

Chapter 1 - CITY COUNCIL

ARTICLE 1. - THE MAYOR

1.1.01. - Election—Term.

The Mayor shall be elected by the qualified voters of the City and shall hold his office for four (4) years and until his successor is elected and has qualified.

1.1.02. - Qualifications and Eligibility.

No person shall be eligible for the office of Mayor unless he is a qualified elector of the City of Country Club Hills and has resided therein at least one year next preceding his election.

1.1.03. - Duties.

The Mayor shall be the Chief Executive Officer of the city and shall have such powers and perform such duties as may be required of him or granted to him by statute or ordinance. He shall have supervision over all of the officers of the city, and shall have the power and authority to inspect all books and records pertaining to City affairs and kept by any officer or employee of the City, at any reasonable time. The Mayor shall serve, by right of his office, as Liquor Commissioner of the City.

1.1.04. - Mayor Pro-Tem.

If a temporary absence or disability of the Mayor incapacitates him from the performance of his duties, but does not create a vacancy in the office, the City Council shall elect one of its members to act as Mayor Pro-Tem. The Mayor Pro-Tem during the absence or disability of the Mayor shall perform the duties and possess all of the rights and powers of the Mayor.

1.1.05. - Appointment and Removal of City Officers.

Except as otherwise provided in the Illinois State Statutes, all officers of the City, as identified in Chapter 3, shall be appointed by the Mayor with the advice and consent of the City Council.

The Mayor may remove any officer or employee appointed by him in accordance with the procedure set forth in Section 3-11-1 of the Illinois Municipal Code.

1.1.06. - Compensation.

The compensation which the Mayor shall receive for his services shall be:

Office	5-1-07	5-1-11	5-1-15
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Mayor			90,001 (Including health insurance benefits as are provided full-time employees, to be divided as follows: Mayor: 90,000 Liquor Commissioner: 1.00)
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## ARTICLE 2. - ALDERMEN

### 1.2.01. - Number and Term.

Two Aldermen shall be elected to represent each ward of the City. All Aldermen elected shall hold office for a term of four years, and until their successors are elected and have qualified.

### 1.2.02. - Qualifications and Eligibility.

No person shall be eligible for the office of Alderman unless he is a qualified elector of the City of Country Club Hills and has resided therein at least one year preceding his election or appointment, and he must also meet the qualifications under Chapter 24, Section 3-14-1 of the Illinois Municipal Code.

### 1.2.03. - Compensation.

The Compensation of Aldermen is as follows:

Office	5-1-03	5-1-05	5-1-07
Alderman	2,035	10,000	28,000
Committee Chair		1,860	2,000

Effective May 1, 2005, all compensation shall be increased by the lesser of 3% or the percentage increase in the Consumer Price Index during the preceding 12-month period. Effective May 1, 2007, elected officials will also be entitled to longevity payment based on their longevity in office in accordance with the longevity percentage payments provided in the City Personnel Policy.

By ordinance each Alderman's salary may be changed from time to time, providing, however, that in no case may the salary be raised or lowered during his term of office.

#### 1.2.04. - Vacancy.

If a vacancy occurs in the office of an Alderman for any reason whatsoever, and there remains an unexpired term, the vacancy shall be filled by appointment by the Mayor with the advice and consent of the City Council. Such appointee will serve until the next general election, and until his successor shall have been qualified.

### ARTICLE 3. - THE COUNCIL

#### 1.3.01. - Composition.

The City Council shall consist of the Mayor and Aldermen. It shall sit with open doors and it shall keep a Journal of its proceedings.

#### 1.3.02. - Quorum—Compelling Attendance.

A majority of the Aldermen elected shall constitute a quorum to do business. A smaller number, however, may adjourn from time to time, and may compel the attendance of absentees, under whatever penalties, including a fine for a failure to attend, the Council may prescribe by ordinance.

#### 1.3.03. - Meetings.

Regular meetings of the City Council shall be held on the second and on the fourth Monday of each month, at 7:00 p.m. at a place designated by the City Council. In case such meeting time should fall on a legal holiday, then such meetings shall be held the following day after such legal holiday. Special meetings may be held at any time, on call of the Mayor or a majority of the aldermen then holding office. Such call shall be in writing, duly signed, and shall be presented to the City Clerk, who shall proceed immediately to prepare notices of the same, and shall cause them to be served on members of the Council in the usual manner. Such notices shall describe, in brief, the purposes for which the meeting is called. The Clerk shall also cause such notices to be posted and served upon the news media as required by law. At every special meeting, the call for such a meeting shall be read and afterwards filed by the City Clerk; and, no business other than proposed by the call shall be in order at such meeting.

