
Thermostat, surface mount, Selco OA-50	70098727	2	EA



## Village of Elburn

### MEMO

To: Village President and Board of Trustees

From: John Nevenhoven, Village Administrator  
Chris Ranney, Asst. to the VM/HR Specialist

Subject: Administrative Code Update

Date: June 19, 2023

Many sections of Part Two of the Codified Ordinances of the Village of Elburn, the “Administrative Code” (Titles Two – Ten), are from 1977. Various sections of the Administrative Code have been updated over the years in a piecemeal fashion, but many vestiges of the past still linger.

Village administrative staff reviewed the entirety of Part Two and have recommended changes to the Administrative Code to bring it more in line with current practices and modern municipal governance realities.

A first draft was brought before the COW on June 5, 2023. A second draft is being brought before the COW on June 19, 2023. Below is a list of changes from the June 5 version and the June 19 version. This list is by no means exhaustive but touches on the main changes.

- §202.03 - Added definition of “Officer”
- §220.05(k) - Corrected spelling of “minutes.”
- §224.02(a) - Removed appropriation ordinance and referenced budget act in lieu of.
- §244.02 - Added that the Superintendent of Public Works is an appointed position.
- §252.02(a) - Added Officer term concurrent with Mayor’s term.
- §252.02(d) - Added “...or affirmation...” to match state statute.
- Corrected various spelling, pronoun, and statutory reference issues.

Staff recommends approval of Ordinance 2023-18 to update the Administrative Code.

**VILLAGE OF ELBURN  
ORDINANCE 2023-18**

**AN ORDINANCE AMENDING PART TWO "ADMINISTRATIVE CODE" OF THE  
VILLAGE OF ELBURN CODIFIED ORDINANCES**

**WHEREAS**, pursuant to 65 ILCS 5/1-2-1, the corporate authorities of each municipality may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities; and

**WHEREAS**, the President and Board of Trustees have determined that there is a need to update the Village of Elburn Administrative Code;

**NOW, THEREFORE**, be it ordained by the President and Board of Trustees the Village of Elburn, Kane County, in the State of Illinois, as follows:

**SECTION 1:**            **AMENDMENT** “Chapter 202 Codified Ordinances” of the Elburn Municipal Code is hereby *amended* as follows:

AMENDMENT

Chapter 202 Codified Ordinances

**CROSS REFERENCES** Revision of ordinances - see ~~Ill. R.S. Ch. 24, Sec. 65 ILCS 5/1-2-3~~  
Enforcement of ordinances - see ~~Ill. R.S. Ch. 24, Sees. 65 ILCS 5/1-2-7 et seq.~~ Adoption of codes and public records by reference - see ~~Ill. R.S. Ch. 24, Sees. 65 ILCS 5/1-3-1 et seq.~~  
Adoption of penalty clauses by reference - see ~~Ill. R.S. Ch. 24, Sec. 65 ILCS 5/1-3-4~~  
Ordinances and resolutions - see ADM. Ch. 222

**SECTION 2:**            **AMENDMENT** “202.01 Designation; Citation; Headings” of the Elburn Municipal Code is hereby *amended* as follows:

AMENDMENT

202.01 Designation; Citation; Headings

- (a) These Codified Ordinances, which consist of all ordinances of a general and permanent nature of the ~~Village~~~~City~~, revised, codified, arranged, numbered and consolidated into component codes, titles, chapters and sections, shall be known and designated as the Codified Ordinances of Elburn, Illinois, 1992, for which designation “Codified Ordinances” may be substituted. Code, title, chapter and section headings

do not constitute any part of the law as contained in the Codified Ordinances.

- (b) All references to codes, titles, chapters and sections are to such components of the Codified Ordinances unless otherwise specified. Any component code may be referred to and cited by its name, such as the “Traffic Code.” Sections may be referred to and cited by the designation “section” followed by the number, such as “Section 202.01.”

**SECTION 3:            AMENDMENT** “202.03 Definitions And Interpretation” of the Elburn Municipal Code is hereby *amended* as follows:

#### AMENDMENT

##### 202.03 Definitions And Interpretation

In the construction of the Codified Ordinances, the following rules and definitions shall control, except those that are inconsistent with the manifest intent of the Village Board as disclosed in a particular provision, section, or chapter:

“Adopting Ordinance” means the ordinance of the Village adopting the Codified Ordinances of Elburn, Illinois, 1992, in conformity with the Illinois Revised Statutes and this Chapter 202.

"Authority". Whenever in the Codified Ordinances authority is given to an officer or an act is required to be performed, such authority may be exercised and such act may be performed, at the instance of such officer, by a deputy or subordinate, unless contrary to law or to the clear intent of any such particular provision.

“Board” means the Board of Trustees of the Village of Elburn, Illinois.

"Calendar". The terms “month” and “year” mean the calendar month or year.

“Codified Ordinances” means the Codified Ordinances of the Village of Elburn, Kane County, Illinois.

"Conjunctions". “And” includes “or” and “or” includes “and,” if the sense so requires.

“Corporate authorities” means the Board of Trustees of the Village of Elburn, Illinois.

“County” means the County of Kane, Illinois.

“Court” means any court of competent jurisdiction.

"Gender". Words importing the masculine shall extend and be applied to the feminine and neuter genders, as well as to firms, partnerships, and corporations.



"General Rule". Except as otherwise provided in this section, words and phrases shall be construed according to the common usage of the language, provided, however, that technical words and phrases and such others as may have acquired a special meaning in the law shall be construed according to such technical or special meaning.

"Illinois Municipal Code" means Chapter 24 of the Illinois Revised Statutes. (Ord. 92-19. Passed 8-17-92.)

"Illinois Revised Statutes" and "Ill. R.S.". All citations to Illinois Revised Statutes, 1991, contained in Village ordinances and resolutions, including these Codified Ordinances, are hereby amended, by reference, to corresponding Illinois Compiled Statutes citations as referenced in the Disposition Table of the Illinois Compiled Statutes, as adopted by the Illinois Legislature by P.A. 87-1005, effective January 1, 1993. (Ord. 93-13. Passed 6-21-93.)

"Joint Authority". Words giving authority to a board, commission, authority, or to three or more officers or employees, or other persons shall be construed as giving authority to a majority thereof, unless otherwise specifically provided.

"Keeper" and "proprietor" mean persons, firms, associations, corporations, clubs, and copartnerships, whether acting by themselves or as a servant, agent or employee.

"Land" and "real estate" include rights and easements of an incorporeal nature.

"Municipality" or "Village" means the Village of Elburn, Illinois.

"Number". Words in the plural include the singular and words in the singular include the plural.

"Oath" includes affirmation. When an oath is required or authorized by law, an affirmation in lieu thereof may be taken by a person having conscientious scruples about taking an oath. An affirmation shall have the same force and effect as an oath.

"Officer" means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

"Owner," when applied to property, includes a part owner, joint owner, or tenant in common of the whole or any part of such property.

"Person" means an individual, association, club, corporation, firm, partnership, or body politic.

The words "preceding" and "following" mean next before and next after, respectively.

"Premises," when used as applicable to property, extends to and includes land and buildings.

"President" means the President of the Village Board of Trustees.

“Property” includes real and personal property and any mixed and lesser estates or interests therein. “Personal property” includes every kind of property except real property; “real property” includes land, tenements, and hereditaments.

"Reasonable Time". In all cases where provision is made for an act to be done or notice to be given within a reasonable time, it shall be deemed to mean such time only as may be necessary for the prompt performance of such act or the giving of such notice.

“Shall” is mandatory; “may” is permissive.

“Sidewalk” means any portion of a street between the curb line and the adjacent property line, intended for the use of pedestrians, excluding parkways.

“Signature” or “subscription” includes a mark when the person cannot write.

“State” means the State of Illinois.

“Statute” shall be construed to mean any and all provisions of the Illinois Revised Statutes.

“Street” means alleys, avenues, boulevards, lanes, roads, streets, State highways, and other public ways in the Village and shall include all areas thereof embraced between the property lines and dedicated to public use.

“Sworn” means sworn or affirmed.

“Tenant” and “occupant,” as applied to buildings or land, shall extend and be applied to any person holding a written or oral lease of, or who occupies the whole or any part of, a building or land, alone or with others.

"Tenses". The use of any verb in the present tense includes the future.

"Time". Whenever any time established in the Codified Ordinances for the taking of any action expires on a Sunday or legal holiday, such time shall not expire on such day but shall expire on the next week-day.

- (a) Unless otherwise hereinafter specifically provided, whenever a notice is required to be given or an act to be done a certain length of time before any proceeding is had, the day on which such notice is given or such act is done shall be counted in computing the time, but the day on which such proceeding is had shall not be counted.
- (b) If a time is given in a.m. or p.m., it means Central Standard Time, except that when the Village is on Daylight Savings Time, it means Central Daylight Time.

“Village Code” means these Codified Ordinances and any amendment thereto not yet codified therein.

“Written” or “in writing” includes any representation of words, letters, or figures, whether by printing or otherwise.

**SECTION 4:** AMENDMENT “Chapter 204 Official Standards” of the Elburn Municipal Code is hereby *amended* as follows:

AMENDMENT

Chapter 204 Official Standards

EDITOR'S NOTE: There are no sections in Chapter 204. This chapter has been established to provide a place for cross references and any future legislation.

**CROSS REFERENCES** Census taking - see ~~Ill. R.S. Ch. 24, Sees. 65 ILCS 5/1-7-1 et seq.; 1-7-2~~ Incorporation - see ~~Ill. R.S. Ch. 24, Sees. 65 ILCS 5/2-3-1~~ et seq. Change of name of municipality - see ~~Ill. R.S. Ch. 24, Sees. 65 ILCS 5/2-4-1~~ et seq. Regulation of weights and measures - see ~~Ill. R.S. Sees. 65 ILCS 5/11-53-1~~ et seq. Improvement standards for public ways and properties - see S.U. & P.S. 1020.05(a)

**SECTION 5:** AMENDMENT “Chapter 208 State Gift Ban Act (Repealed)” of the Elburn Municipal Code is hereby *amended* as follows:

AMENDMENT

Chapter 208 State Gift Ban Act (Repealed)

EDITOR'S NOTE: House Bill 3412, effective November 19, 2003, repealed 5 ILCS 425/1 et seq. (The Gift Ban Act). See Chapter 210 for provisions regarding ethics.

