## Chapter 2   ADMINISTRATION [[1]](#BK_668DC079FAC94B95D049353F5D821B0C)

ARTICLE I. - IN GENERAL

ARTICLE II. - PRESIDENT AND BOARD OF TRUSTEES

ARTICLE III. - OFFICERS AND EMPLOYEES

ARTICLE IV. - FINANCE

ARTICLE V. - PURCHASING

FOOTNOTE(S):

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**State Law reference—** Illinois Municipal Code, 65 ILCS 5/1-1-1 et seq. [(Back)](#BK_4CC307B89C301C7E6F2A828D0729E33A)

### ARTICLE I.   IN GENERAL

[Sec. 2-1. Municipal, fiscal year.](#BK_183B494043E108F5A102E349BB768255)

[Sec. 2-2. Corporate seal.](#BK_7976DB68DC38C59355F7A47D5CFB2F63)

[Sec. 2-3. Perimeters for social media use by city employees.](#BK_35A1677F7571F3741C6B27A23220CB49)

[Secs. 2-4—2-22. Reserved.](#BK_088FF6FA58D570A5648ADF5E8997622B)

Sec. 2-1.   Municipal, fiscal year.

(a)  *Municipal year.* The municipal year of the village shall commence on May 1 in each and every year.

(b)  *Fiscal year.* The fiscal year of the village shall commence on May 1 in each and every year.

(Code 2003, § 1-6-9)

Sec. 2-2.   Corporate seal.

There shall be a seal of the village which shall be called the corporate seal, and shall be kept by the village clerk and used by him officially as directed by law. Said seal shall have engraved upon it the words "Village of Arthur, Illinois" encircling the words "Corporate Seal."

(Code 2003, § 1-13-1)

Sec. 2-3.   Perimeters for social media use by city employees.

(a)  *Purpose.* The purpose of this policy is to address the fast-changing landscape of the Internet and the way the public communicates and obtains information from the village online, specifically through social media. The village encourages the use of social media tools to reach a broader audience, to further the goals of the village and the missions of its departments, and to assist the village in delivering its core services to the general public. Social media networks provide two-way communication with visitors, as opposed to a website. Usage of social media in the workplace is limited to achieving municipal goals and objectives, and is not for personal use. Examples of social media include but are not limited to Google and Yahoo Groups, Facebook, YouTube, Flickr, Twitter, and LinkedIn.

(b)  *Responsibility.*

(1)  All official village presences on social media sites or services are considered an extension of the village's information networks. The Village of Arthur's website will remain the village's primary and predominant internet presence.

(2)  All official village-related communication through social media outlets should remain professional in nature and should always be conducted in accordance with the village's communications policy, practices and expectations. Employees must not use official agency social media for political purposes, to conduct private commercial transactions, or to engage in private business activities.

(3)  Village employees should be mindful that inappropriate use of official Village social media sites can be grounds for disciplinary action. If social media sites are used for official village business, the entire village site, regardless of any personal views, is subject to best practices guidelines and standards and statutory law concerning freedom of information and open meetings.

(4)  Only individuals authorized by the village may publish content to a village site.

(c)  *Personal use.* Village employees may not post, transmit or otherwise disseminate any information to which they have access as a result of their employment; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of the village without express authorization from their supervisor.

(d)  *Oversight and enforcement.*

(1)  Employees/board members/commission members representing the village through social media outlets or participating in social media features on village websites must maintain a high level of ethical conduct and professional decorum. Failure to do so is grounds for revoking the privilege to participate in village social media sites and features.

(2)  Information must be presented following professional standards for good grammar, spelling, brevity, clarity and accuracy, and avoid jargon, obscure terminology, or acronyms.

(3)  Village employees recognize that the content and messages they post on social media sites are public and may be cited as official village statements. Social media should not be used to circumvent other agency communication policies.

(4)  Village employees may not publish information on village social media sites that include:

a.  Confidential information;

b.  Copyright violations;

c.  Profanity, racist, sexist, or derogatory content or comments;

d.  Partisan political views;

e.  Commercial endorsements or SPAM;

f.  Statements or actions which are in conflict with official Village policy.

(5)  The Village of Arthur's social media sites shall comply with the Freedom of Information Act (FOIA). Any content maintained in a social media format that is related to village business, including a list of subscribers and posted communication, is a public record.

(6)  The deputy clerk will monitor social media use and will review content for appropriateness, quality, and consistency. He has the right to delete or remove inappropriate and/or offensive postings or comments. Any negative posting regarding a specific employee or village official shall be deleted.

(e)  *Moderation.*

(1)  All published village social media content is subject to monitoring by the deputy clerk.

(2)  Users and visitors to social media sites shall be notified that the intended purpose of the site is to serve as a mechanism for communication between village departments and members of the public. Village of Arthur social media site articles and comments containing any of the following forms of content should not be allowed and will be deleted:

a.  Contains obscenity or profane language or content;

b.  Sexual content or links to sexual content;

c.  Contains personal identifying information or sensitive personal information;

d.  Contains offensive terms that target protected classes;

e.  Is threatening, harassing or discriminatory;

f.  Incites or promotes violence or illegal activities;

g.  Contains information that reasonably could compromise public safety;

h.  Advertises or promotes a commercial product or service, or any entity or individual;

i.  Promotes or endorses political campaigns or candidates;

j.  Any posting regarding a specific employee or Village official.

(f)  *Public records.* Village social media sites are subject to applicable public records laws. Any content maintained in a social media format related to village business, including communication posted by the village and communication received from citizens, is a public record. The department maintaining the site is responsible for responding completely and accurately to any public records request for social media content.