#### 1.3.04. - Mayor To Preside—Deciding Vote.

The Mayor shall preside at all meetings of the City Council, shall preserve order and decorum, and shall decide all questions of order subject to an appeal by any two Aldermen.

The Mayor shall not vote on any ordinance, resolution, or motion except: (1) where the vote of the Aldermen has resulted in a tie; or (2) where one-half of the Aldermen elected have voted in favor of an ordinance, resolution, or motion even though there is no tie vote; or (3) where a vote greater than a majority of the corporate authorities is required by statute to adopt an ordinance, resolution or motion, except where the vote is to override the Mayor's veto.

### 1.3.05. - Council Approval of Expenditures.

1. Except for emergency purchases and contracts as allowed and limited by Section 11.1.09 of the Country Club Hills City Code, all contracts, agreements, documents, or writings of any kind, or series of contracts, agreements, documents or writings of any kind with the same person or entity, that place any obligation or amount greater than \$15,000.00 per fiscal year, specifically excepting the hiring or appointment of staff, employees or officers of the city, which are provided for in the City's budget, shall be approved by affirmative vote of the majority of the City Council prior to execution of said contract, agreement, document or other writing. Alterations in any such contract, agreement, document or other writing may only be made with and authorized by an affirmative vote of a majority of the City Council.
2. Any contract, agreement, document, or writing of any kind in existence at the time of the enactment of this ordinance that would be governed by the provisions contained herein shall be renewed or altered in accordance with this ordinance.
3. Any expenditure of funds, not subject to Section 11.1.09 of the Country Club Hills City Code, and not subject to Council approval under the provisions of paragraph 1. of this Section, must be reported to the Finance Committee and the City Council in writing no later than the next regularly scheduled Council meeting following the creation of the obligation of such funds.

## ARTICLE 4. - RULES OF ORDER

### 1.4.01. - Establishment.

The following rules of order and procedure shall govern the deliberations and meetings of the City Council.

### 1.4.02. - Agenda; Order of Business.

The City Manager shall be responsible for preparing the tentative agenda for regular and special meetings. Any Alderman seeking to have an item added to the agenda shall advise the City Manager by ten o'clock (10:00) a.m. at least three days in advance of the applicable meeting.

At the hour appointed for the meeting, the Mayor shall call the City Council to order and the City Clerk shall proceed to call the roll of members. When a quorum is present, the Council shall proceed to the business before them which shall be conducted in the following order:

- (A) Approval of the agenda or amendment of the order of business.
- (B) The correction and approval of the minutes of the preceding meeting or meetings; copies of which shall be available to members of the public attending the meeting at which such minutes are approved.
- (C) Reports and communications from the Mayor and other City Officers.
- (D) Reports of standing committees.
- (E) Reports of special committees.
- (F) Presentation of petitions, communications, resolutions, orders and ordinances by the Aldermen.

(G) Unfinished business.

(H) New business.

#### 1.4.03. - Privileges.

- (A) Every member, previous to his speaking, shall address himself to the Mayor and say, "Mr. Mayor," but shall not proceed with his remarks until recognized by the Chair. When two or more members address him at once, the Mayor shall name the member who is first to speak.
- (B) When a member wishes to present a communication, petition, order, resolution, or other original matter, he shall, after being recognized by the Mayor, briefly state its nature before presenting the same.
- (C) No member shall speak more than twice upon the same subject without leave of the City Council, nor more than once, in any case, until every member choosing to speak shall have spoken.
- (D) A member called to order by the Chair shall immediately be silent, unless permitted to explain, if there be no appeal, the decision of the chair shall be final; but if the member appeals the decision of the Chair, the City Council shall decide on the case without debate.
- (E) Every member who shall be present when a question is stated from the chair, shall vote thereon, unless excused by the City Council or unless he be directly interested in the question, in which case he shall not vote.