**SECTION 6:** AMENDMENT “210.04 Ethics Advisor” of the Elburn Municipal Code is hereby *amended* as follows:

AMENDMENT

210.04 Ethics Advisor

- (a) The President of the Board of Trustees, may at its option, with the advice and consent of the Board of Trustees shall designate an Ethics Advisor for the Village of Elburn. The duties of the Ethics Advisor may be delegated to an officer or employee of the Village unless the position has been created as an office by the Village.
- (b) The Ethics Advisor shall provide guidance to the officers and employees of the Village concerning the interpretation of and compliance with the provisions of this chapter and State ethics laws. The Ethics Advisor shall perform such other duties as may be

delegated by the Village.

(Ord. 2004-08. Passed 6-7-04.)

**SECTION 7: AMENDMENT** “Title Four - Legislation And Finance” of the Elburn Municipal Code is hereby *amended* as follows:

#### AMENDMENT

Title Four - Legislation And Finance

#### CROSS REFERENCES

Village trustee defined; ~~commission form of government~~ - see ~~Ill. R.S. Ch. 24, Sec. 65 ILCS 5/4-1-2~~ Managerial form of government - see ~~Ill. R.S. Ch. 24, Secs. 65 ILCS 5/5-1-1~~ et seq. Oath of office - see 65 ILCS 5/3.1-10-25 Board of Trustees ~~to serve a~~ may create a Local Ethics Commission - see ADM. 210.0508.03 Village President as Board President - see ADM. 230.01 Assignment of parcel numbers - see B. & H. 1474.01 ~~S.U. & P.S. 1022.03 Authority re annexations - see P. & Z. 1212.06(a), 1212.08(d)~~

**SECTION 8: AMENDMENT** “220.02 Oath Of Office; Compensation” of the Elburn Municipal Code is hereby *amended* as follows:

#### AMENDMENT

220.02 Oath Of Office; Compensation

- (a) The Village President and members of the Board of Trustees shall take the oath of office, as prescribed by statute.
- (b) The Village President shall be paid ~~eight~~twelve thousand dollars (\$~~812~~12,000) per year, to be paid monthly. The Village President shall also be paid ~~five hundred one thousand~~ dollars (\$~~51,000~~1,000.00) per year as compensation for serving as Liquor Commissioner, pursuant to Sections 230.02(b) and 804.02(a) of these Codified Ordinances, which shall also be paid monthly.

~~Commencing with the first regular or special meeting of the corporate authorities during the month of April 2007 following the proclamation of the results of the regular municipal election of April 2007, the Village President shall be paid twelve thousand dollars (\$12,000) per year, to be paid monthly. The Village President shall also be paid one thousand dollars (\$1,000) per year as compensation for serving as Liquor Commissioner, pursuant to Sections 230.02(b) and 804.02(a) of these Codified~~

~~Ordinances, which shall also be paid monthly.~~

- (c) Each member of the Board of Trustees shall be paid ~~two~~three thousand dollars (\$~~2~~3,000) per year, to be paid monthly.

~~Commencing with the first regular or special meeting of the corporate authorities during the month of April 2007 following the proclamation of the results of the regular municipal election of April 2007, each member of the Board of Trustees shall be paid three thousand dollars (\$3,000), per year, to be paid monthly.~~

- (d) ~~This section shall be effective upon the start of the term of office which begins on May 1, 2001.~~

(Ord. 95-21. Passed 4-17-95; Ord. 96-13. Passed 5-6-96; Ord. 98-26. Passed 11-2-98; Ord. 99-23. Passed 11-1-99; Ord. 2004-21. Passed 10-20-04; Ord. 2005-08. Passed 5-2-05.)

**SECTION 9:**            AMENDMENT “220.03 Meetings” of the Elburn Municipal Code is hereby *amended* as follows:

#### AMENDMENT

##### 220.03 Meetings

- (a) The regular meetings of the Board of Trustees shall be held on the first and third Mondays of each month of the year at 7:00 p.m.
- (b) The meeting place of the Board of Trustees shall be at the Village offices, unless otherwise ordered by the Board.
- (c) Any regular meeting falling on a Village holiday when the Village offices are closed shall be held on the next day, at the same hour and in the same place.
- (d) Special meetings may be called by the President or two trustees upon not less than 48 hours notice to all trustees.
- (e) The Village Clerk shall, at the beginning of the calendar year, prepare and make available a schedule of all its regular meeting for such calendar or fiscal year, listing the times and places of such meetings. ~~cause notice of the schedule of regular meetings to be published in a newspaper of general circulation within the Village at the beginning of each fiscal year.~~
- (f) Meetings of the Committee of the Whole shall be held immediately following the adjournment of the regular Board of Trustees meetings, or 7:15 p.m., whichever is later.
- (g) Notice of all meetings shall comply with the Illinois Open Meetings Act.

(Ord. 2013-41. Passed 12-2-13; Ord. 2019-21. Passed 12-16-19.)

**SECTION 10: AMENDMENT** “220.05 Rules Of Order” of the Elburn Municipal Code is hereby *amended* as follows:

AMENDMENT

220.05 Rules Of Order

- (a) Order of Business. The order of business at meetings of the Board of Trustees shall be as follows:

First Monday	Third Monday
Roll Call	Roll Call
Minutes	Minutes
Public Inquiries	Public Inquiries
<del>Village President</del> <u>Public Works</u>	<del>Village President</del> <u>Treasurer's report</u>
<del>Village Attorney</del> <u>Police Department</u>	<del>Village Attorney</del> <u>Public Works</u>
Village Clerk	<del>Village Clerk</del> <u>Police Department</u>
Village <del>Engineer</del> <u>Administrator</u>	<del>Village Engineer</del> <u>Village Clerk</u>
<del>Administration</del> <u>Village President</u>	<del>Administration</del> <u>Village Attorney</u>
<del>Building &amp; Zoning</del> <u>Committees</u>	<del>Building &amp; Zoning</del> <u>Village Administrator</u>
<del>Finance</del>	<del>Finance</del> <u>Village President</u>
<u>Public Works</u>	<u>Treasurer's Report</u> <del>Committees</del>
<u>Bills</u>	<u>Public Works</u>
<u>Other Business</u>	<u>Bills</u>
<u>Adjournment</u>	<u>Other Business</u>
	<u>Adjournment</u>

- (Adopting Ordinance)
- (b) Placement on Agenda. Persons, other than the Village President and members of the Board of Trustees, shall request to be on the agenda no later than the ~~Thurs~~Wednesday before the meeting.
- (c) Addressing Meetings. No person, other than the Village President or a member of the Board of Trustees, shall address the Board at any special or regular meeting, except by being placed on the agenda or upon consent of a majority of the members present.
- (d) Rescinded Action. No vote or action of the Board of Trustees shall be rescinded at any

special meeting, unless there be present at such meeting as many members of the Board as were present when the vote or action was taken, as is provided by statute.

- (e) Resolutions. Any resolution submitted to the Board shall be reduced to writing before being voted upon, at the request of any two members of the Board.
- (f) Time Limit. Any person, other than the Village President or a member of the Board, shall have no more than ~~ten~~five minutes within which to address the Board, unless a majority of the Board shall consent to more time.
- (g) Suspension of the Rules. The rules of order, other than those prescribed by statute, may be suspended at any time by the consent of a majority of the members present at any meeting.
- (h) Robert's Rules of Order. Robert's Rules of Order shall govern the deliberations of the Board, except when in conflict with any of the foregoing rules.
- (i) Quorum. A majority of the Board of Trustees shall constitute a quorum to do business, but no ordinance shall be passed except upon a favorable vote of a majority of the elected members, as is provided by statute.
- (j) Committees. ~~The following shall be the sole standing committee of the Board of Trustees and its duties:~~
  - (1) Committee of the Whole. ~~Its duties shall include, but not be limited to, the following:~~
    - (A) There is hereby established a standing committee, known as the committee of the whole, which shall consist of all the Trustees and the Village President. ~~Public Works: Review and makes recommendations on all matters relating to the water, storm water, sewer and street systems, Village buildings and any other elements of the Village's physical plant or system.~~
    - (B) ~~Development: Review and make recommendations on all matters relating to the Comprehensive Land Use Plan, Zoning Ordinance, Subdivision Ordinance, Building and Housing Codes and related planning and development issues.~~
    - (C) ~~Finance and Administration: Review and make recommendations on all matters relating to the appropriation and expenditures of funds, including the annual review of the Village budget, and make recommendations on salaries and compensation for Village officials and employees.~~
    - (D) ~~Public Safety: Review and make recommendations on all matters relating to the Village Police Department.~~

~~The Committee of the Whole shall consist of the Village President and all Trustees.~~
  - (2) Special Committees: The Village President shall appoint such special committees as deemed necessary or as may be directed by the Board of Trustees.
- (k) Voting; Record. The passage of all ordinances, for whatever purposes, and of any resolution or motion which creates any liability against the Village or which involves the expenditure or appropriation of its money, shall require the concurrence of a

majority of all members then holding office on the Board, including the Village President, unless otherwise expressly provided by statute or by any act governing the passage of any ordinance, resolution or motion.

The yeas and nays shall be taken upon the question of the passage of the designated ordinances, resolutions, or motions, and recorded in the minutes ~~journal~~ of the Board.

- (l) Reconsideration; Passage Over Veto. Every resolution, motion, and ordinance which is returned unsigned to the Board by the Village President shall be reconsidered by the Board. If, after such reconsideration, two-thirds of all the Trustees then holding office on the Board agree to pass such ordinance, resolution or motion, notwithstanding the President's refusal to approve it, then it shall be effective.

The vote on the question of passage over the President's veto shall be by yeas and nays, and shall be recorded in the minutes ~~journal~~ of the Board.

- (m) Disturbing Meetings. It shall be unlawful for any person to disturb any meeting of the Village Board or of any committee thereof. Any person violating the provisions of this section shall be fined not less than one dollar (\$1.00) nor more than ten dollars (\$10.00), for each offense.