(Ord. No.07-06B-15, §§ I—VI)

Secs. 2-4—2-22.   Reserved.

### ARTICLE II.   PRESIDENT AND BOARD OF TRUSTEES [[2]](#BK_A6458BA01BDCA685BADAB174C4F3D93F)

[Sec. 2-23. Regular meetings.](#BK_6A7517C6B501758BA9DF95D5260B2283)

[Sec. 2-24. Special meetings.](#BK_A07ADBDE88240B47608A65473485285D)

[Sec. 2-25. Vote required.](#BK_0674F00103E93BAB3C76E0EC0D240F2A)

[Sec. 2-26. Attach documents to reports.](#BK_7AE5EABDE41F0A32F6E79FFDF27C9CC6)

[Sec. 2-27. Committee reports deferred.](#BK_08C7C04D51A9EB8D17A5B2648DFCA538)

[Sec. 2-28. Rules of order and procedure.](#BK_6E300BBE9ADFA7D1F9B427828244A9DC)

[Secs. 2-29—2-59. Reserved.](#BK_B21659CDBC39BF89C8CE08779A70BF36)

Sec. 2-23.   Regular meetings.

The regular stated meetings of the board of trustees of the village shall be held in the chamber of the president and board of trustees at the village hall on the first and third Mondays of each and every month at 7:00 p.m., except when said meetings shall happen to be on a public holiday, in which case the board of trustees shall meet at the same hour on the next day following; and adjourned meetings may be held for the purpose of completing the unfinished business of the regular meetings at such time as may be determined by the board of trustees.

(Code 2003, § 1-6-1)

**State Law reference—** Meetings, 65 ILCS 5/3.1-40-25.

Sec. 2-24.   Special meetings.

Special meetings of the board of trustees may be called by the president or any three trustees, whenever in their discretion they may deem it necessary, in which event such meeting shall be called in the following manner: The president or three trustees, whenever in their discretion they may deem it necessary, shall file in the village clerk's office a statement in writing setting forth the object and purpose of such special meeting and directing the village clerk to give notice of the same. Upon the filing of such statement the village clerk shall cause to be served personally upon each member of the board of trustees or at his usual place of residence, a notice of such special meeting, setting forth the object and purpose thereof and the time of holding the meeting. No business other than that mentioned in the call shall be transacted at any such special meeting unless three-fourths of all the members shall be present and vote.

(Code 2003, § 1-6-2)

**State Law reference—** Meetings, 65 ILCS 5/3.1-40-25.

Sec. 2-25.   Vote required.

Every member of the board of trustees shall vote upon all questions in which they are not directly and personally interested, which may be brought before the board of trustees for its action in such manner as to require a vote to be taken thereon.

(Code 2003, § 1-6-4)

Sec. 2-26.   Attach documents to reports.

Every committee of the board of trustees, in reporting upon any subject referred to it, shall attach to their report all papers or documents in the possession of the committee relative to the matter so referred.

(Code 2003, § 1-6-7)

Sec. 2-27.   Committee reports deferred.

Any report of a committee of the board of trustees may be deferred for final action thereon to the next regular meeting of the same after the report is made, upon the request of any two trustees present.

(Code 2003, § 1-6-8)

Sec. 2-28.   Rules of order and procedure.

(a)  *Rule 1.* The president shall take the chair at the hour appointed to meet, and immediately call the members to order. In case of a non-attendance of the president at any meeting of the board of trustees, such board shall appoint one of their own number president pro tem who shall preside at the meeting.

(b)  *Rule 2.* The order of business at regular or special meetings shall be as follows:

(1)  First, calling the roll.

(2)  Second, reading and adopting the minutes of the previous meeting.

(3)  Third, reports of officers and communications, which will always be in writing.

(4)  Fourth, reports of standing committees.

(5)  Fifth, reports of special committees.

(6)  Sixth, unfinished business.

(7)  Seventh, new business.

(8)  Eighth, miscellaneous business.

(9)  Ninth, presentation of claims.

(10)  Tenth, adjournment.

(Code 2003, § 1-6-10)

Secs. 2-29—2-59.   Reserved.

FOOTNOTE(S):

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**State Law reference—** Village board of trustees, 65 ILCS 5/3.1-25-4 et seq., 625 ILCS 5/3.1-45-5 et seq., 625 ILCS 5/1-40-5 et seq.; village president, 65 ILCS 5/1-35-5 et seq. [(Back)](#BK_985932199AE4BB856442D593116BDDF8)

### ARTICLE III.   OFFICERS AND EMPLOYEES [[3]](#BK_6E36A0D08C39D384DF8269B4942C282E)

DIVISION 1. - GENERALLY

DIVISION 2. - VILLAGE CLERK

DIVISION 3. - VILLAGE COMPTROLLER

DIVISION 4. - VILLAGE ATTORNEY

DIVISION 5. - EMERGENCY SERVICES AND DISASTER AGENCY LIAISON

FOOTNOTE(S):

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**State Law reference—** Appointed officers, 65 ILCS 5/3.1-30-5 et seq. [(Back)](#BK_4B48B31FBEA46D3C9AAF171978070ABC)

#### DIVISION 1.   GENERALLY

[Sec. 2-60. Offices created.](#BK_DA980584C9352777DCD91858C92EC696)

[Sec. 2-61. Appointments; when made.](#BK_4568BE354D338C3CC8A240744EA84A9F)

[Sec. 2-62. Bond.](#BK_A74BFB3731EB9F6025768878ACF86CB5)