#### 1.4.04. - Motions, Resolutions and Ordinances.

- (A) No motion or resolution shall be put or debated unless it be seconded. When a motion is seconded it shall be stated by the Mayor before the debate, and every such motion shall be reduced to writing, if required by a member.
- (B) The passage of all ordinances for whatever purposes, and of any resolution or motion (1) to create any liability against the City or (2) for the expenditure or appropriation of its money, shall require the concurrence of a majority of all members of the City Council then holding office including the Mayor, and the yeas and nays shall be taken upon the passage of any other resolution or motion at the request of any City Council member, and shall be recorded in the journal.
- (C) When a question is under debate, the only motion in order shall be:
  - (1) To adjourn;
  - (2) The previous questions;
  - (3) To lay on the table;
  - (4) To postpone indefinitely;
  - (5) To adjourn to a day certain;
  - (6) To refer;
  - (7) To amend;
  - (8) To substitute;

and such motions shall have precedence in the order herein arranged—the first three to be decided without debate.

- (D) No vote of the City Council shall be reconsidered or rescinded at a special meeting, unless there are present special meeting as many Aldermen as were present when the vote was taken. A motion to reconsider must be made and seconded by members who voted in the majority.
- (E) No person not a member of the City Council shall address the City Council without the consent of two-thirds of the members present.
- (F) Copies of all pending ordinances shall be available to the public at the meeting at which any such ordinance is being considered.
- (G) All resolutions introducing new business to the Council shall be in writing with one copy each for the City Clerk and Mayor.

#### 1.4.05. - Committees.

From time to time, the City Council shall organize itself into the various standing and special committees identified below. Members shall be appointed and removed from the committee by a majority vote of the City Council. The following standing committees shall be appointed annually, consist of at least three members, and the committee shall designate one member to be the chairman thereof:

- I. Finance.
  - II. Law, ordinance and government operations/contract compliance.
  - III. Public works and utilities.
  - IV. Economic development/planning, zoning and development.
  - V. Insurance, risk management and personnel.
- (A) The Mayor shall be an ex-officio member of all committees.
  - (B) All committees to whom any matter may be referred shall report, in writing, if requested by any member of the City Council. Minority reports may be submitted, signed by the dissenting member or members.
  - (C) Special committees may be appointed by the Mayor for the consideration of any particular question or matter.
  - (D) On the acceptance of a final report from a special committee, such committee shall stand discharged without vote, unless it be otherwise ordered. All reports made by committees or officers of the city, all resolutions adopted, all ordinances as presented and passed, all communications, petitions and the like received, and generally all papers presented to be acted upon, shall be filed and carefully preserved by the Clerk.
  - (E) Any alderman seeking clarification or other inquiry on any bills and/or vouchers pending approval by the City Council, shall request such clarification or other inquiry at the Finance Committee meeting held prior to the Council Meeting at which such bills and/or vouchers will be presented for approval. If no Finance Committee meeting is held prior to the City Council Meeting, said alderman shall review the matter with the Finance Committee chairperson by or before said Council meeting. Failure of an alderman to raise the matter at the Finance Committee meeting or with the Finance Committee chairperson prior to the Council meeting shall result in any clarification of or other inquiry regarding said bills and/or vouchers at the Council meeting to be ruled out of order.

- (F) All matters referred to committee shall be reported out to the Council within thirty (30) days from the date of referral. If the Committee fails to make a recommendation within such 30 days, the matter will be taken before the entire council at the next Administrative Meeting. The Council, in its discretion, may refer any such matter to the Committee for further consideration.

1.4.06. - Petitions and Communications.

All petitions or communications shall be addressed to the Mayor and the City Council, and shall be in writing and filed with the Clerk.

1.4.07. - Questions of Order.

The Mayor shall decide all questions of order and, in all cases not covered by these rules, or where they are not applicable, the City Council shall be governed by Parliamentary Law as laid down in "Roberts Rules of Order."

1.4.08. - Gifts Forbidden.

Neither the Mayor nor any other member of the City Council, shall receive for his own benefit or share in any present, gift, or emolument for services of any nature or any kind, manner or form in his capacity as an elected official. All such presents, gifts or emolument or the proceeds from its disposal shall be turned over to the City Treasurer for deposit in the corporate fund of the City.

1.4.09. - State Gift Ban Act.