(Ord. 92-3. Passed 1-21-92; Ord. 2002-30. Passed 11-4-02; Ord. 2009-09. Passed 5-18-09; Ord. 2012-25. Passed 12-17-12.)

**SECTION 11:**            AMENDMENT “Chapter 222 Ordinances And Resolutions” of the Elburn Municipal Code is hereby *amended* as follows:

#### AMENDMENT

Chapter 222 Ordinances And Resolutions

EDITOR'S NOTE: There are no sections in Chapter 222. This chapter has been established to provide a place for cross references and any future legislation.

**CROSS REFERENCES** Codified Ordinances - see ADM. Ch. 202 Action by Board of Trustees - see ADM. 220.05(e) et seq. Annual appropriation and levy ordinances - see ADM. 224.02 Duties of Village President - see ADM. 230.05 ~~Annexation ordinances -- see P. & Z. 1212.08(e)~~

**SECTION 12:**            AMENDMENT “Chapter 224 Finance Generally” of the Elburn Municipal Code is hereby *amended* as follows:

#### AMENDMENT



## Chapter 224 Finance Generally

**CROSS REFERENCES**

**Budget officer, budget passage - see 65 ILCS 5/8-2-9.1 et seq.** Grant administration - see ADM. 234.02(c) Accounting of moneys received by officers and employees - see ADM. 252.02(c) Municipal Retailers Occupation Tax - see B.R. & T. Ch. 890 Municipal Service Occupation Tax - see B.R. & T. Ch. 892 Levy of annual tax in Special Service Area Number One - see S.U. & P.S. 1080.01(b)

**SECTION 13:            AMENDMENT** “224.02 Annual Appropriation And Levy Ordinances” of the Elburn Municipal Code is hereby *amended* as follows:

## AMENDMENT

## 224.02 Annual Appropriation And Levy Ordinances

(a) Appropriation Ordinance.

- (1) ~~Within the first quarter of each fiscal year, the Board of Trustees shall enact an appropriation ordinance as specified by the Illinois Compiled Statutes. The appropriation ordinance shall appropriate such sums of money as the Board of Trustees deems necessary to defray all expenses and liabilities for the fiscal year for which it is enacted. The appropriation ordinance shall be published as required by the Illinois Compiled statutes within ten days after it is enacted.~~ Passage of the annual budget by the corporate authorities shall be in lieu of passage of an appropriation ordinance, as required by 65 ILCS 5/8-2-9.
- (2) ~~In the appropriation ordinance, the corporate authorities shall specify the objects and purposes for which the various appropriations are made. All revenues from whatever source should be appropriated before expenditures can be made from these sources. An expenditure must not exceed the corresponding appropriation.~~
- (3) ~~Once the appropriation ordinance has been adopted, no further appropriations may be made within the same fiscal year unless approved by a special petition or referendum as specified by the Illinois Compiled Statutes. However, the Board of Trustees may adopt a supplemental appropriation ordinance during the fiscal year in an amount not to exceed the aggregate of any additional revenue which becomes available subsequent to the adoption of the appropriation ordinance. (Ord. 79-1. Passed 2-19-79.)~~

(b) Tax Levy Ordinance.

- (1) Subsequent to the passage and publication of the appropriation ordinance, the Village shall, in accordance with applicable provisions of the Illinois Compiled Statutes, pass a tax levy ordinance levying such taxes as may be needed to meet the anticipated expenses of the coming year, together with

such taxes as may be required to meet outstanding bond issues, or for purposes payable from special taxes properly authorized.

- (2) The tax levy ordinance should show the amounts appropriated for each line item, and the amount levied therefor, in separate adjoining columns.
- (3) A certified copy of the tax levy ordinance shall be filed with the County Clerk of Kane County on or before the last Tuesday in December. (Adopting Ordinance)

(c) Property Tax Limits; Corporate and Specific.

- (1) Property tax levies for general corporate purposes may be imposed at a rate not to exceed .25 percent of the equalized assessed value of the property within the Village without referendum, and .4375 percent with referendum, or at maximum rates as may be authorized by the Illinois Compiled Statutes.
- (2) Additional property taxes for specific purposes as set forth in the Illinois Compiled Statutes may be imposed without referendum at rates not to exceed their statutory limits. Such specific purposes may include, but are not limited to, taxes for libraries, streets and bridges, audits, Village Hall rent, IMRF, school crossing guards, sewer and water funds, garbage collection, police protection, street lighting, liability insurance, public building restoration and special assessments for public benefits.  
With successful referenda, additional property taxes may be imposed within their statutory rate limits for specific purposes as set forth in the Illinois Compiled Statutes, including, but not limited to, construction of community buildings, playgrounds and recreation areas and public parks.

(Ord. 79-1. Passed 2-19-79; Ord. 2010-03. Passed 1-19-10.)

**SECTION 14:**            AMENDMENT “224.03 Fiscal Year” of the Elburn Municipal Code is hereby *amended* as follows:

AMENDMENT

224.03 Fiscal Year

The fiscal year of the Village shall begin on the first day of May of each year and end on April 30 of the following year.

(Ord. 79-1. Passed 2-19-79; Ord. 2010-03. Passed 1-19-10.)

**SECTION 15:**            AMENDMENT “224.05 Approval Of Bills” of the Elburn Municipal Code is hereby *amended* as follows:

## AMENDMENT

## 224.05 Approval Of Bills

The Village shall pay all bills and indebtedness incurred by the Village, except for salaries and employee benefits as established by the Village President and the Board of Trustees, only after said bills have been approved by the Board of Trustees. The ~~Village Administrator~~ Director of Finance shall prepare a bills list for the review and approval of the Board of Trustees prior to the regularly scheduled Village Board meetings as set forth in Section 220.03. ~~The Finance Committee may review the bills prior to the regularly scheduled Village Board meetings.~~

(Ord. 98-25. Passed 10-19-98; Ord. 2010-03. Passed 1-19-10.)

**SECTION 16:** AMENDMENT “224.09 Annual Working Budget” of the Elburn Municipal Code is hereby *amended* as follows:

## AMENDMENT

## 224.09 Annual Working Budget

(a) Contents.

- (1) To provide a sound basis for the annual appropriation ordinance, the Village shall prepare an annual working budget prior to the commencement of each fiscal year to which such working budget applies. The budget shall constitute a plan for the raising and spending of revenues during each fiscal year to achieve Village goals and satisfy public needs.
  - (2) The budget shall set forth in detail:
    - (A) A statement of the cash on hand at the beginning of the fiscal year;
    - (B) An estimate of the cash expected to be received from all sources during the fiscal year;
    - (C) A statement of estimated expenditures by department and categories; and
    - (D) An estimate of cash expected to be on hand at the end of the fiscal year.
  - (3) The adopted budget shall be the working document by which the Village monitors its expenditures as the fiscal year progresses. To achieve this end, the Village Treasurer shall submit, along with ~~the~~ his or her monthly report, a statement showing the adopted budget broken down by departments and monies spent to date for each budget account category.
- (Ord. 79-1. Passed 2-19-79.)

~~(b) Preparation.~~

- ~~(1) All department heads shall prepare budget requests for their respective areas of responsibility. Said requests shall be based on a detailed summary of the~~

current year's expenses to date, as provided by the Village Treasurer, and an assessment of expected operating and capital expenses for the coming fiscal year:

- (2) ~~The budget requests shall be submitted to the Village Administrator, who shall prepare the requests for submission to the Village Board committees. The Village Administrator shall include in the requests all planned MFT work, street improvements, water and sewer system improvements proposed for the upcoming spring and summer seasons, plus requests for monies to be set aside for future equipment replacements, repairs and major capital improvements.~~
- (3) ~~At the time the Board committees begin reviews of the budget requests, the Village Treasurer shall submit to said committees a revenue projection/cash flow statement setting forth the estimated beginning cash balance and the projected revenues, by month and by source, for the upcoming fiscal year. After the adoption of the budget, the Village Treasurer may update this cash flow statement to include estimated expenditures by month and category and the final cash balance for the fiscal year.~~

(e) Calendar:

- (1) ~~January. The Public Works Committee, Public Works Director and Village Engineer shall review and establish needs for MFT work and other street, water and sewer, and storm sewer improvements to be done in the spring and summer, and shall also review any long-range capital improvement needs.~~
- (2) February:
  - (A) ~~The Board committees shall review the annual audit, and the progress of departments and staff towards stated goals, as a means for establishing goals for the next fiscal year.~~
  - (B) ~~Draft budget requests shall go through the Village Administrator.~~
  - (C) ~~The Village Treasurer shall prepare and submit the revenue project statement for committees.~~
- (3) ~~March and April. The Board committees shall review budget requests, including salaries, and prepare their recommendations.~~
- (4) ~~April. The Village Board shall adopt the budget at its mid-month meeting. The Village Treasurer may submit an expenditure cash flow projection.~~
- (5) ~~First Quarter. Within the first quarter of the fiscal year, the Village Board shall adopt the appropriation ordinance.~~
- (6) ~~December. The Village Board shall adopt the tax levy.~~

(Ord. 2010-03. Passed 1-19-10.)