[Sec. 2-63. Salaries; appointive officers.](#BK_AF44624C97776F87F51AFE041409FF98)

[Sec. 2-64. Removal.](#BK_30AD03B23F3F7A43148FF711A2681663)

[Sec. 2-65. Fill vacancies.](#BK_D5B3C01B4532B23475AE2E213832B3A0)

[Sec. 2-66. Temporary police officers.](#BK_EB3CAC15E70A601032EF64D85EBF24D5)

[Sec. 2-67. Other officers' duties.](#BK_0562E0FA8F701C1AE67C3B47AC82D292)

[Sec. 2-68. Public ethics.](#BK_9D72A5A1546EBA45A9665554FF7BF6C9)

[Sec. 2-69. Participation in Illinois Municipal Retirement Fund.](#BK_8581C6ACA6D41B592E5F85A5BAAAFA21)

[Secs. 2-70—2-96. Reserved.](#BK_87B51726E488D7F6B8CB2B3A92055347)

Sec. 2-60.   Offices created.

In addition to the president and board of trustees and village clerk, provided for by statute, and in addition to the office of water superintendent heretofore created by ordinance, there is hereby created the following designated officers, namely:

(1)  The office of village attorney;

(2)  The office of village comptroller;

(3)  The office of deputy village clerk.

(Code 2003, § 1-5-1)

Sec. 2-61.   Appointments; when made.

The president and board of trustees shall, at the first meeting thereof in May, 1935, and biennially thereafter appoint in addition to a water superintendent, a village attorney and a village comptroller, which officers so appointed shall hold their offices for a period of one year or until their respective successors shall be appointed and qualified, unless sooner removed from office.

(Code 2003, § 1-5-2)

Sec. 2-62.   Bond.

The bond of the village clerk shall be in the sum of $1,000.00.

(Code 2003, § 1-5-3)

**State Law reference—** Bond required, 65 ILCS 5/3.1-10-30; authority to fix amount of bond, 65 ILCS 5/3.1-45-10.

Sec. 2-63.   Salaries; appointive officers.

The salary or compensation to be paid to appointive officers shall, at the time of appointment, be fixed by the board of trustees by resolution making the appointment, where such compensation is not otherwise fixed by ordinance.

(Code 2003, § 1-5-4)

Sec. 2-64.   Removal.

The president of the board of trustees shall have the power to remove any officer so appointed whenever, in his opinion, the interest of the village requires such removal. He shall report such removal, with his reasons therefor, to the board of trustees at its next regular meeting; and if the board of trustees, by a two-thirds vote of all its members authorized by law to be elected, by yeas and nays, to be entered upon its record, disapprove of such removal, such officer shall thereby be restored to the office from which he was removed, but he shall give a new bond and take a new oath of office, and shall not be entitled to pay from the time of such removal until he shall have given a new bond and retaken the oath of office.

(Code 2003, § 1-5-5)

Sec. 2-65.   Fill vacancies.

The president of the board of trustees may appoint any suitable person to discharge the duties of the office from which he shall have removed any officer until his successor is appointed and qualified, or such officer is restored to office in the manner aforesaid, who shall be entitled to the same pay as the officer removed.

(Code 2003, § 1-5-6)

Sec. 2-66.   Temporary police officers.

Whenever the president of the board of trustees shall deem it necessary to temporarily increase the number of police officers, he may appoint, in writing under the corporate seal, a suitable number of reputable and discreet citizens of the village as temporary watchmen or police officers, who shall take and subscribe the same oath, and may be required to execute bond to the village.

(Code 2003, § 1-5-7)

Sec. 2-67.   Other officers' duties.

(a)  *Village attorney.* The village attorney shall perform the duties required of him by law and the provisions of this Code, and as he may be directed to perform by the president and board of trustees.

(b)  *Village comptroller.* The village comptroller shall perform the duties required of him by law and the provisions of this Code, and as he may be directed to perform by the president and board of trustees.

(c)  *Village police officers.* The village police officers shall have the power and authority, within the corporate limits of the village, to serve and execute warrants, or other process for the apprehension and commitment of persons charged with, or held for the commission of any crime or misdemeanor, or the violation of any state law or any provision of the Village Code, and while serving or executing or assisting in the service or execution of any such warrants, or other legal process.

(d)  *Deputy village clerk.* With the exception of the police department, the deputy village clerk directs day-to-day operations of the village's functions and activities which fall under the jurisdiction of the village board. The deputy village clerk plans, develops, presents and recommends policies and programs for consideration by the board; coordinates village departments, offices or agencies under the board's jurisdiction; performs highly responsible administrative work in planning and directing the administrative affairs of the village and provides direct supervision of all administrative offices; and cooperatively works and collaborates with all departments, offices and agencies not under the board's jurisdiction or policy control to promote a high level of interdepartmental cooperation and consistency of administrative procedures and operations.

(e)  *Deputy village clerk; other.* The deputy village clerk also plays just as significant role in other areas, such as economic development; pro-business relationships; housing; tourism; neighborhood concerns; environmental issues; community cooperation; and intergovernmental coordination, as deemed necessary by the board. Along with the village president, the deputy village clerk is the lead person in addressing the village's policy and goals to the general public.

(f)  *Part-time police.*

(1)  *Employment.* The Village of Arthur may employ part-time police officers from time to time as they deem necessary.