- a. The Governmental Ethics and State Gift Ban Act, 5 ILCS 425 et seq., is hereby adopted by the City of Country Club Hills.
- b. The solicitation of the acceptance of gifts prohibited to be solicited or accepted under the Gift Ban Act is prohibited by any elected or appointed official or any employee of the City of Country Club Hills.
- c. To the extent required by the State Gift Ban Act, and subject to the advice and consent of the City Council, the Mayor shall appoint an individual to serve as "ethics officer" of the City. The Ethics Officer shall discharge the following duties as provided by the State Gift Ban Act:
  - (i) Review statements of economic interest and disclosure forms of officers and employees of the City which are required to file such statements of economic interest before they are filed with the Cook County Clerk.
  - (ii) Provide guidance to officers and employees of the City in the interpretation and amendment of the State Gift Ban Act.
- d. The City Council, sitting as a Committee of the Whole, shall serve as the local Ethics Commission as required by the State Gift Ban Act.

1.4.10. - Regulation of Ethics.

Definitions:

*Campaign for elective office* means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, state, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

*Candidate* means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in Section 1-3 of the Election Code (10 ILCS 5/1-3).

*Collective bargaining* has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

*Compensated time* means, with respect to an employee, any time worked by or credits to the employee that count toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

*Compensatory time off* means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

*Contribution* has the same meaning as that term is defined in Section 9-1.4 of the Election Code (10 ILCS 5/9.14).

*Employee* means a person employed by the City, whether on a full-time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

*Employer* means the City.

*Gift* means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

*Immediate family member* means parents, spouse, brothers, sister, children, grandparents, grandchildren, parents-in-law, brothers-in-law, sisters-in-law, and legal guardians.

*Leave of absence* means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer.



*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.

*Political activity* means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

*Political organization* means any party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3) but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

*Prohibited political activity* means:

1. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
2. Soliciting contributions, including but not limited to the purchase of, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
4. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
5. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
6. Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.
7. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
8. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
9. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
10. Preparing or reviewing responses to candidate questionnaires.
11. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for an elective office or for or against any referendum question.
13. Managing or working on a campaign for elective office or for or against any referendum question.

14. Serving as a delegate, alternate, or proxy to a political party convention.
15. Participating in any recount or challenge to the outcome of any election.

*Prohibited source* means any person or entity who:

1. Is seeking official action (i) by an officer or (ii) by an employee, or with the officer or another employee directing that employee;
2. Does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;
3. Conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or
4. Has interest that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

#### 1.4.11. - Prohibited Political Activities.

- a. No officer or employee shall intentionally perform any prohibited political activity during any compensated time. No officer or employee shall intentionally use any property or resources of the City in connection with any prohibited political activity.
- b. At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).
- c. No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.
- d. Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Ordinance.
- e. No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position that salary for which is paid in whole or in part by federal funds and is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

#### 1.4.12. - Gift Ban.

Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section.

#### 1.4.13. - Exceptions.

The above Section 1.4.11 is not applicable to the following:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.
3. Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.
4. Educational materials and missions.
5. Travel expenses for a meeting to discuss business.
6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position of employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.
8. Food and refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.
10. Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of

another governmental entity.

11. Bequests, inheritances, and other transfers at death.

12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

#### 1.4.14. - Disposition of Gifts.

An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(C)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

#### 1.4.15. - Ethics Advisor.

The Municipal Attorney, with the advice and consent of the City Council, shall serve as an Ethics Advisor for the City. The duties of the Ethics Advisor may be delegated to an officer or employee of the City unless the position has been created as an office of the City.

The Ethics Advisor shall provide guidance to the officers and employees of the City concerning the interpretation of and compliance with the provisions of this Ordinance and State ethics laws. The Ethics Advisor shall perform such other duties as may be delegated by the City.

#### 1.4.16. - Ethics Commission.

There is hereby created a commission to be known as the Ethics Commission of the City of Country Club Hills. The Commission shall be comprised of three members appointed by the City with the advice and consent of the City Council. No person shall be appointed as a member of the Commission who is related, either by blood or by marriage up to the degree of first cousin, to any elected officer of the City of Country Club Hills.

#### 1.4.17. - Appointment of Commissioners.

At the first meeting of the Commission, the initial appointees shall draw lots to determine their initial terms. Two commissioners shall serve two-year terms, and the third commissioner shall serve a one-year term. Thereafter, all commissioners shall be appointed to two-year terms. Commissioners may be reappointed to serve subsequent terms.