**SECTION 17:**            AMENDMENT “224.10 Investment Policy” of the Elburn Municipal Code is hereby *amended* as follows:

AMENDMENT

## 224.10 Investment Policy

- (a) Scope. This policy applies to the investment of all Village funds.
- (b) General Objectives. The primary objectives, in priority order, of investment activities shall be safety, liquidity and yield.
  - (1) Safety. The safety of principal is the foremost objective of this investment policy. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital. The objective will be to mitigate credit risk and interest rate risk.
    - (A) Risk to principal. The Village will minimize risk to loss of principal assets by:
      - (i) Limiting investments to the safest types of securities;
      - (ii) Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors with which an entity will do business; and
      - (iii) Diversifying the investment portfolio so that potential losses on individual investments will be minimized.
    - (B) Interest rate risk. The Village will minimize the risk that the market value of securities in the portfolio will fall due to changes in general interest rate by:
      - (i) Structuring the investment portfolio so that investments meet cash requirements for ongoing operation.
      - (ii) Investing operating funds primarily in instruments with determined interest rates.
  - (2) Liquidity. The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities bear interest or mature concurrent with cash needs to meet anticipated demands. Furthermore, since all possible cash demands cannot be anticipated, some income/principal shall be preserved in one or more working fund investments which shall be sufficiently liquid to meet the unanticipated cash needs of the Village.
  - (3) Yield. The investment portfolio shall be designed with the objective of attaining a near-~~to~~-market rate of return with the preference of using local banks for investment purposes and taking into account the risk constraints and cash flow needs.
- (c) Standard of Care.
  - (1) Prudence. The standard of prudence to be used by investment officials shall be the prudent person standard and shall be applied in the context of managing an overall portfolio. Investment officials acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided that deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this policy. Investments shall be made with judgment and care, under circumstances then

prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

- (2) Ethics and conflicts of interest. Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal transactions with the same individual with which business is conducted on behalf of the Village.
- (3) Delegation of authority. Authority to manage the investment program is granted to the Treasurer, hereinafter referred to as the “investment officer”.
- (d) Investment Officer. Responsibility for the operation of this investment policy is hereby delegated to the investment officer, who shall act in accordance with this investment policy and the following internal controls to protect from loss, theft, or misuse:
  - (1) All investment transactions involving more than two hundred fifty thousand dollars (\$250,000) shall bear the signature of the Treasurer and one corporate official. Should the Treasurer not be available, an investment transaction shall bear the signature of any two corporate authorities.
  - (2) Investment transactions shall be handled in person when practical.
  - (3) Records of all financial transactions shall be made within forty-eight hours of such transaction.
  - (4) The Treasurer shall present a financial report at every finance committee meeting and at least quarterly provide a written report of investment activities. The Treasurer shall have present at all meetings the most current statements verifying account balances, should the Board desire to review any accounts.
  - (5) Accounts at any one financial institution shall not exceed FDIC limits unless further security is provided as required by Illinois law.
  - (6) As a further internal control, the investment officer shall review records with a certified public accountant for an annual independent review to assure compliance with sound policies and procedures. The internal controls shall review:
    - (A) Control of collusion;
    - (B) Separation of transaction authority from accounting and record keeping;
    - (C) Custodial safekeeping;
    - (D) Avoidance of physical-delivery securities;
    - (E) Clear delegation of authority to subordinate staff members;
    - (F) Written confirmation of telephone transactions for investments and wire transfers; and
    - (G) Development of a wire transfer agreement with the lead bank or third-

party custodian.

- (e) Authorized Financial Institutions. A list shall be maintained of approved financial institutions, which shall be utilized by the authorized investment officer in selecting institutions to provide investment services. This list shall be annually reviewed and may be amended by Board resolution.  
Financial institutions that desire to become qualified bidders for investment transactions must supply the following, as appropriate:
- (1) Audited financial statements;
  - (2) Proof of National Association of Securities Dealers (NASD) certification;
  - (3) Proof of State registration;
  - (4) Completed broker/dealer questionnaire; and
  - (5) Certification of having read the investment policy.
- (f) Authorized and Suitable Investments. The Treasurer has authorized the following types of investments subject to the provisions of the Public Funds Investment Act (30 ILCS 235):
- (1) Securities that are guaranteed by the full faith and credit of the United States as to principal and interest;
  - (2) Obligations of agencies and instrumentalities of the United States as originally issued by the agencies and instrumentalities;
  - (3) Interest-bearing savings accounts, interest-bearing certificates of deposit, or interest-bearing time deposits of a bank as defined by Section 2 of the Illinois Banking Act (205 ILCS 5/2);
  - (4) Interest-bearing accounts or certificates of deposit of any savings and loan association incorporated under the laws of the State of Illinois, any other state, or the United States;
  - (5) Dividend-bearing share accounts, share certificate accounts, or class of share accounts of a credit union chartered under the laws of the State of Illinois or the United States, which maintains its principal office in the State of Illinois;
  - (6) Money market mutual funds registered under the Investment Company Act of 1940 (15 U.S.C.A. 80a-1 et seq.) and rated at the highest classification of at least one standard rating service;
  - (7) The Illinois Funds created under Section 17 of the State Treasurer Act (15 ILCS 505/17); and
  - (8) Repurchase agreements of government securities having the meaning set out in the Government Securities Act of 1986 (1 U.S.C.A. 78o-5).
- (g) Collateralization. All deposits, repurchase agreements and securities lending shall be secured as required by the Treasurer.
- (h) Diversification. The investment portfolio shall be diversified to eliminate the risk of loss resulting from the concentration of assets in a specific maturity, a specific issuer, or a specific class of securities. ~~In order to~~ To properly manage any risk attendant to the investment of funds, the portfolio shall not deviate from the following diversification guidelines unless specifically authorized by the Finance Committee:
- (1) The Treasurer shall seek to achieve diversification in the portfolio by distributing investments among authorized investment categories among financial institutions, issuers, and brokers/dealers;

- (2) The investment portfolio shall not hold time deposits and/or term repurchase agreements that constitute more than fifteen percent of any single financial institution's total deposits.
- (3) The Treasurer shall invest the majority of funds in authorized investments of less than one-year maturity. No investment shall exceed a three-year maturity.
- (i) Custody and Safekeeping. The custody and safekeeping of collateral will be handled by Illinois financial institutions from the “Authorized List of Financial Institutions”. Securities shall be held in safekeeping by an agent designated by the Treasurer and evidenced by a safekeeping receipt.

(Ord. 99-27. Passed 12-20-99; Ord. 2010-03. Passed 1-19-10.)

**SECTION 18:**        AMENDMENT “Chapter 226 Competitive Bidding” of the Elburn Municipal Code is hereby *amended* as follows:

#### AMENDMENT

Chapter 226 Competitive Bidding

**CROSS REFERENCES** Contracting for municipal supplies - see ~~Ill. R.S. Ch. 24, Sec. 65~~  
ILCS 5/8-9-2 Seal and attestation of contracts - see ADM. 232.02

**SECTION 19:**        AMENDMENT “230.02 Powers And Duties Generally” of the Elburn Municipal Code is hereby *amended* as follows:

#### AMENDMENT

230.02 Powers And Duties Generally

- (a) The Village President shall be the chief executive officer of the Village and shall perform all such duties as may be required ~~of him or her~~ by statute or ordinance. The Village President ~~He or she~~ shall serve as supervisor over all the executive officers and departments of the Village, and ~~over~~ all the employees of the Village. The Village President ~~He or she~~ shall have the power and authority to inspect all books and records kept by any Village officer or employee at any reasonable time.
- (b) The Village President shall be the Liquor Control Commissioner.
- (c) The Village President shall appoint all officers, other than elective officers, with the advice and consent of the Board of Trustees, as provided by statute.
- (d) Except where otherwise provided by statute, the Village President may remove any appointed officer ~~appointed by him or her~~ under this Code, on any formal charge,



whenever ~~the Village President~~~~he or she~~~~is of the opinion~~ believes that the interests of the Village demand removal. However, ~~the Village President~~~~he or she~~ shall report the reasons for the removal to the Board of Trustees at a meeting to be held not less than five nor more than ten days after the removal.

If ~~the Village President~~~~he or she~~ fails or refuses to report to the Board the reasons for the removal, or if the Board, by a two-thirds vote of all its members authorized by law to be elected, disapproves of the removal, the officer thereupon shall be restored to the office from which ~~they were~~~~he or she was~~ removed.

The vote shall be by yeas and nays, which shall be entered ~~into~~~~upon~~ the Board's ~~minutes~~~~journal~~. Upon restoration, the officer shall give a new bond and take a new oath of office. No officer shall be removed a second time for the same offense.

- (e) Whenever there is a question as to the respective powers or duties of any appointed officer of the Village, the question shall be settled by the Village President. Further, the Village President shall have the power to delegate to any person any duty which is to be performed, when no specific officer has been directed to perform that duty.

(Ord. 77-5. Passed 4-18-77.)

**SECTION 20:** AMENDMENT “230.03 Bond; Oath Of Office” of the Elburn Municipal Code is hereby *amended* as follows:

#### AMENDMENT

##### 230.03 Bond; Oath Of Office

Before entering upon the duties of his or her office, the Village President shall execute a corporate surety bond in the amount of twenty-five thousand dollars (\$25,000). The bond shall be payable to the Village, conditioned upon the faithful performance of the duties of his or her office according to the statute and to these Codified Ordinances. The costs of such bond shall be paid by the Village.

~~He or she~~The Village President shall take the oath of office as prescribed by statute, and shall receive such compensation as may be set from time to time by the Village Board.

(Ord. 77-5. Passed 4-18-77.)

**SECTION 21:** AMENDMENT “230.04 Designation Of Person To Sign Instruments” of the Elburn Municipal Code is hereby *amended* as follows:

#### AMENDMENT

##### 230.04 Designation Of Person To Sign Instruments

The Village President may designate another to affix the signature of the President to any written instrument which is required to be signed by the President. The President shall send written notice of this designation to the Village Board, stating the name of the person whom ~~they have~~ ~~he or she has~~ selected and what instrument the person will have authority to sign. A written signature of the President, executed by the person so designated underneath, shall be attached to the notice. The notice, with the signatures attached, shall be recorded in the ~~minutes~~ ~~journal~~ of the Village Board and then filed with the Village Clerk. When the signature of the President is placed on a written instrument, it shall in all respects be as binding on the Village as if signed by the President in person.

(Ord. 77-5. Passed 4-18-77.)