(2)  *Duties.* A part-time police officer shall have all the responsibilities of a full-time police officer and such specific duties as directed by the village board or chief of police, but the number of hours a part-time officer may work within a calendar year is restricted. Part-time officers shall not be assigned to supervise or direct full-time officers. Part-time police officers shall be trained in accordance with the Illinois Police Training Act (50 ILCS 705/1 et seq.) and the rules and requirements of the ILETSB and 65 ILCS 5/3.1-30-21.

(3)  *Hiring standards.* Any person employed as a part-time police officer must meet the following standards:

a.  Be of good moral character, of temperate habits, of sound health, and physically and mentally able to perform assigned duties.

b.  Be at least 21 years of age.

c.  Pass a medical examination.

d.  Possess a high school diploma or GED certificate.

e.  Possess a valid State of Illinois driver's license.

f.  Have no prior felony convictions.

g.  Any individual who has served in the U.S. Military must have been honorable discharged.

(4)  *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 rules, stated policies and general orders of the village authorities or the chief of police.

(Code 2003, § 1-5-8)

Sec. 2-68.   Public ethics.

(a)  The regulations of Sections 5-15 (5 ILCS 430/5-15) and Article 10 (5 ILCS 430/10-10 through 430/10-40) of the State Officials and Employees Ethics Act (5 ILCS 430/1-1 et seq.) (hereinafter referred to as the "Act" in this section) are hereby adopted by reference and made applicable to the officers and employees of the village to the extent required by 5 ILCS 430/70-5.

(b)  The solicitation or acceptance of gifts prohibited to be solicited or accepted under the Act, by any officer or any employee of the village, is hereby prohibited.

(c)  The offering or making of gifts prohibited to be offered or made to an officer or employee of the village under the Act is hereby prohibited.

(d)  The participation in political activities prohibited under the Act, by any officer or employee of the village, is hereby prohibited.

(e)  For purposes of this section, the terms "officer" and "employee" shall be defined as set forth in 5 ILCS 430/70-5(c).

(f)  The penalties for violations of this section shall be the same as those penalties set forth in 5 ILCS 430/50-5 for similar violations of the Act.

(g)  This section does not repeal or otherwise amend or modify any existing ordinances or policies which regulate the conduct of village officers and employees. To the extent that any such existing ordinances or policies are less restrictive than this section, however, the provisions of this section shall prevail in accordance with the provisions of 5 ILCS 430/70-5(a).

(h)  Any amendment to the Act that becomes effective after the effective date of the ordinance from which this section is derived shall be incorporated into this section by reference and shall be applicable to the solicitation, acceptance, offering and making of gifts and to prohibited political activities. However, any amendment that makes its provisions optional for adoption by municipalities shall not be incorporated into this section by reference without formal action by the corporate authorities of the village.

(i)  If the Illinois Supreme Court declares the Act unconstitutional in its entirety, then this section shall be repealed as of the date that the Illinois Supreme Court's decision becomes final and not subject to any further appeals or re-hearings. This section shall be deemed repealed without further action by the corporate authorities of the village if the Act is found unconstitutional by the Illinois Supreme Court.

(j)  If the Illinois Supreme Court declares part of the Act unconstitutional but upholds the constitutionality of the remainder of the Act, or does not address the remainder of the Act, then the remainder of the Act as adopted by this section shall remain in full force and effect; however, that part of this section relating to the part of the Act found unconstitutional shall be deemed repealed without further action by the corporate authorities of the village.

(Ord. No. 5-17-B-04, § 1, 5-17-2004)

Sec. 2-69.   Participation in Illinois Municipal Retirement Fund.

The village does hereby elect to participate in the Illinois Municipal Retirement Fund, effective January 1, 1971.

(Code 2003, § 1-14-1)

Secs. 2-70—2-96.   Reserved.

#### DIVISION 2.   VILLAGE CLERK [[4]](#BK_B36DC44D810A600351FC0965B6BF015A)

[Sec. 2-97. Election; duties.](#BK_C3171FC077237F914BAA06C7D2209BBB)

[Sec. 2-98. Bond.](#BK_06DBE9686555A02528F91291EFD76749)

[Sec. 2-99. Salary.](#BK_95C598CC8DC3B1EBF09C6E1C523FF0A5)

[Secs. 2-100—2-126. Reserved.](#BK_8ED7B5D702E5C269044D7228C2E9D37E)

Sec. 2-97.   Election; duties.

The duties of the village clerk upon his election and certification shall be as follows:

(1)  To attend all meetings of the board of trustees of the village and to keep a record of proceedings showing the date of each meeting, whether it is regular, special or an adjourned meeting, and the members of the governing body who are present. Said journal shall state clearly every formal action taken and the vote on all measures presented. All ordinances and resolutions passed by said board should be a part of said record of proceedings.

(2)  To retain all documents concerning the activities of the municipality, and to carry on such correspondence of the village as the president or board of trustees shall direct; and to serve as custodian of the municipal seal and all papers and documents belonging to the village which are not specifically turned over to another officer for custody.

(3)  To keep a separate book of ordinances, including all ordinances now passed, or hereinafter enacted by the village, in a separate ordinance book designated for said purpose.

(4)  To publish or post all notices of election as required by law; to prepare the ballots and obtain all other election supplies and see that they are delivered to the proper election officials; to keep a file with the nomination petitions and petitions calling special elections; to serve as a member of the canvassing board in the event of a municipal primary; to issue and receive all absentee ballots in the manner prescribed by law.

(5)  To file all oaths and bonds of duly elected officials.

(6)  To prepare certified copies of all ordinances or other documentary entries requested to do so by any person.

