

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2014-007

AN ORDINANCE AMENDING THE VILLAGE OF VERNON HILLS CODE OF
ORDINANCES CHAPTER 2 ADMINISTRATION, ARTICLE III OFFICERS, DIVISION 2
RELATED TO THE POSITION OF VILLAGE MANAGER

THE 21st DAY OF JANUARY 2014

Published in pamphlet form by the Authority of the
President and Board of Trustees of the Village of
Vernon Hills, Lake County, Illinois, this 27th Day of
January, 2014

ORDINANCE NO. 2014-007

**AN ORDINANCE AMENDING THE
VILLAGE OF VERNON HILLS CODE OF
ORDINANCES CHAPTER 2
ADMINISTRATION, ARTICLE III
OFFICERS, DIVISION 2 RELATED TO
THE POSITION OF VILLAGE MANAGER**

WHEREAS, the Village of Vernon Hills is a home-rule municipal corporation existing under the laws of the State of Illinois, and,

WHEREAS, Chapter 2 of the Code of Ordinance creates the various executive staff positions and departments of the Village and defines the roles and responsibilities that each has within the organizational structure of the Village; and,

WHEREAS, over the years, while the several positions have been eliminated, changed or been merged and departments have been created to streamline village operations, Chapter 2 was not amended to reflect these changes; and,

WHEREAS, Article III, Division 2 of this Chapter creates the Office of Village Manager a position which was originally created by Ordinance #321 in 1980; and,

WHEREAS, the Code of Ordinance was amended in the early 1990's to change the job title to "Village Manager/Director of Public Safety"; and,

WHEREAS, job titles and responsibilities of the position have changed significantly while the Code of Ordinance does not reflect these changes; and,

WHEREAS, the proposed amendment to Article III, Division 2 as set forth in Exhibit A reflects current municipal practices and the general job description with duties and responsibilities of the Village Manager' position.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION I. That Chapter 2 Administration, Article III, Division 2 of the Village of Vernon Hills Code of Ordinances is hereby amended as set forth in Exhibit A.

SECTION II. SEVERABILITY. In the event that any section, clause, provision, or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this ordinance is found to be invalid in any one or more of its several applications that are severable, the valid applications shall remain in effect.

Exhibit A

Article III Officers

Division 2

(NOTE: All references and sections related to Director of Public Safety have been deleted)
All sections will be renumbered as necessary.

DIVISION 2. - VILLAGE MANAGER

Sec. 2-161. - Definitions.

Sec. 2-162. - Creation of office.

Sec. 2-163. - Appointment: Term of Office, other terms and conditions of employment.

Sec. 2-16X - Appointment: Acting Village Manager

Sec. 2-164. - Duties and responsibilities as Village Manager.

Sec. 2-165. - Qualifications and duties as director of public safety.

Sec. 2-166. - Relationship between board, manager and employees.

Sec. 2-167. - Bond.

Sec. 2-168. - Ex officio member of boards and commissions.

Sec. 2-169. - Compensation.

Secs. 2-170—2-184. - Reserved.

Sec. 2-161. Definitions.

The Village Manager shall also be known as an appointed "officer" of the Village herein.

For the purpose of Division 2, the use of the masculine pronoun "he or his" shall also reference and include "she or her" where and when appropriate.

Sec. 2-162. Creation of Office.

There is hereby created the Office of Village Manager/~~director of public safety~~ for the Village of Vernon Hills.

(Revised Section)

Sec. 2-163. Appointment: Term of Office

The Village Manager shall be appointed by the President of the Village with the advice and consent of the Board of Trustees by a two-thirds majority vote of the corporate authorities of the Village for an indefinite term. He shall be chosen solely on the basis of his executive and administrative qualifications with special reference to his actual experience in, or his knowledge of, accepted practices in respect to the duties hereinafter set forth. At the time of his appointment, the Village Manager need not be a resident of the Village, but he shall reside either within the Village or within a reasonable distance therefrom during the time in office as determined by the President and Board of Trustees. ~~but he shall become a resident of the village within one year from the date of his appointment.~~ No elected official of the Village shall receive such appointment while he is serving as an elected official.

(NOTE: Subsections (a), (b), (c), (d), (e), (f) are typically found within the terms of an employment contract. They are hereby deleted.)

(ADD: New Section)

Sec. 2-16X Appointment: Acting Village Manager

If the Village Manager is otherwise unable to perform his duties as listed herein or is terminated or leaves employment voluntarily, the President of the Village, with the advice and consent of the Board of Trustees of the Village, shall appoint an Acting Village Manager who will serve for an undetermined

period of time until a new Village Manager is appointed. The Acting Village Manager shall have all the powers, duties and limitation of the office.