**SECTION 22:**            **AMENDMENT** “230.05 Duties Re Legislation; Approval; Veto” of the Elburn Municipal Code is hereby *amended* as follows:

#### AMENDMENT

##### 230.05 Duties Re Legislation; Approval; Veto

All ordinances, and all resolutions and motions which create any liability against the Village, which provide for the expenditure or appropriation of the Village's money or which provide for the sale of any Village property, passed by the Village Board, shall be deposited with the ~~Director of Finance~~ ~~Village Clerk~~. ~~If~~ ~~the Village President shall sign~~ ~~approved~~ ~~s ordinances and resolutions. of them, he or she shall sign them.~~ Those of which ~~the Village President~~ ~~he or she~~ disapproves ~~he or she~~ shall ~~be returned~~ to the Village Board, with ~~the Village President's~~ ~~his or her~~ written objections, at the next regular Village Board meeting. The ~~Village~~ President may disapprove of any one or more sums appropriated in any ordinance, resolution, or motion making an appropriation, and, if so, the remainder shall be effective. However, the ~~Village~~ President may disapprove entirely of an ordinance, resolution, or motion making an appropriation. If the ~~Village~~ President fails to return any ordinance, or any specified resolution or motion, with ~~their~~ ~~his or her~~ written objections, within the designated time, such ordinance, resolution or motion shall become effective despite the absence of his or her signature.

(Ord. 77-5. Passed 4-18-77.)

**SECTION 23:**            **AMENDMENT** “Chapter 232 Village Clerk” of the Elburn Municipal Code is hereby *amended* as follows:

#### AMENDMENT

##### Chapter 232 Village Clerk

**CROSS REFERENCES** Official keeper of Codified Ordinances and records - see ADM. 202.10 Compensation - see ADM. 220.02(c) Employees generally - see ADM. Ch. 252  
~~Administrative assistant - see ADM. Ch. 256~~

**SECTION 24:**            **AMENDMENT** “232.03 Corporate Seal; Custody Of Village Documents; Transcripts As Evidence; Minutes” of the Elburn Municipal Code is hereby *amended* as follows:

#### AMENDMENT

232.03 Corporate Seal; Custody Of Village Documents; Transcripts As Evidence; Minutes

- (a) The Village Clerk shall keep the corporate seal, which shall be provided by the corporate authorities, and all papers belonging to the Village, the custody and control of which are not given to other officers. The Village Clerk~~He or she~~ shall attend all meetings of the corporate authorities, and shall keep a full record of their proceedings in the journal.
- (b) Copies of all papers duly filed in the office of the Village Clerk, and transcripts from the minutes~~journals~~ and other records and files of their~~his or her~~ office, certified by him or her under the corporate seal, shall be evidence in all courts in like manner as if the originals were produced.
- (c) When technical and/or legal matters are being discussed at a Village Board meeting, the Village Clerk may delegate their~~his or her~~ minute-taking duties with the approval of the Village Board.

(Ord. 77-5. Passed 4-18-77.)

**SECTION 25:**            **REPEAL** “232.04 Record Of Officers And Employees; Index Of Documents” of the Elburn Municipal Code is hereby *repealed* as follows:

#### REPEAL

~~232.04 Record Of Officers And Employees; Index Of Documents (Repealed)~~

- ~~(a) The Village Clerk shall keep a record showing all of the officers and regular employees of the Village, together with such other records as may be required by the Board of Trustees.~~
- ~~(b) The Village Clerk shall keep and maintain a proper index of all documents and records kept by him or her so that ready access thereto and use thereof may be had.~~

~~(Ord. 77-5. Passed 4-18-77.)~~

**SECTION 26:            AMENDMENT** “234.02 Powers And Duties” of the Elburn Municipal Code is hereby *amended* as follows:

AMENDMENT

234.02 Powers And Duties

- (a) The Village Administrator, under the direction and supervision of the Village President, shall be responsible for the administration of the village departments and shall have, but not limited to, the following duties:
- (a) Administrative. The Village Administrator shall have the following powers and duties with regard to the administration of the Village:
- (1) ~~To be the Code Enforcement Officer, holding the titles of Subdivision Enforcement Officer, as provided in Section 8-9-2 of the Subdivision Regulations (Ordinance 74-19, passed October 21, 1974), and Building Enforcement Officer, as provided in Sections 1442.03 and 1464.15 of the Building and Housing Code and Section 7-19-1 of the Zoning Code (Ordinance 74-24, passed November 18, 1974), and as such to perform all duties assigned by these sections, the Building and Housing Code, the Zoning Code and the Subdivision Regulations.~~ To perform all reviews and administrative services specified or required by the Subdivision Control Ordinance and Zoning Code.
  - (2) To assist all other Village officials in the enforcement of other rules, regulations, and ordinances that come under their jurisdiction.
  - (3) To be the Secretary to the Village Board, Committee of the Whole, Elburn Planning Commission, and Parks Commission, ~~and liaison with other boards and commissions;~~ liaison with all Village consultants ~~and between Board committees,~~ correspondence secretary for the President and the Board of Trustees, and public relations coordinator for the Village.
  - (4) To provide administrative, personnel, and coordinating assistance to all department heads for the studying, implementation, and scheduling of major projects and capital improvements.
  - (5) To coordinate the establishment and approval of the budget and financial reporting system with the Treasurer and all appropriate department heads.
- (a)
- (b) Policy Formulation. With respect to policy formulation, the Village Administrator shall:
- (1) Establish the content for all agendas for meetings of the Board of Trustees;
  - (2) Coordinate Committee and Commission presentations to the Board;
  - (3) Attend all meetings of the Village Board, unless excused by the Village President, and report on affairs and problems within the Village;

- (4) Present recommendations concerning policies and objectives, as well as specific actions, participate in discussions on these matters as directed, keep the Board fully informed on all significant matters pending before the Village and the Board, and follow up on all matters as directed; and
  - (5) Prepare recommendations on major projects and capital improvements for operating departments, including, but not limited to, comments on feasibility, cost-effectiveness, priority allocation, and financial capability of the Village to meet the need in question~~ff~~.
- (c) Grant Administration. With respect to grant administration, the Village Administrator shall:
- (1) Keep abreast of State and Federal grant and loan programs, rules, regulations, policies, and eligibility requirements;
  - (2) Coordinate and supervise the development of applications, proposals, plans, specifications, and grant offers; and
  - (3) Coordinate all consultants, staff, and Board actions on grants.

(Ord. 77-6. Passed 4-18-77; Ord. 79-4. Passed 4-2-79.)

**SECTION 27:** AMENDMENT “Chapter 242 Health Officer” of the Elburn Municipal Code is hereby *amended* as follows:

#### AMENDMENT

Chapter 242 Health Officer

**CROSS REFERENCES** ~~Qualifications of Health Officer -- see Ill. R.S. Ch. 24, Sec. 3-14-1~~  
~~Appointment of Health Officer -- see Ill. R.S. Ch. 111-1/2, Sec. 15~~ Employees generally - see  
 ADM. Ch. 252 Liability of Health Officer for enforcement of animal regulations - GEN. OFF.  
 608.12(g) Health generally - see GEN. OFF. Ch. 624 Endangering health - see GEN. OFF.  
 624.10 ~~Water use restrictions -- see S.U. & P.S. 1044.05~~

**SECTION 28:** AMENDMENT “242.01 Office Established; Appointment; Duties” of the Elburn Municipal Code is hereby *amended* as follows:

#### AMENDMENT

242.01 Office Established; Appointment; Duties

- (a) There is hereby established the office of Health Officer, an executive office of the Village. The Health Officer shall be appointed by the President and confirmed by the

Board of Trustees.

- (b) It shall be the duty of the Health Officer to enforce all ordinances containing provisions for the protection of public health, as provided by statute of these Codified Ordinances, to make inspections of foodstuffs and of the premises used for the storing or selling of the same as may be provided by statute or these Codified Ordinances, and to perform such other duties and functions as may be required by statute or these Codified Ordinances.
- (c) The Health Officer shall make such reports to the Board of Trustees as may be required. ~~He or she~~ The Health Officer shall make such recommendations for rulings, orders and ordinances, ~~with respect to~~ concerning the public health, as are necessary whenever the Health Officer ~~he or she~~ is requested to do so, or whenever he or she deems it advisable or necessary.

(Ord. 77-6. Passed 4-18-77.)

**SECTION 29:**            AMENDMENT “Chapter 244 Department Of Public Works” of the Elburn Municipal Code is hereby *amended* as follows:

AMENDMENT

Chapter 244 Department Of Public Works

**CROSS REFERENCES** Public works contracts - see ~~Ill. R.S. Ch. 24, Sees. 65~~ ILCS 5/8-9-1 et seq., 8-9-2 General powers over streets and public ways - see ~~Ill. R.S. Ch. 24, Sees. 65~~ ILCS 5/-11-80-1 et seq. Employees generally - see ADM. Ch. 252 ~~Administrative assistant - see ADM. Ch. 256~~ Duty of Superintendent to maintain truck route signs - see TRAF. 468.05(b) Municipal Utility Tax - see B.R. & T. Ch. 894 Duties of Superintendent generally - see B. & H. 1440.02

**SECTION 30:**            AMENDMENT “244.01 Establishment; Administration” of the Elburn Municipal Code is hereby *amended* as follows:

AMENDMENT

244.01 Establishment; Administration

There is hereby established a Department of Public Works, an executive department of the Village. The Department shall be administered by the Superintendent of Public Works, who shall be appointed by the Village President by and with the advice and consent of the Board of Trustees. ~~and such other officers as may be provided for from time to time by the Village President and the Board of Trustees.~~

(Ord. 2016-29. Passed 11-21-16.)