(7)  To keep a true and correct list of all outstanding bonds and other indebtedness of the village showing the number and amount of each in form, and to whom said bonds or evidences of indebtedness were issued. The records should indicate if said bonds were purchased or cancelled, and the powers therein are subject to a specific provision of the specific bond ordinances.

(8)  To prepare on or before May 15 of each and every year the annual appropriation ordinance, said ordinance to reflect the amount of money estimated to be needed to defray expenses of the village occurring during the current fiscal year.

(9)  To prepare, with the assistance of the village attorney and other designated officials, the annual tax levy ordinance for the village, to be filed in the offices of the county clerks of Moultrie and Douglas counties.

(10)  To sign all warrants for the payment of money with the village president, and to attest the signature of the president on all bonds, vouchers, or other places where attestation is needed.

(11)  To publish the annual report of the treasurer within the time limits prescribed by statute.

(12)  To cause the publication of all ordinances wherein required by statute.

(13)  To exercise any and all general powers now or hereinafter granted to the village clerk by the laws of the State of Illinois, including the duties of registrar of vital statistics, and the power to issue fishing and hunting licenses.

(Code 2003, § 1-7-1)

**State Law reference—** Rules of order and procedure authorized, 65 ILCS 5/3.1-40-15.

Sec. 2-98.   Bond.

The village clerk shall, before entering upon the duties of his office, execute a bond to the corporation with two sufficient sureties to be approved by the president and board of trustees, and deposited in the office of the village treasurer, in the penal sum of $1,000.00, conditioned for the faithful performance of the duties of his office and the payment of all moneys received by him according to law and the provisions of this Code.

(Code 2003, § 1-7-2)

**State Law reference—** Bond required, 65 ILCS 5/3.1-10-30; authority to fix amount of bond, 65 ILCS 5/3.1-45-10.

Sec. 2-99.   Salary.

The village clerk shall receive such salary as shall be determined from time to time by the president and board of trustees.

(Code 2003, § 1-7-3)

**State Law reference—** Compensation of officers, 65 ILCS 5/3.1-50-5 et seq.

Secs. 2-100—2-126.   Reserved.

FOOTNOTE(S):

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**State Law reference—** Village clerk, 65 ILCS 5/3.1-35-90. [(Back)](#BK_CDCC60A9195B49A582D1DACFFD8DAD0D)

#### DIVISION 3.   VILLAGE COMPTROLLER [[5]](#BK_DD4D8DC1B0790575E2E2580FD5BA7AB0)

[Sec. 2-127. Office created.](#BK_B5E1538B6EBA71B0690A7EC7BDD39D3F)

[Sec. 2-128. Appointment.](#BK_A0F1A17671DA74975E483D45F1154FC7)

[Sec. 2-129. Duties.](#BK_DF71F0BD5FD38CCAD0B3041C30175038)

[Sec. 2-130. Report of money received.](#BK_99691826A1483C07C4FC91246E5EF8F8)

[Sec. 2-131. Accounts kept.](#BK_C3422350038A0DE44B34B8FCF9949988)

[Sec. 2-132. Monthly reports.](#BK_946850DE540A05373836D95F3BC1BD16)

[Sec. 2-133. Annual reports.](#BK_C05BE95C7301CDFBD6412CFAC79A57B9)

[Sec. 2-134. Salary.](#BK_DA0D60BD8E77DA5E204F4CA2AD51E2F3)

[Sec. 2-135. To be consistent.](#BK_0CFB332A6E6EF9F7346080B07B24A2F2)

[Sec. 2-136. Nonconflict provision.](#BK_B88C5D55CA3C4CD9AF4130AC9B42F684)

[Secs. 2-137—2-155. Reserved.](#BK_CC81527C172AF378FB882B3FFA0A2768)

Sec. 2-127.   Office created.

There is hereby created the office of village comptroller. He shall hold his office for the term of one year and until his successor shall be appointed and qualified.

(Code 2003, § 1-8-1)

Sec. 2-128.   Appointment.

The village comptroller shall be appointed annually at the regular meeting in May of each year or as soon thereafter as may be, and he shall before entering upon the duties of his office, take the oath prescribed by the village officers, and shall execute a bond to the village which shall be an amount of money that is not less than three times the latest federal census population or any subsequent census figure used for motor fuel tax purposes.

(Code 2003, § 1-8-2)

Sec. 2-129.   Duties.

(a)  The village comptroller shall keep a separate account of each fund or appropriation, and debits and credits belonging thereto. He shall give to every person paying money into the village treasury a receipt therefor specifying the date of the payment, and upon what account paid, and he shall file copies of such receipts with the village clerk at the date of his monthly report.

(b)  The village comptroller shall keep an accurate register of all warrants redeemed and paid showing the number, dates and amount of each, the fund from which paid and the name of the person to whom and when paid and he shall cancel all warrants as soon as redeemed by him.

(Code 2003, § 1-8-3)

Sec. 2-130.   Report of money received.

It shall be the duty of the village comptroller to report to the village clerk any officer authorized to receive money for the use of the village who may fail to make a return of the money by him at the time required by law or by the provisions of this Code.

(Code 2003, § 1-8-4)

Sec. 2-131.   Accounts kept.

The village comptroller shall keep his books and accounts in such manner as to show with entire accuracy all moneys received and disbursed for the village, stating from whom and from what account received, and to whom and on what account paid out, and in such way that said books and accounts will exhibit the true financial condition of the village, and in such manner as may be readily investigated and understood, and the same together with all files and papers of said office shall be at all times open to examination to the president, the village clerk, finance committee or any member of the board of trustees.

(Code 2003, § 1-8-5)

Sec. 2-132.   Monthly reports.