Sec. 2-164. Duties and responsibilities as Village Manager.

The Village Manager shall be the chief administrative officer of the Village. He shall have supervision over the heads of all executive departments, and all such executive department heads shall perform their duties subject to his direction. He may head one or more departments and shall be responsible to the Board of Trustees for the proper administration of all affairs of the Village except such matters as the Board may from time to time determine shall be under its direct control and supervision, or as the Board has determined to be under the control or direction of any other officer. For the carrying out of his duties and responsibilities, the Village Manager shall have powers and duties as follows:

- (1) To appoint, and when necessary for the good of the service, suspend or remove any employee of the Village; provided, further, that he may authorize the head of a department or office under his control to appoint, suspend or remove subordinates in such department or office, except police personnel under the jurisdiction of the Board of Fire and Police Commissioners, and except as herein otherwise provided. The Village Manager, however, shall not have power to appoint, suspend or remove but shall recommend to the President and Board of Trustees the appointment, suspension or removal of department heads or officers: ~~village attorney, finance director/treasurer, chief of police, public works director/village engineer, building commissioner, and any other officers~~ which are appointed by the Village Board or its President.
- (2) Prepare an annual budget and submit it to the Board together with a message describing its important features and be responsible for its administration after adoption.
- (3) Prepare and submit to the Board as of the end of each fiscal year a complete report on the finances and administrative activities of the Village for the preceding year.
- (4) Keep the Board advised of the financial condition and future needs of the Village, and make such recommendations as he may deem advisable with respect thereto.
- (5) Recommend to the Board a standard schedule of pay for each appointive office and position in the Village service, including minimum, intermediate and maximum rates.
- (6) Recommend to the Board (from time to time) adoption of such measures as he may deem necessary or expedient for the health, safety or welfare of the community for the improvement of administrative services.
- (7) Consolidate, combine or separate offices, positions, departments or units under his/her jurisdiction as he/she deems best for the proper and efficient operation of the Village government, with the approval of the Board of Trustees.
- (8) Attend all meetings of the Board unless excused therefrom and take part in the discussion of all matters coming before the Board. He shall be entitled to notice of all regular and special meetings of the Board.
- (9) Supervise the purchase of all materials, supplies and equipment for which funds are provided in the budget; let contracts necessary for operation or maintenance of Village services for amounts up to and including \$20,000, which would include the Village Manager or his designee executing said contracts; and receive sealed bids for purchases or contracts in excess of \$20,000 and present them to the Village Board for approval; advise the Board on the advantages or disadvantages of contract and bid proposals; and for contracts other than the acquisition or disposition of real estate or contracts issuing indebtedness on behalf of the Village, executing said contracts for work or purchases in excess of \$20,000 after the contracts have been approved by the Board.
- (10) Recommend to the Board all matters pertaining to the enforcement of laws and ordinances. It shall be the duty of the Village Manager to assist in the enforcement of all Village ordinances and to perform all other duties required by statute or ordinance.
- (11) Investigate the affairs of any department or division under his jurisdiction; investigate all complaints in relation to matters under his jurisdiction concerning the administration of the government of

the Village, and in regard to service maintained by the public utilities in the Village and see that all franchises, permits and privileges granted by the Village are faithfully observed.

(12) Devote all reasonable time to the discharge of his official duties. The Village Manager shall act so as not to create any conflict of interest between his personal activities and his official duties. He shall have no financial or personal interest in any contract or undertaking in any way involving the Village.

(13) Make or cause to be made, monthly and annual reports to the President and Board of the activities of all departments under his jurisdiction.

(14) Meet the public on behalf of the President and Board; receive suggestions; hear and investigate complaints in relation to all matters concerning the administration of the government of the Village.

(15) Inform succeeding presidents and boards of the general principles of administrative programs and policies of previous administrations so that a continuity of programs and policies may be possible.

(16) Perform such other duties as may be prescribed by the Board, not inconsistent with ordinances or laws.

(17) Inform the Board of current federal and state legislation affecting the Village and be responsible for obtaining federal and state grants applicable to the Village.

(18) The Village Manager shall be responsible for the care and custody over all real estate, equipment and other property of the Village, not otherwise assigned by law or ordinance to a particular officer, office, board, or commission; and he shall keep or supervise the preparation and care of all records not assigned by law or ordinance to another officer. He shall make and keep or shall cause to be made and kept a current inventory of all real and personal property of the Village, and the location of such property.