**SECTION 31:            AMENDMENT** “244.02 Jurisdiction And Duties Of The Superintendent” of the Elburn Municipal Code is hereby *amended* as follows:

#### AMENDMENT

#### 244.02 Jurisdiction And Duties Of The Superintendent

- (a) General Duties. The jurisdiction of the Superintendent of Public Works shall include, but not necessarily be limited to, the construction, maintenance, and repair of all public streets, alleys, parks, storm-water sewers, storm-water detention areas, Village owned street lights, sidewalks, waterworks, sanitary sewers, of all public ways and properties, and the wastewater treatment plant.
- (b) Supervisory Duties. All employees assigned to the Public Works Department shall perform their duties subject to the supervision of the Superintendent. ~~The Superintendent shall:~~
- ~~(1) Assign and supervise the daily work schedule of the employees, interview, recommend new employees, and conduct annual employee performance reviews;~~
  - ~~(2) Verify time records of Public Works Department employees;~~
  - ~~(3) Prepare reports and a Public Works Departmental Report for the Village Administrator and Village Board at least once a quarter;~~
  - ~~(4) Prepare all required State and Federal reports, as needed;~~
  - ~~(5) Maintain active contact with County, State and Federal agencies and be familiar with Public Works literature;~~
  - ~~(6) Purchase supplies and services as authorized by the Village Board for use in the Department of Public Works;~~
  - ~~(7) Maintain contact with the Board of Trustees, Village Administrator, Village Engineer and other departments and officers of the Village;~~
  - ~~(8) Recommend additions and amendments to these Codified Ordinances as are necessary to meet accepted current standards, rules and regulations pertaining to areas under his or her jurisdiction; and~~
  - ~~(9) Prepare a budget for the administration of department and submit the same to the Director of Finance or Village Administrator, as directed.~~
- (c) Inspection and Coordination. The Superintendent or designee shall:
- (1) Inspect all construction projects within the Village, on or for public ways and

- properties, and under the Superintendent's jurisdiction;
- (2) Inspect and/or perform all sewer and water taps and extensions;
  - (3) Meet with, monitor, and inspect the work of all contractors performing work on public ways and properties under the Superintendent's jurisdiction and in new subdivisions in the Village; and
  - (4) Coordinate all projects with the Village Engineer and such other consultants as may from time to time be employed by the Village.

(Ord. 2016-29. Passed 11-21-16.)

**SECTION 32:**        **AMENDMENT** “Chapter 248 Police Department” of the Elburn Municipal Code is hereby *amended* as follows:

AMENDMENT

Chapter 248 Police Department

**CROSS REFERENCES** ~~Auxiliary police – see Ill. R.S. Ch. 24, Sec. 3-6-5~~  
Police training - see 50 ILCS 705/1 et seq. Special tax for police protection - 65 ILCS 5/11-1 et seq. ~~see Ill. R.S. Ch. 24, Secs. 11-1-3, 11-1-4~~ Employees generally - see ADM. Ch 252  
~~Enforcement of traffic laws in the Hughes Creek Golf Community Subdivision see TRAF. 422.01~~ Parking spaces for - see TRAF. 480.09 Liability for enforcement of animal regulations - see GEN. OFF. 608.12(g) Inspection of amusements - see B.R. & T. 806.05 Monitoring of athletic exhibitions - see B.R. & T. 808.03

**SECTION 33:**        **AMENDMENT** “248.02 Chief Of Police” of the Elburn Municipal Code is hereby *amended* as follows:

AMENDMENT

248.02 Chief Of Police

- (a) Establishment; Appointment. There is hereby established the office of Chief of Police for the Village. The Chief shall be appointed by the Village President and confirmed by the Board of Trustees, as provided by statute.
- (b) General Duties.
  - (1) Administrative duties. The administrative duties of the Chief of Police shall include the following:
    - (A) Schedule and supervise all officers; keep records of work performed and time worked.



- (B) Review Department personnel records, salaries, and educational needs, and recommend salaries, benefits, education, and other personnel matters to the Police Commission~~tee~~ and the Board of Trustees.
  - (C) Keep said Department, other officials, and the Board of Trustees current on Village ordinances, statutes, and other laws, rules and regulations, and make recommendations for additions and amendments to Village ordinances.
  - (D) Draft the Department budget ~~for the Village Administrator and the Board by March of each year.~~
  - (E) Assume responsibility for the purchase, repair, maintenance and replacement of Department equipment and supplies.
- (2) Licenses and permits. The Chief of Police shall have, at least, the following responsibilities with respect to licenses and permits:
- (A) Review all applications and applicants for liquor licenses, ~~and~~ solicitors' permits, raffle permits, and special event permits.
  - (B) Keep records of permits ~~vehicle stickers issued, and~~ tickets, and those not complying.
- (3) Other duties. The Chief of Police shall:
- (A) Enforce all the ordinances of the Village, preserve law and order, prevent infractions of the law and arrest violators of the law.
  - (B) Serve as the custodian of police reports, other police records, and lost or abandoned property recovered in the Village.
  - (C) Control traffic and parades and make recommendations for traffic control, signs, and street conditions.
  - (D) Maintain an active information contact with the County, State, and Federal agencies.
  - (E) Maintain contact with citizens, respond to complaints, and handle public and community relations for the Department.
  - (F) Assist the Village Attorney in the preparation of cases, and serve such papers as he or she is called upon to serve.
- (c) Bond. The Village shall secure and maintain at all times a blanket position surety bond, in an amount as shall be determined from time to time by the Village Board, which shall include as part of its coverage the office of Chief of Police. The bond shall be payable to the Village and shall be conditioned on the faithful performance of the duties of the office of Chief of Police according to statute and these Codified Ordinances.

**SECTION 34:**            AMENDMENT “248.03 Deputies” of the Elburn Municipal Code is hereby *amended* as follows:

#### AMENDMENT

248.03 ~~Deputies~~ Police Officers

- (a) ~~In case of emergencies, or when the public peace and safety require it, the Village President may appoint any number of deputies, who shall have full powers as conservators of the peace and as policemen.~~ All police officers shall be hired in compliance with the Illinois Administrative Code, Title 20, Section 1720 and the Illinois Police Training Act (50 ILCS 705/1 et seq.).
- (b) ~~The appointment provided in subsection (a) hereof may be written or oral. The terms of such deputies shall not extend beyond the next regular meeting of the Board of Trustees following the appointment, unless the Board approves the appointment.~~
- (c) ~~Deputies shall receive such compensation for their services as may be determined by the Village Board.~~
- (d) Employment. The Village may employ part-time police officers from time to time as they deem necessary.
- (e) Duties. A part-time police officer shall have all the responsibilities of a full-time police officer, and such specific duties as delineated in the policies or general orders of the Village Police Department, but the number of hours a part-time officer may work within a calendar year is restricted to less than 1,560 hours. Part-time police officers shall not be assigned to supervise or direct full-time police officers. Part-time police officers shall be trained in accordance with the Illinois Police Training Act (50 ILCS ~~705~~50/1 et seq.) and the rules and requirements of the ILETSB. It shall be the policy of the Village Police Department to hire ~~only~~ part-time officers who have successfully completed ~~an~~the ILETSB required ~~400-hour~~ Basic Law Enforcement Academy, and have been certified, and remain in good standing, by ILETSB as a police officer in the State of Illinois. The Village may hire suitable candidates and send them to an ILETSB-approved part-time Basic Law Enforcement Academy.
- (f) Hiring Standards. Any person employed as a part-time police officer must meet the following standards:
- (1) Be of good moral character, of temperate habits, of sound health, and physically and mentally able to perform assigned duties.
  - (2) Be at least 21 years of age.
  - (3) Pass a medical examination.
  - (4) Possess a high school diploma or GED certificate.
  - (5) Possess a valid State of Illinois driver's license,
  - (6) Have no felony convictions.
  - (7) Any individual who has served in the U.S. military must have been honorably discharged.
  - (8) Possess a valid Illinois Firearms Identification (FOID) card.
- (g) Discipline. Part-time officers shall be under the disciplinary jurisdiction of the Chief of Police. Part-time police officers serve at the discretion of the Village authorities, shall not have any property rights in said employment, and may be removed by the Village authorities at any time. Part-time police officers shall comply with all applicable policies~~rules~~ and general orders issued by the Police Department.

(Ord. 77-6. Passed 4-18-77; Ord. 2012-14. Passed 7-16-12.)

**SECTION 35:** **REPEAL** “250.03 Supervision Received” of the Elburn Municipal Code is hereby *repealed* as follows:

REPEAL

~~250.03 Supervision Received (Repealed)~~

~~Works under the general guidance and direction of the Village Administrator.~~

~~(Ord. 2013-12. Passed 4-22-13.)~~

**SECTION 36:** **REPEAL** “250.04 Supervision Exercised” of the Elburn Municipal Code is hereby *repealed* as follows:

REPEAL

~~250.04 Supervision Exercised (Repealed)~~

~~Exercises supervision over all department staff, either directly or through subordinate supervisors.~~

~~(Ord. 2013-12. Passed 4-22-13.)~~

**SECTION 37:** **AMENDMENT** “250.05 Essential Duties And Responsibilities” of the Elburn Municipal Code is hereby *amended* as follows:

AMENDMENT

250.05 Essential Duties And Responsibilities

The Director of Finance is responsible for all aspects of administration, financial planning, directing and supervising of the accounting, finance, audits, investments, liability/property insurance, utility, miscellaneous billing and collection, and purchasing and inventory control.  
~~This description should not be construed to contain every function/responsibility that may be required to be performed by an incumbent in this job. Incumbents are required to perform other related essential and additional functions as assigned. Job functions are not necessarily listed in priority order.~~

- ~~(a) Is responsible for planning, organizing, and directing all operations of the Department of Finance including budgeting; purchasing; accounting; payroll; AR/AP; utility~~

- billing; human resource functions; employee benefit administration; cash management; debt administration; investment of all Village funds; risk management; and other fiscal activities to achieve goals within available resources.
- (b) Serves as Village Treasurer, prepares Treasurer's Report and shall perform such duties as are prescribed by statute and Village ordinances, including but not limited to the Village of Elburn Codified Ordinances, and shall receive all money paid into the hands of such other officer(s) or employee(s) as may receive it, and pay out money only on vouchers or orders properly signed and approved.
  - (c) Supervises the collection of taxes, fees and other receipts in accordance with laws and regulations.
  - (d) Performs cost control activities; monitors revenues and expenditures within assigned areas to assure sound fiscal control; prepares annual budget requests; assures effective and efficient use of budgeted funds, personnel, materials, facilities and time.
  - (e) Considerable emphasis and responsibility shall be directed at policy formulation and financial analysis of Village operations as well as the development of effective procedures and procedural improvements in the fiscal system of the Village.
  - (f) Directs the maintenance of the central accounting system.
  - (g) Assists Village Administrator and department heads in budget preparation; develops revenue estimates; and, after approval of the budget, prepares monthly financial statements and assists in solutions to any budgetary problems.
  - (h) Establishes departmental action plans and submits annual report for fiscal year budget.
  - (i) Prepares and administers departmental operating budget; develops long-range plans for facilities and infrastructure improvements; coordinates and administers capital improvement programs.
  - (j) Prepares estimated levy and abatement ordinances.
  - (k) Assists the Village Administrator in long-term strategic and financial planning. Prepares fiscal studies, income and expenditure estimates, cost/benefit analyses and financial reporting as required by the Village Administrator or required by law.
  - (l) Develops cost information and applies cost analysis to various proposed capital improvements and major Village projects.
  - (m) Oversees the Village's risk management activities.
  - (n) Serves as the Village's IMRF Authorized Agent.
  - (o) Performs cost-of-service studies for utility rate considerations.
  - (p) Supervises, trains, directs and evaluates department personnel and monitors all activities and operations of the department; establishes departmental guidelines for performance.
  - (q) Interprets Village policies and develops and implements appropriate department rules, regulations and policies; establishes record keeping procedures, methods, and standard operating procedures.
  - (r) Determines work procedures, prepares work schedules, and expedites workflow; studies and standardizes procedures to improve efficiency and effectiveness of operations.
  - (s) Trains and develops financial staff.
  - (t) Issues written and oral instructions; assigns duties and examines work for exactness, neatness, and conformance with policies and procedures.