The village comptroller shall at the first regular meeting of each month render an account under oath showing the state of the treasury at the date of such account, the condition of each appropriation and the balance of money in the treasury. He shall also accompany such accounts with statements of all moneys received into the treasury, and on what account, together with all warrants with any and all vouchers held by him, which shall be delivered to the village clerk and filed with said account in the village clerk's office upon the day of settlement. He shall return all warrants paid by him, stamped or marked "paid." He shall keep a register of all warrants.

(Code 2003, § 1-8-6)

Sec. 2-133.   Annual reports.

The village comptroller shall annually, between the municipal and fiscal year, make out and file with the village clerk a full and detailed account of all the receipts and expenditures of the village, and of all his transactions as such comptroller during the preceding fiscal year, which statement shall exhibit under separate and appropriate headings the several accounts with the several funds or appropriations. It shall be the duty of the clerk to submit his counter financial report together with an annual report of the treasury aforesaid to the president and finance committee of the board of trustees, and if the president and said committee shall be satisfied with said comptroller's report and it properly exhibits the true financial condition of the village, they shall return the same to the village clerk who shall cause such report of the comptroller to be published in some newspaper published in the village, and if no newspaper is published in the village, then a copy thereof shall be posted in some public place in the village.

(Code 2003, § 1-8-7)

Sec. 2-134.   Salary.

The comptroller of the village shall receive a salary as shall be determined from time to time by the president and board of trustees.

(Code 2003, § 1-8-8)

**State Law reference—** Compensation of officers, 65 ILCS 5/3.1-50-5 et seq.

Sec. 2-135.   To be consistent.

Wherever reference to the village treasurer occurs in existing ordinances, the term shall be construed to mean the village comptroller.

(Code 2003, § 1-8-9)

Sec. 2-136.   Nonconflict provision.

Nothing contained herein shall prohibit any village officer, employee or agent from additionally being appointed to the position of comptroller as a position separate thereto.

(Code 2003, § 1-8-10)

Secs. 2-137—2-155.   Reserved.

FOOTNOTE(S):

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**State Law reference—** Comptroller, 65 ILCS 5/1-35-100 et seq. [(Back)](#BK_9A09D8728ED2525BC57D342AD30A9C56)

#### DIVISION 4.   VILLAGE ATTORNEY

[Sec. 2-156. Office created.](#BK_19AE0CFE0B4B454D7FCA1A0692AD3138)

[Sec. 2-157. Appointment.](#BK_08DF2C52B325E06AC98C574A975CEC04)

[Sec. 2-158. Draw ordinances.](#BK_F48F413895C12DA7A13EDF964ACF7D1D)

[Sec. 2-159. Legal advisor.](#BK_5BFB95367DDED7CCB0E1EACFA44591AD)

[Sec. 2-160. Attend meetings.](#BK_E01409A1B7EC8B275E5C0FAEAF0491BA)

[Sec. 2-161. Compensation.](#BK_AE5E4DEA1F1A17C04FF9248DC24C2EFD)

[Secs. 2-162—2-190. Reserved.](#BK_FEA9C88893F7E756FE809EF617444247)

Sec. 2-156.   Office created.

There shall be and hereby is created and established the office of village attorney.

(Code 2003, § 1-9-1)

Sec. 2-157.   Appointment.

The president, with the approval of the board of trustees, shall appoint a competent person to fill the office hereby created.

(Code 2003, § 1-9-2)

Sec. 2-158.   Draw ordinances.

The village attorney shall draw such ordinances as may be required of him by the board of trustees or by any committees thereof. He shall draw all contracts and other legal documents for the village when so required by the board of trustees, or by any committee thereof.

(Code 2003, § 1-9-3)

Sec. 2-159.   Legal advisor.

It shall be the duty of the village attorney to act as legal advisor in the board of trustees, of all the village officers and the board of trustees and any village officer may require his opinion in writing upon any question in law arising in connection with the village affairs, or upon any suit claimed or demanded in which the village is or may become interested, and in any such case he shall comply with such request as soon as may be possible by filing his opinion in the office of the clerk or presenting the same to the board of trustees while in session.

(Code 2003, § 1-9-4)

Sec. 2-160.   Attend meetings.

It shall be the duty of the village attorney to attend all meetings of the board of trustees when requested by the president or board of trustees so to do and to perform such of the duties properly pertaining to his office as the board of trustees may from time to time require of him, to act as counsel for the village in every action to which the village is or may be a party, in all courts or places in the state or United States.

(Code 2003, § 1-9-5)

Sec. 2-161.   Compensation.

The village attorney shall receive such compensation for his services as shall be agreed upon by him and the board of trustees of the village.

(Code 2003, § 1-9-6)

**State Law reference—** Compensation of officers, 65 ILCS 5/3.1-50-5 et seq.

Secs. 2-162—2-190.   Reserved.

#### DIVISION 5.   EMERGENCY SERVICES AND DISASTER AGENCY LIAISON [[6]](#BK_FA4554B737F5804D3C339F5CDF9D4792)

[Sec. 2-191. Emergency services and disaster agency liaison.](#BK_CB860D6BEC780D33A413C51699E6FE76)

[Secs. 2-192—2-220. Reserved.](#BK_CAC95A7E582450716328D52B6A0644A3)

Sec. 2-191.   Emergency services and disaster agency liaison.

There is hereby created the position of liaison to the Moultrie County and Douglas County ESDA directors. The position shall be appointed by the president and board of trustees and shall serve until removed by the same. The duties shall be as determined by said county ESDA directors.