At the first meeting of the Commission, the commissioners shall choose a chairperson from their number. Meetings shall be held at the call of the chairperson or any two commissioners. A quorum shall consist of two commissioners, and official action by the commission shall require the affirmative vote of two members.

#### 1.4.18. - Removal of Commissioners.

The Mayor, with the advice and consent of the City Council, may remove a commissioner in case of incompetency, neglect of duty or malfeasance in office after serving the commissioner by certified mail, return receipt requested, of a copy of the written charges against the commissioner and after providing an opportunity to be heard in person or by counsel upon not less than 10 days notice. Vacancies shall be filled in the same manner as original appointments.

#### 1.4.19. - Powers and Duties.

The Commission shall have the following powers and duties:

1. To promulgate procedures and rules governing the performance of its duties and the exercise of its powers.
2. Upon receipt of a signed, notarized, written complaint, to investigate, conduct hearings and deliberations, issue recommendations for disciplinary actions, impose fines in accordance with Section 25-1(C) of this Ordinance and refer violations of Article 5 or Article 10 of this Ordinance to the appropriate attorney for prosecution. The Commission shall, however, act only upon the receipt of a written complaint alleging a violation of this Ordinance and not upon its own prerogative.
3. To receive information from the public pertaining to its investigations and to require additional information and documents from persons who may have violated the provisions of this Ordinance.
4. To compel attendance of witnesses and to compel the production of books and papers pertinent to an investigation. It is the obligation of all officers and employees of the City to cooperate with the Commission during the course of its investigations. Failure or refusal to cooperate with requests by the Commission shall constitute grounds for discipline or discharge.
5. The powers and duties of the Commission are limited to matters clearly within the purview of this Ordinance.

#### 1.4.20. - Complaint Procedures and Responsibilities.

- A. Complaints alleging a violation of this Ordinance shall be filed with the Ethics Commission.
- B. Within 3 business days after the receipt of a complaint, the Commission shall send by certified mail, return receipt requested, a notice to the respondent that a complaint has been filed against him or her and a copy of the complaint. The Commission shall send by certified mail, return receipt requested, a confirmation of the receipt of the complaint to the complainant within 3 business days after receipt by the commission. The notices to the respondent and the complainant shall also advise them of the date, time, and place of the meeting to determine the sufficiency of the complaint and to establish whether probable cause exists to proceed.
- C. Upon not less than 48 hours' public notice, the Commission shall meet to review the sufficiency of the complaint, and, if the complaint is deemed sufficient to allege a violation of this Ordinance, to determine whether there is probable cause, based on the evidence presented by the complainant, to proceed. The meeting may be closed to the public to the extent authorized by the Open Meetings Act. The Commission shall issue notice to the complainant and the respondent of the Commission's ruling on the sufficiency of

the complaint, and, if necessary, on probable cause to proceed within 7 business days after receiving the complaint. If the complaint is deemed sufficient to allege a violation of Article 10 of the Ordinance and there is a determination of probable cause, then the Commission's notice to the parties shall include a hearing date scheduled within 4 weeks after the complaint's receipt. Alternatively, the Commission may elect to notify in writing the attorney designated by the corporate authorities to prosecute such actions and request that the complaint be adjudicated judicially. If the complaint is deemed not sufficient to allege a violation or if there is no determination of probable cause, then the Commission shall send by certified mail, return receipt requested, a notice to the parties of the decision to dismiss the complaint, and that notice shall be made public.

If the complaint is deemed sufficient to allege a violation of Article 5 of this Ordinance, then the Commission shall notify in writing the attorney designated by the corporate authorities to prosecute such actions and shall transmit to the attorney the complaint and all additional documents in the custody of the Commission concerning the alleged violation.