- ~~(t) Maintains harmony among workers and resolves grievances; performs or assists subordinates in performing duties; adjusts errors and complaints.~~
- ~~(v) Reviews and approves the requisition of equipment, materials, and supplies; approves departmental expenditures.~~
- ~~(w) Provides professional advice to supervisors; makes presentations to supervisors, boards, committees, civic groups and the general public.~~
- ~~(x) Communicates official plans, policies and procedures to staff and the general public.~~
- ~~(y) Coordinates departmental activities with other departments and agencies as needed.~~
- ~~(z) Promotes and maintains responsive community relations.~~
- ~~(aa) Attends Village Board meetings and meetings of State and regional agencies, when necessary; receives citizens' complaints and requests; responds to requests for information and assistance from citizens and outside agencies and organizations.~~
- ~~(ab) Prepares items for Village Board and Administrator's consideration, i.e., Board Reports and Staff Reports.~~
- ~~(ac) Establishes and maintains internal control procedures and assures that State and national standard accounting procedures are maintained.~~
- ~~(ad) Oversees the central computerized financial system for the Village.~~
- ~~(ae) Oversees the posting and reconciliation of ledger and accounts.~~
- ~~(af) Directs the preparation of State and Federal reports, including tax reports.~~
- ~~(ag) Develops financial studies and plans; forecasts, estimates and monitors the financial condition of the Village to assure the fiscal well being of the Village.~~
- ~~(ah) Oversees payroll and accounts payable processing; utility and other billings; investment of Village funds in accordance with State regulations and create the Village's investment policy.~~
- ~~(ai) Represents the Village at various conferences, seminars and meetings.~~
- ~~(aj) Performs special projects at the direction of the Village Administrator.~~
- ~~(ak) The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.~~

(Ord. 2013-12. Passed 4-22-13.)

**SECTION 38:**            **REPEAL** “250.06 Qualifications” of the Elburn Municipal Code is hereby *repealed* as follows:

## REPEAL

### ~~250.06 Qualifications~~ (*Repealed*)

#### (a) Education and Experience.

- ~~(1) Graduation from an accredited four-year college or university with a bachelor's degree in government finance, accounting, business management,~~

- or a closely related field; CPA & MPA/MBA desired; and
- (2) Five years of progressively responsible municipal finance work; or
  - (3) Any equivalent combination of education and experience.
- (b) Necessary Knowledge, Skills and Abilities. To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.
- (1) Language ability. Ability to read, analyze, and interpret general business periodicals, professional journals, technical procedures, or governmental regulations. Ability to write detailed reports, business correspondence and procedure manuals. Ability to effectively present information and respond to questions from groups of managers, commissioners, citizens and the Village Board of Trustees.
  - (2) Mathematical ability. Ability to work with mathematical concepts such as probability and statistical inference. Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations. Ability to calculate figures and amounts such as discounts, interest, proportions, and percentages.
  - (3) Reasoning Ability. Ability to define problems, collect data, establish facts and draw valid conclusions.
  - (4) Computer skills. Word processing, spreadsheets, e-mail, database software, graphics, desktop publishing and internet.
  - (5) Special knowledge, skills and abilities. Considerable knowledge of the principles and practices of governmental accounting and fiscal procedures; knowledge of the principles of budgeting and purchasing and of the laws and regulations relevant to municipal accounting and fiscal operations. Ability to plan, organize and direct financial programs. Knowledge of modern supervisory, management, and disciplinary practices and procedures. Ability to work a flexible schedule attending evening and weekend meetings when appropriate

~~(Ord. 2013-12. Passed 4-22-13.)~~

**SECTION 39:**            **REPEAL** “250.07 Special Requirements” of the Elburn Municipal Code is hereby *repealed* as follows:

**REPEAL**

~~250.07 Special Requirements (Repealed)~~

~~Valid State of Illinois driver's license, or ability to obtain one, without record of suspension or revocation in any state.~~

~~(Ord. 2013-12. Passed 4-22-13.)~~

**SECTION 40:**        **REPEAL** “250.08 Tools And Equipment Used” of the Elburn Municipal Code is hereby *repealed* as follows:

REPEAL

~~250.08 Tools And Equipment Used (Repealed)~~

~~The machines, tools and equipment that are used when performing the essential functions of the job include personal computer, including word processing, spreadsheet, financial and data base software; calculator; phone; copy machine; fax machine; typewriter and shredder.~~

~~(Ord. 2013-12. Passed 4-22-13.)~~

**SECTION 41:**        **REPEAL** “250.09 Physical Demands” of the Elburn Municipal Code is hereby *repealed* as follows:

REPEAL

~~250.09 Physical Demands (Repealed)~~

- ~~(a) The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.~~
- ~~(b) While performing the duties of this job, the employee is frequently required to talk or hear; sit; use hands to finger, handle, feel or operate objects, machines, or controls; reach with hands and arms. The employee is occasionally required to stand or walk, climb, balance, stoop, kneel, and crouch. The employee must regularly lift and/or move up to ten pounds and occasionally lift and/or move up to twenty-five pounds. Specific vision abilities required by this job include close vision, distance vision, peripheral vision, depth perception, and the ability to adjust focus. Hand-eye coordination is necessary to operate computers and various pieces of office equipment.~~

~~(Ord. 2013-12. Passed 4-22-13.)~~

**SECTION 42:**        **REPEAL** “250.10 Work Environment” of the Elburn Municipal Code is hereby *repealed* as follows:

## REPEAL

~~250.10 Work Environment (Repealed)~~

- (a) The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.
- (b) While performing the duties of this job, the employee is regularly exposed to normal office conditions. The noise level in the office environment is usually moderate.

~~(Ord. 2013-12. Passed 4-22-13.)~~

**SECTION 43:**        **AMENDMENT** “Chapter 252 Employees Generally” of the Elburn Municipal Code is hereby *amended* as follows:

## AMENDMENT

Chapter 252 Employees Generally

**EDITOR'S NOTE:** Because of the frequency of change, provisions relating to compensation and benefits are not codified. Copies of the latest relevant legislation may be ~~obtained~~obtained, at cost, from the Village Clerk.

**CROSS REFERENCES**

Oath or affirmation of office - see 65 ILCS 5/3.1-10-25

Duty to successor - see 65 ILCS 5/3.1-10-35

Conservators of the peace - see 65 ILCS 5/3.1-15-25 ~~General corporate powers respecting employment - see Ill. R.S. Ch. 24, Sec. 3-11-1~~ Records of officers and ~~employees~~employees -

see ADM. 232.04 Prevailing wage rate for public works projects - see ADM. 244.08

Impersonating officers and employees - see GEN. OFF. 604.01 ~~Interference with~~Interference with officers and employees - see GEN. OFF. 608.12(c)

**SECTION 44:**        **AMENDMENT** “252.02 General Policies” of the Elburn Municipal Code is hereby *amended* as follows:

## AMENDMENT

252.02 General Policies



The provisions of this section shall apply alike to all officers and employees of the Village, regardless of the time of the establishment of the office or position or the time of the appointment of the officer or employee.

- (a) Appointments. All officers, other than elective officers, shall be appointed by the Village President and confirmed by the Board of Trustees and whose terms shall run concurrent to the term of the Village President. ~~In addition, all employees shall, in the absence of any provision to the contrary, be appointed or selected by the Village President.~~
- (b) Terms of Office; Vacancies. Every appointive officer of the Village shall hold office during the fiscal year, or until their~~his or her~~ successor is appointed and qualified, unless it is otherwise provided by ordinance. In case of a vacancy in any appointive office, such vacancy shall be filled in the manner in which appointments or selections are made, in the absence of any provision to the contrary.
- (c) Moneys Received. Every officer of the Village shall, at least once each month, turn over all money received ~~by him or her~~ in their~~his or her~~ official capacity to the Director of Finance or designee~~Village Clerk~~, with a statement showing the source from which the same was received.
- (d) Oath of Office. Every officer of the Village shall, before entering upon his or her duties, take an oath or affirmation as prescribed by statute.
- (e) Conservators of the Peace. The Village President and members of the Board of Trustees, the Building Commissioner~~Inspector~~, the Health Inspector, and any member of the Police Department, are hereby declared to be conservators of the peace, with such powers to make arrests as are given to conservators of the peace by statute.
- (f) Delivery of Books, etc. to Successors. Every officer of the Village, upon expiration of their~~his or her~~ term of office, for any reason whatsoever, shall deliver to their~~his or her~~ successor all books and records which may be the property of the Village. If no successor has been appointed within one week after the termination of any such Village officer's tenure of office, such property shall be delivered either to the Village President~~Clerk~~ or the Village Administrator~~Treasurer~~.

**SECTION 45:**            AMENDMENT “254.01 Establishment” of the Elburn Municipal Code is hereby *amended* as follows:

#### AMENDMENT

##### 254.01 Establishment

- (a) The Village of Elburn Municipal Utility Identity Theft Prevention Program, included in this chapter as “Attachment A” attached to Ordinance 2009-05, is hereby adopted and approved for implementation by the President and Board of Trustees of the Village.
- (b) The Municipal Utility Identity Theft Prevention Program shall be implemented and

administered by the Director of Finance~~Superintendent of Public Works~~, as the Program Administrator.