(Code 2003, § 2-4-1)

Secs. 2-192—2-220.   Reserved.

FOOTNOTE(S):

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**State Law reference—** Illinois Emergency Management Agency Act, 20 ILCS 3305/1 et seq. [(Back)](#BK_4490F83DC55C287E980FCC7A1E10B628)

### ARTICLE IV.   FINANCE [[7]](#BK_99D3D1DA30B113CE0C9D2E7EADC7C9C2)

DIVISION 1. - GENERALLY

DIVISION 2. - INVESTMENT POLICY

FOOTNOTE(S):

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**State Law reference—** Municipal finance, 65 ILCS 5/8-1-1 et seq. [(Back)](#BK_BF25131E03EFC2948332A2F5F71B84C9)

#### DIVISION 1.   GENERALLY

[Secs. 2-221—2-248. Reserved.](#BK_672ED63205E528A25F75851A5D0EC040)

Secs. 2-221—2-248.   Reserved.

#### DIVISION 2.   INVESTMENT POLICY [[8]](#BK_D32E08EC67031108E53510FF2548AB7B)

[Sec. 2-249. Generally.](#BK_B6E344E628BB31BC2D4288C61958CFAA)

[Sec. 2-250. Scope.](#BK_B28640D3A710B7C913D27494D48B6241)

[Sec. 2-251. Prudence.](#BK_0F8BA245CA9302F5B40703EBEEB55D01)

[Sec. 2-252. Objective.](#BK_0D69F7EFD2D255C01279B83F115365D7)

[Sec. 2-253. Delegation of authority.](#BK_5CBC1E6A2F95E33328540CA083CA75F2)

[Sec. 2-254. Ethics and conflicts of interest.](#BK_1EA0A0F9667C92157D0FB19FDFDBD79F)

[Sec. 2-255. Authorized financial dealers and institutions.](#BK_D53C120CE2A0FA7D4D732596384DBB80)

[Sec. 2-256. Authorized and suitable investments.](#BK_970B615F438DFBC9DCD2502E7C52A731)

[Sec. 2-257. Collateralization.](#BK_7E379DE68A634A8A9F2850EC5AE2776E)

[Sec. 2-258. Safekeeping and custody.](#BK_7C34353D26F6FF0F850B94E22FFE788A)

[Sec. 2-259. Diversification.](#BK_E59E24B079388094DE3BB653C61B71BB)

[Sec. 2-260. Maximum maturities.](#BK_8D7F93C42488F7A2B185A481651ABA47)

[Sec. 2-261. Internal control.](#BK_BB98269071AA9DDD4C243E3ECA59FE0D)

[Sec. 2-262. Performance standards.](#BK_7BB1C8A47ADEAFC71509E20F24C5B9EF)

[Sec. 2-263. Reporting.](#BK_0B900F67B2420C88C4B2E91D83C16210)

[Sec. 2-264. Marking to market.](#BK_DAB660DCFC63446A4018649A9B3895AB)

[Sec. 2-265. Annual review.](#BK_6C8B130267770322EB0C7B47D3D38F17)

[Sec. 2-266—2-284. Reserved.](#BK_6920182B819AF47A2C905E96A16314FA)

Sec. 2-249.   Generally.

It is the policy of the Village of Arthur to invest public funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the entity and conforming to all state and local statutes governing the investment of public funds.

(Ord. No. 12-20b-99, § 1.01, 12-20-1999)

Sec. 2-250.   Scope.

This policy includes all funds governed by the board of trustees. The finance director shall be the chair of the finance committee of the board of trustees.

(Ord. No. 12-20b-99, § 1.02, 12-20-1999)

Sec. 2-251.   Prudence.

(a)  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.

(b)  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.

(Ord. No. 12-20b-99, § 1.03, 12-20-1999)

Sec. 2-252.   Objective.

(a)  The primary objective, in order of priority, shall be:

(1)  *Legality.* Conformance with federal, state and other legal requirements.

(2)  *Safety.* Preservation of capital and protection of investment principal.

(3)  *Liquidity.* Maintenance of sufficient liquidity to meet operating requirements.

(4)  *Yield.* Attainment of market rates of return.

(b)  The portfolio should be reviewed periodically as to its effectiveness in meeting the entity's needs for safety, liquidity, rate of return, diversification and its general performance.

(Ord. No. 12-20b-99, § 1.04, 12-20-1999)

Sec. 2-253.   Delegation of authority.

Management and administrative responsibility for the investment program is hereby delegated to the finance director who, under the delegation of the board of trustees, shall establish written procedures for the operation of the investment program.

(Ord. No. 12-20b-99, § 1.05, 12-20-1999)

Sec. 2-254.   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.

(Ord. No. 12-20b-99, § 1.06, 12-20-1999)

Sec. 2-255.   Authorized financial dealers and institutions.

(a)  The finance director will maintain a list of financial institutions authorized to provide investment services.

(b)  In addition, a list will also be maintained of approved security brokers/dealers selected by credit worthiness.

(Ord. No. 12-20b-99, § 1.07, 12-20-1999)

Sec. 2-256.   Authorized and suitable investments.

(a)  Investments may be made in any type of security allowed for in Illinois statutes regarding the investment of public funds.

(b)  Investments shall be made that reflect the cash flow needs of the fund type being invested.

(Ord. No. 12-20b-99, § 1.08, 12-20-1999)

Sec. 2-257.   Collateralization.

Funds on deposit (checking account, certificates of deposit, etc.) in excess of FDIC limits must be secured by some form of collateral, witnessed by a written agreement and held at an independent third-party institution in the name of the municipality.