- D. On the scheduled date and upon at least 48 hours' public notice of the meeting, the Commission shall conduct a hearing on the complaint and shall allow both parties the opportunity to present testimony and evidence. The hearing may be closed to the public only if authorized by the Open Meetings Act.
- E. Within 30 days after the date the hearing or any recessed hearing is concluded, the Commission shall either (i) dismiss the complaint or (ii) issue a recommendation for discipline to the alleged violator and to the officer/employee having authority to discipline the officer or employee, or impose a fine upon the violator, or both. The particular findings in the case, any recommendation for discipline, and any fine imposed shall be a matter of public information.
- F. If the hearing was closed to the public, the respondent may file a written demand for a public hearing on the complaint within 7 business days after the issuance of the recommendation for discipline or imposition of a fine, or both. The filing of the demand shall stay the enforcement of the recommendation or fine. Within 14 days after receiving the demand, the Commission shall conduct a public hearing on the complaint upon at least 48 hours' public notice of the hearing and allow both parties the opportunity to present testimony and evidence. Within 7 days thereafter, the Commission shall publicly issue a final recommendation to the alleged violator and to the officer/employee having authority to discipline the officer or employee or impose a fine upon the violator, or both.
- G. If a complaint is filed during the 60 days preceding the date of any election at which the respondent is a candidate, the Commission shall render its decision as required under subsection (e) within 7 days after the complaint is filed, and during the 7 days preceding that election, the Commission shall render such decision before the date of the election, if possible.
- H. The Commission may fine any person who intentionally violates any provision of Article 10 of this Ordinance in an amount of not less than \$1,001 and not more than \$5,000. The Commission may fine any person who knowingly files a frivolous complaint alleging a violation of this Ordinance in an amount of not less than \$1,001 and not more than \$5,000. The Commission may recommend any appropriate discipline up to and including discharge.
- I. A complaint alleging the violation of this Act must be filed within one year after the alleged violation.

#### 1.4.21. - Penalties.

- A. A person who intentionally violates any provision of Article 5 of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.
- B. A person who intentionally violates any provision of Article 10 of this Ordinance is subject to a fine in an amount of not less than \$1,001 and not more than \$5,000.
- C. Any person who intentionally makes a false report alleging a violation of any provision of this Ordinance to the local enforcement authorities, the State's Attorney or any other enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.
- D. A violation of Article 5 of this Ordinance shall be prosecuted as a criminal offense by an attorney for the City by filing in the circuit court and information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.

A violation of Article 10 of this Ordinance may be prosecuted as a quasi-criminal offense by an attorney for the City, or, if an Ethics Commission has been created, by the Commission through the designated administrative procedure.

- E. In addition to any other penalty that may be applicable, whether criminal or civil, and officer of employee who intentionally violates any provision of Article 5 or Article 10 of this Ordinance is subject to discipline or discharge.

#### ARTICLE 5. - CITY CLERK

##### 1.5.01. - Number and Term.

The City Clerk shall be elected for a four-year term at the same time the Mayor is elected and shall hold office until his successor is elected and has qualified.

##### 1.5.02. - Qualifications and Eligibility.

No person shall be eligible for the office of City Clerk unless he is a qualified elector of the City of Country Club Hills and has resided therein at least one year next preceding his election.

##### 1.5.03. - Bond.

Before entering upon the duties of his office, the City Clerk shall execute a bond in such amount and with such sureties as may be required by the Council, conditioned upon the faithful performance of his duties.

##### 1.5.04. - Duties.

The City Clerk shall keep the corporate seal and all papers belonging to the municipality, the custody and control of which are not given to the officers. He shall attend all meetings of the City Council and keep a full record of its proceedings in the journal. The Clerk shall be responsible, either in person or through a designee, for recording and filing minutes and all official Regular and Ad Hoc commission meetings. A draft of said minutes shall be submitted to the Clerk within three business days of the meeting. The City Clerk shall seal and attest all contracts of the City, and all licenses, permits and other such documents as shall require this formality. The City Clerk shall be the keeper of all documents belonging to the city except those documents which the City Council has designated shall be kept by other officers, and, in addition to the records of ordinances and other records which the Clerk is required by statute to keep, he shall keep a register of all licenses and permits issued and a record of the payment thereon.

#### 1.5.05. - Compensation.

Clerk term beginning 5/07: \$28,000

Effective May 1, 2005, all compensation shall be increased by the lesser of 3% of the percentage increase in the Consumer Price Index during the preceding 12 month period. Effective May 1, 2007, elected officials will also be entitled to longevity payment based on their longevity in office in accordance with the longevity percentage payments provided in the City Personnel Policy.

By ordinance this salary may be changed from time to time, providing, however, that in no case may his salary be raised or lowered during his term of office.