- (c) Changes to the Municipal Utility Identity Theft Prevention Program of a day-to-day operational nature, as well as decisions relating to the interpretation and implementation of the Program, may be made by the Program Administrator; however, major changes or shifts of policy positions under the Program shall be reported to the Village Board for review and approval.

(Ord. 2009-05. Passed 4-20-09.)

**SECTION 46:**            **REPEAL** “Chapter 256 Administrative Assistant” of the Elburn Municipal Code is hereby *repealed* as follows:

### REPEAL

#### 256.01 Position Description Overview

The administrative assistant shall be a FLSA non-exempt employment position. The administrative assistant shall perform routine and complex administrative work in answering phones, receiving the public, data processing, resident assistance, providing administrative support to the Superintendent of Public Works/Village Administrator, and duties of the Village Clerk.

(Ord. 2017-38. Passed 12-4-17.)

#### 256.02 Essential Job Functions

This description should not be construed to contain every function/responsibility that may be required to be performed by an incumbent in this job. Incumbents are required to perform other related essential and additional functions as assigned. Job functions are not necessarily listed in priority order.

- (a) Composes, types, and edits a variety of correspondence, reports, memoranda and other material requiring judgment as to content, accuracy and completeness.
- (b) Maintains the filing system for the Superintendent of Public Works, Village Administrator and Village Clerk. Maintains confidential correspondence, records, and files related to Public Works, Administration, and the Village Clerk.
- (c) Keep the corporate seal, which shall be provided by the corporate authorities, and all papers belonging to the Village. In the event of the absence of the Village Clerk the Administrative Assistant shall attend all meetings of the corporate authorities, and shall keep a full record of their proceedings in the journal.
- (d) Maintain copies of all papers duly filed with the Village Clerk and transcripts from the journals and other records and files of the office.
- (e) Provides routine and complex secretarial and clerical support to the Public Works and

Administration Department.

- (f) Meets with the public and answers questions; responds to inquiries from employees, citizens and others and refers, when necessary, to appropriate personnel.
- (g) Prepares news releases, website articles and other information relating to Village or Department activities, subject to approval of the Village Administrator.
- (h) Assists with the development and maintenance of office forms for the Department.

(Ord. 2017-38. Passed 12-4-17.)

#### 256.03 Additional Job Functions

- (a) Provides backup to related positions.
- (b) Performs special projects at the direction of the Superintendent of Public Works or the Village Administrator.
- (c) The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.
- (d) The Village intends to comply with all safety laws and/or ordinances. All employees, as a condition of their employment are expected to perform all tasks in the most safe and efficient manner.

(Ord. 2017-38. Passed 12-4-17.)

#### 256.04 Basic Requirements

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

(Ord. 2017-38. Passed 12-4-17.)

#### 256.05 Knowledge, Skills, And Abilities

- (a) Language Ability. Ability to read and comprehend detailed instructions, correspondence, and memos. Ability to write detailed correspondence. Ability to effectively present information in one-on-one and small group situations.
- (b) Mathematical Ability. Ability to add, subtract, multiply and divide in all units of measure, using whole numbers, common fractions, and decimals. Ability to compute rate, ratio, and percent.
- (c) Reasoning Ability. Ability to apply common sense understanding to carry out somewhat detailed written and oral instructions. Ability to deal with problems involving a few concrete variables in standardized situations.
- (d) Computer Skills. Working knowledge of any computer hardware or software procured by the Village or the specific operating department. This may include, but is not

limited to, personal computers, smart phones, 10-key adding machines, copiers/scanners, printers, fax machines, multi-function telephones, geographic interface systems, and office software applications specific to the Village and/or the operating department.

- (e) Keyboarding Skills. Ability to type and proficient at proof-reading and editing text which may include technical reports with numerical data. Ability to operate a ten-key adding machine, computer keyboard numbering system, and/or calculator by touch.
- (f) Special Skills. Excellent verbal and written communications skills; ability to write well enough to prepare and publish department policies, special events, and news releases on the Village's Word-based website (content management); ability to work a flexible time schedule, when necessary; organizational and filing skills.
- (g) Special Requirements. A valid State of Illinois driver's license.
- (h) Tools and Equipment Used. The machines, tools, and equipment that are used when performing the essential functions of the job may be software based, hardware based, or a combination of the two types and include: desktop and laptop computers, printers, cell/smart phones, digital camera, multi-function telephone, credit card machine, electronic postage meter, copy machines, ten-key adding machines, fax machine, scanner, and network software programs.

(Ord. 2017-38. Passed 12-4-17.)

#### 256.06 Education And Experience

- (a) Graduation from a senior high school or GED equivalent; and
- (b) Three to five years related experience and/or training; or
- (c) Equivalent combination of education and experience.

(Ord. 2017-38. Passed 12-4-17.)

#### 256.07 Physical/Environmental Demands

The physical and environmental demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- (a) The employee is regularly required to sit, stand, walk, talk and hear. The employee frequently is required to use hands to finger, handle or feel and reach with hands and arms. The employee is occasionally required to stoop, kneel, or crouch. The employee must regularly lift and/or move up to ten pounds and occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision and depth perception.
- (b) The employee is regularly exposed to normal office conditions. The noise level in the work environment is usually moderate or quiet. The employee is expected to occasionally receive visitors who are muddy, dusty and wet.

(Ord. 2017-38. Passed 12-4-17.)

#### 256.08 Position Description Acknowledgment

The administrative assistant shall be required to sign an acknowledgment stating the following:

I understand that nothing in this position description restricts this organization's right to assign or reassign duties and responsibilities to this job at any time. I also understand that this position description reflects the assignment of essential job functions; it does not prescribe nor restrict the tasks that may be assigned. I further understand that this position description may be subject to change at any time due to reasonable accommodation or other reasons.

I have reviewed this document and discussed its contents with my supervisor and I fully understand the nature and purpose of this position description and its related duties.

(Ord. 2017-38. Passed 12-4-17.)

#### 256.09 Conflicts

Where there is a conflict with this Chapter 256 (Administrative Assistant) and Chapter 232 (Clerk), the provisions of this Chapter 256 shall control, to extent not prohibited by law.

(Ord. 2017-38. Passed 12-4-17.)

~~Chapter 256 Administrative Assistant (Repealed)~~

~~256.01 Position Description Overview (Repealed)~~

~~256.02 Essential Job Functions (Repealed)~~

~~256.03 Additional Job Functions (Repealed)~~

~~256.04 Basic Requirements (Repealed)~~

~~256.05 Knowledge, Skills, And Abilities (Repealed)~~

~~256.06 Education And Experience (Repealed)~~

~~256.07 Physical/Environmental Demands (Repealed)~~

~~256.08 Position Description Acknowledgment (Repealed)~~

~~256.09 Conflicts (Repealed)~~

~~**CROSS REFERENCES** Village Clerk -- see ADM. Ch. 232 Village Administrator -- see ADM. Ch. 234 Department of Public Works -- see ADM. Ch. 244 Employees generally -- see ADM. Ch. 252~~

**SECTION 47:**        **AMENDMENT** “Chapter 282 Zoning Board Of Appeals” of the Elburn Municipal Code is hereby *amended* as follows:

AMENDMENT

Chapter 282 Zoning Board Of Appeals

~~**CROSS REFERENCES** Enforcement officers; Board of Appeals -- see Ill. R.S. Ch. 24, Sec. 11-13-3 Changes in zoning ordinances -- see Ill. R.S. Ch. 24, Sec. 11-13-3.1 Appeals; effect; hearing; notice -- see Ill. R.S. Ch. 24, Sec. 11-13-12 Judicial review -- see Ill. R.S. Ch. 24, Sec. 11-13-13 Authority re annexations -- see P. & Z. 1212.08(c) Zoning certificates -- see B. & H. 1442.01 Review of applications for mobile home parks construction and operation -- see B. & H. 1470.05~~

EDITOR'S NOTE: Provisions relating to the Zoning Board of Appeals are codified in Chapter 1210 of Part Twelve - the Planning and Zoning Code.

**SECTION 48:**        **REPEAL** “282.01 Duties” of the Elburn Municipal Code is hereby *repealed* as follows:

REPEAL

~~282.01 Duties (Repealed)~~

~~The duties of the Zoning Board of Appeals, as established in the Zoning Code (Ordinance 74-24, passed November 18, 1974, as amended), shall include, but not be limited to, those responsibilities assigned by the Zoning Code and such duties that are from time to time assigned by the Village Board of Trustees or by statute.~~

~~(Ord. 77-6. Passed 4-18-77.)~~

**SECTION 49:**        **AMENDMENT** “Chapter 286 Boards And Commissions Generally” of the Elburn Municipal Code is hereby *amended* as follows:

AMENDMENT

Chapter 286 Boards And Commissions Generally

**CROSS REFERENCES** Zoning Board of Appeals - see P. & Z. Ch. 1210~~ADM. Ch. 282~~  
Planning Commission - see P. & Z. Ch. 1210

**SECTION 50:**            **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

**SECTION 51:**            **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 52:**            **EFFECTIVE DATE** This Ordinance shall be in full force and effect from and after its passage and approval by the President and Board of Trustees.

PASSED AND ADOPTED BY THE VILLAGE OF ELBURN VILLAGE BOARD

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Mayor Jeffrey Walter	_____	_____	_____	_____
Trustee Ken Anderson	_____	_____	_____	_____
Trustee Bill Grabarek	_____	_____	_____	_____
Trustee Pat Schuberg	_____	_____	_____	_____
Trustee Matt Wilson	_____	_____	_____	_____
Trustee Chris Hansen	_____	_____	_____	_____
Trustee Luis Santoyo	_____	_____	_____	_____

Presiding Officer

Attest

\_\_\_\_\_  
Jeffrey Walter, Village President,  
Village of Elburn

\_\_\_\_\_  
Diane McQuilkin, Village Clerk,  
Village of Elburn