(Ord. No. 12-20b-99, § 1.09, 12-20-1999)

Sec. 2-258.   Safekeeping and custody.

All security transaction, including collateral for repurchase agreement, entered into by the Village of Arthur, shall be conducted on a delivery-versus-payment (DVP) basis. Securities will be held by an independent third-party custodian designated by the finance director and evidenced by safekeeping receipts and a written custodial agreement.

(Ord. No. 12-20b-99, § 1.10, 12-20-1999)

Sec. 2-259.   Diversification.

The entity shall diversify its investments to the best of its ability based on the type of funds invested and the cash flow needs of those funds. Diversification can be by type of investment, number of institutions invested in and length of maturity.

(Ord. No. 12-20b-99, § 1.11, 12-20-1999)

Sec. 2-260.   Maximum maturities.

(a)  To the extent possible, the Village of Arthur shall attempt to match its investment with anticipated cash flow requirements. Unless matched to a specific cash flow, the Village of Arthur will not directly invest in securities maturing more than five years from the date of purchase.

(b)  Reserve funds may be invested in securities exceeding five years if the maturity of such investments are made to coincide as nearly as practicable with the expected use of the funds.

(Ord. No. 12-20b-99, § 1.12, 12-20-1999)

Sec. 2-261.   Internal control.

The finance director is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the entity are protected from loss, theft or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The internal controls shall address the following points:

(1)  Control of collusion;

(2)  Separation of transaction authority from accounting;

(3)  Custodial safekeeping;

(4)  Written confirmation of telephone transactions for investments and wire transfers.

(Ord. No. 12-20b-99, § 1.13, 12-20-1999)

Sec. 2-262.   Performance standards.

This investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain a comparable rate of return during a market/economic environment of stable interest rates. Portfolio performance should be compared to benchmarks with similar type, maturity with liquidity and credit quality as the portfolio.

(Ord. No. 12-20b-99, § 1.14, 12-20-1999)

Sec. 2-263.   Reporting.

The finance director shall prepare an investment report at least monthly. The report should be provided to the board of trustees and available on request. The report should be in a format suitable for review by the general public. An annual report should also be provided to the board.

(Ord. No. 12-20b-99, § 1.15, 12-20-1999)

Sec. 2-264.   Marking to market.

A statement of the market value of the portfolio shall be issued to the board of trustees quarterly.

(Ord. No. 12-20b-99, § 1.16, 12-20-1999)

Sec. 2-265.   Annual review.

The investment policy shall be adopted by the board of trustees. The policy shall be reviewed on an annual basis by the finance director and any modifications made thereto must be approved by the board of trustees.

(Ord. No. 12-20b-99, § 1.17, 12-20-1999)

Sec. 2-266—2-284.   Reserved.

FOOTNOTE(S):

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**State Law reference—** Public Funds Investment Act, 30 ILCS 235/0.01 et seq. [(Back)](#BK_0BBCC3A8958F832A0B920C6B036D5E5B)

### ARTICLE V.   PURCHASING [[9]](#BK_77E395B19DB81ADCD92CF868C9983A05)

DIVISION 1. - GENERALLY

DIVISION 2. - PUBLIC IMPROVEMENTS

FOOTNOTE(S):

--- (**9**) ---

**State Law reference—** Purchasing and public works contracts, 65 ILCS 5/8-9-1 et seq. [(Back)](#BK_7646919069160BB993CD6E77729A6358)

#### DIVISION 1.   GENERALLY

[Secs. 2-285—2-312. Reserved.](#BK_5B1989579EE66028FE94971F35E15312)

Secs. 2-285—2-312.   Reserved.

#### DIVISION 2.   PUBLIC IMPROVEMENTS

[Sec. 2-313. Contracts, when made.](#BK_B5EC4EF850AF21F19E7C833D67A714A7)

[Sec. 2-314. Advertisement.](#BK_4FC65B87032968544A1B991818B7A405)

[Sec. 2-315. Bond.](#BK_3A9F64CC32D7F47FF11C9CDDD2BE281A)

[Sec. 2-316. Subject to state statutes.](#BK_4A009C351AB3BB14189CC85FFE533B3A)

Sec. 2-313.   Contracts, when made.

All contracts for the making of any public improvement to be paid for, in whole or in part, by special assessment, and any work or other improvement, when the expense thereof shall exceed $20,000.00, shall be let to the lowest responsible bidder and approved by the president and the board or trustees or in any other manner as may be authorized by state statutes.

(Code 2003, § 1-12-1)

Sec. 2-314.   Advertisement.

Whenever any such public improvement shall be ordered, the village clerk shall cause an advertisement to be made for bids for such improvement for ten days in some newspaper published in the village. All proposals to be by sealed bids, in accordance with the specifications prepared and on file in the village clerk's office. All bids shall be deposited with the village clerk and opened in the presence of the board of trustees at the next regular meeting after the expiration of the ten days described in the advertisement. The board of trustees reserves the right to accept any bid or to reject any or all bids.

(Code 2003, § 1-12-2)

Sec. 2-315.   Bond.

The party to whom any contract is awarded shall enter into a contract in writing, and shall give bond to the village in double the amount of his contract, conditioned for the faithful performance of his contract, and to save the village harmless from any loss or damages from the wrongful acts of such contractor or his servants.

(Code 2003, § 1-12-3)

Sec. 2-316.   Subject to state statutes.

All contracts for public improvements shall be subject to any requirements of the state statutes.

(Code 2003, § 1-12-4)