Sec. 2-165. — Qualifications and duties as director of public safety.

(Subsections a thru g are hereby deleted)

Sec. 2-166. - Relationship between Board, Manager and employees.

Except for the purpose of inquiry, the Board of Trustees and its members shall deal with the employees under his jurisdiction solely through the Village Manager.

Sec. 2-167. - Bond.

Prior to undertaking his duties, the Village Manager shall furnish a fidelity bond in the amount of \$10,000 to be approved by the Board of Trustees, such bond to be conditioned on the faithful performance of his duties. The premium of the bond shall be paid by the Village.

Sec. 2-168. - Ex officio member of Boards and Commissions.

The Village Manager shall be an ex officio member of the planning and zoning commission, zoning board of appeals, senior citizens advisory committee or any other commission or committee that the board of trustees may designate which is not prohibited by state statutes or by other Village ordinances. The Village Manager may assign other qualified staff members as necessary to serve as a staff liaison to the commissions or committees.

Sec. 2-169. — Compensation; Fringe Benefits.

Subsections a and b are hereby deleted and replaced by the following:

The Village Manager shall receive such compensation as the Village Board shall fix from time to time by resolution or ordinance.

SECTION III. REPEAL AND SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions or causes of action which shall have accrued to the Village of Vernon Hills prior to the effective date of this ordinance.

SECTION IV. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

SECTION V. PUBLICATION. This ordinance shall be published in pamphlet for in the manner provided by law.

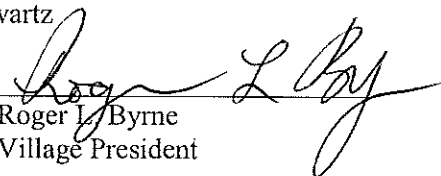
SECTION VI. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2014-007.

Adopted by roll call vote as follows:

AYES: 4 – Schultz, Williams, Koch, Marquardt

NAYS: 0 - None

ABSENT AND NOT VOTING: 2 – Hebda, Schwartz


Roger L. Byrne
Village President

PASSED: 1/21/2014

APPROVED: 1/21/2014

PUBLISHED IN PAMPHLET FORM: 1/27/2014

ATTEST:


Michael A. Nison
Village Clerk

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

CERTIFICATE

I, MICHAEL ALLISON, CERTIFY THAT I AM THE DULY APPOINTED AND ACTING VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS. I FURTHER CERTIFY THAT ON JANUARY 21, 2014, THE CORPORATE AUTHORITIES OF SUCH MUNICIPALITY PASSED AND APPROVED ORDINANCE 2014-007, AN ORDINANCE AMENDING THE VILLAGE OF VERNON HILLS CODE OF ORDINANCES CHAPTER 2 ADMINISTRATION, ARTICLE III OFFICERS, DIVISION 2 RELATED TO THE POSITION OF VILLAGE MANAGER WHICH PROVIDED BY ITS TERMS THAT IT SHOULD BE PUBLISHED IN PAMPHLET FORM.

THE PAMPHLET FOR ORDINANCE NO. 2014-007, INCLUDING THE ORDINANCE AND A COVER SHEET THEREOF, WAS PREPARED, AND A COPY OF SUCH ORDINANCE WAS POSTED IN THE VILLAGE HALL, COMMENCING JANUARY 27, 2014 AND CONTINUING FOR AT LEAST TEN DAYS THEREAFTER. COPIES OF SUCH ORDINANCE WERE ALSO AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST IN THE OFFICE OF THE VILLAGE CLERK.

DATED IN VERNON HILLS, ILLINOIS, THIS 27th DAY OF JANUARY, 2014



MICHAEL ALLISON, VILLAGE CLERK

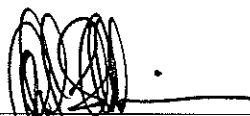
SEAL



AFFIDAVIT OF SERVICE

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

I, MICHAEL ALLISON, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, HE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE 2014-007, AN ORDINANCE AMENDING THE VILLAGE OF VERNON HILLS CODE OF ORDINANCES CHAPTER 2 ADMINISTRATION, ARTICLE III OFFICERS, DIVISION 2 RELATED TO THE POSITION OF VILLAGE MANAGER TO BE POSTED IN THE VILLAGE HALL AS REQUIRED BY LAW FROM JANUARY 27, 2014 TO FEBRUARY 10, 2014.



MICHAEL ALLISON, VILLAGE CLERK

SUBSCRIBED AND SWORN TO BEFORE
THIS 27th DAY OF JANUARY, 2014


Notary Public