#### 1.5.06. - Vacancy.

If a vacancy occurs in the office of the City Clerk, it shall be filled by the Mayor with the advice and consent of the City Council, the person so appointed to hold office for the unexpired term of the City Clerk elected.

### ARTICLE 6. - CITY TREASURER

#### 1.6.01. - Election—Term.

The City Treasurer shall be elected for a four-year term at the same time the Mayor is elected and shall hold his office until his successor is elected and has qualified.

#### 1.6.02. - Qualifications and Eligibility.

No person shall be eligible for the office of City Treasurer unless he is a qualified elector of the City of Country Club Hills and has resided therein for at least one year next preceding his election.

#### 1.6.03. - Bond.



The City Treasurer shall give a bond in such sum as may be required by the City Council, but the bond shall not be less than the amount required by statute. The bond shall be conditioned upon the faithful performance by the Treasurer of the duties of his office, and to indemnify the City for any loss due to neglect of duty or wrongful act on the part of the Treasurer.

#### 1.6.04. - Duties.

The City Treasurer shall receive all money paid into the city from the City Collector and shall give proper receipt therefor. He shall keep a separate account of each fund or appropriation, and the debits and credits belonging thereto. He shall pay out money only on warrant or bonds properly signed by the Mayor and City Clerk. Two among the following three officials: The Mayor, the Finance Supervisor and the alderman who chairs the City Council's Finance Committee, shall be required signatories on all checks or other financial disbursements made by the City of Country Club Hills, including electronic disbursements.

#### 1.6.05. - Monthly Statements.

Monthly Treasurer's Reports are due on the 15th day of the following month and more often, if required by the Corporate Authorities. The City Treasurer shall render an account under oath to the City Council, showing the state of the treasury and the balance of money in the treasury at the close of the preceding month. He shall accompany the account with a statement of all money received in the treasury and on what account, together with all warrants redeemed and paid by him during that month. The Monthly Treasurer's Reports shall also include a report on investments, in accordance with the City's Investment Policy.

#### 1.6.06. - Treasurer's Report—Annual Account.

Within 30 days following the end of the fiscal year, the City Treasurer shall make out and file with the City Clerk a full and detailed account of all municipal receipts and expenditures during the preceding fiscal year; and the state of the treasury at the close of the fiscal year. The Clerk shall publish this account at least once within 10 days in one or more newspapers published in the municipality or circulated therein.

#### 1.6.07. - Deposit of Funds.

He shall deposit the city funds in such depositories as may be selected from time to time by the City Council. He shall keep the City money separate and distinct from his own and shall not intermingle his own money with it or make private or personal use of the city funds. All deposits of City funds shall be made in accordance with the City's Investment Policy.

#### 1.6.08. - Compensation.

Treasurer term beginning 5/07: \$28,000

Effective May 1, 2005, all compensation shall be increased by the lesser of 3% of the percentage increase in the Consumer Price Index during the preceding 12 month period. Effective May 1, 2007, elected officials will also be entitled to longevity payment based on their longevity in office in accordance with the longevity percentage payments provided in the City Personnel Policy.

By ordinance, this salary may be changed from time to time, providing, however, that in no case may his salary be raised or lowered during his term of office.

#### 1.6.09. - Vacancy.

If a vacancy occurs in the office of City Treasurer, it shall be filled by the Mayor with the advice and consent of the City Council, the person so appointed to hold office for the unexpired term of the City Treasurer.

### ARTICLE 7. - REDISTRICTING THE WARDS OF THE CITY

#### 1.7.01. - Ward Boundaries.

The City of Country Club Hills be and is hereby redistricted into Five (5) Wards, the number and descriptions of which shall be as follows:

*First Ward:* The First Ward of the City of Country Club Hills shall be comprised of that area of the City which is bounded ON THE NORTH by the centerline of 167th Street, commencing from the eastern city limits, then extended west along the centerline of Interstate 57, continuing southwesterly along the centerline of Interstate 57 to its intersection with the western city limits; ON THE WEST commencing at the intersection of the centerline of Interstate 57 and the western city limits, continuing on an irregular line southerly following the western city limits to the intersection with the centerline of 175th Street; ON THE SOUTH commencing at the intersection of the western city limits and the centerline of 175th Street, continuing east along 175th Street to its intersection with the centerline of interstate 80, continuing northeasterly along interstate 80 to its intersection with Pulaski Road, continuing south along the center line of Pulaski Road to its intersection with 175th Street, continuing east along 175th Street to a point at the east lot line of the properties located on the east side of Winston Drive, if extended, continuing south along said property lines to their intersection with the north lot line of the property located at 17670 Springfield Avenue, continuing east along said north lot line to the intersection with the approximate centerline of Highland Place, continuing east along Highland Place to its intersection with the east lot line of the properties located on the east side of Springfield, continuing southwesterly along said lot line to its intersection with the north and west lot lines of the property located at 3890 West 178th Street, continuing in a southwesterly direction along said east lot lines of the properties located on the east side of Springfield, to the center line of 178th Place, continuing west to the intersection of the center line of Pulaski Road, south along Pulaski Road to a point just south of 178th Place which forms the southern city limits, east along south boundary to its intersection with the eastern limits of the City; ON THE EAST commencing at the point of the intersection of the east and south city limits, located on a north line following the eastern city limits of the City to the point of beginning at the centerline of 167th Street.

*Second Ward:* The Second Ward of the City of Country Club Hills shall be comprised of that area of the City which is bounded ON THE NORTH commencing at the intersection of the centerline of Pulaski Road and the centerline of Interstate 80, continues in a southwesterly direction along the centerline of interstate 80 to its intersection with Kostner Avenue, if extended (ARCO Oil Easement); ON THE WEST commencing at the intersection of interstate 80 and Kostner Avenue, if extended, continuing south to the centerline of 177th Place, continuing west on the centerline of 177th Place to its intersection with the centerline of Baker Avenue traveling south on the centerline of Baker to 179th Street, turning east on the centerline of 179th Street to Kostner, turning south on the centerline of Kostner to the centerline of 180th Street, turning west on the centerline of 180th Street to the centerline of Baker Avenue, turning south and west along the centerlines of Baker Avenue and 182nd Street, respectively, to their intersection with Anthony Avenue, turning south along the centerline of Anthony Avenue to its intersection with 183rd Street; ON THE SOUTH commencing at the centerline of the intersection of Anthony Avenue and 183rd Street, continuing easterly to the centerline of the intersection of 183rd Street and Pulaski Road; ON THE EAST commencing at the centerline of the intersection of 183rd Street and Pulaski Road, continuing north along the eastern City limits to its intersection with 178th Place, continuing east on the centerline of 178th Place to the southeast lot lines of 17871 Springfield, continuing in a northeasterly direction along the east lot lines of the properties on the east side of Springfield to the intersection of the north and west lot lines of 3890 178th Street, continuing east along said north lot line to the east lot lines of the properties located on the east side of Springfield, continuing north along said lot lines to the centerline of Highland Place, continuing west to the north lot line of 17670 Springfield, continuing west along said lot line, to the intersection of the east lot lines of properties located on the east side of Winston Drive, continuing north to intersection with 175th Street, turning west along the centerline of 175th Street to the northeast corner of 175th Street and Pulaski Road, continuing north along the centerline of Pulaski Road to its intersection with the centerline of Interstate 80.

*Third Ward:* The Third Ward of the City of Country Club Hills shall be comprised of that area of the City which is bounded ON THE NORTH by the centerline of Interstate 80 and Kostner Avenue, if extended (ARCO Oil Easement), continuing southwesterly along the centerline of Interstate 80 to 175th street, continuing west on the centerline of 175th street to the western city limits at Mocombo Way; ON THE WEST turns south and follows the western city limits to 183rd Street (includes the Girl Scouts property and Convenient Food Plaza), follows the centerline of 183rd Street east to the centerline of Cicero Avenue, turns south and follows the centerline of Cicero Avenue to the northeast intersection of Cicero and 187th Street; ON THE SOUTH travels east along center line of 187th Street to its intersection with Loras Lane, travels south along the center line of 188<sup>th</sup> street to its intersection with Kostner Avenue, if extended, (ARCO Oil Easement); ON THE EAST turns north and follows Kostner, if extended, (ARCO oil Easement) to the centerline of 183rd Street, turns west on the centerline of 183rd Street to its intersection with Anthony Avenue, continuing north along the centerline of Anthony Avenue, turning east and north on the centerlines of 182nd Street and Baker Avenues, respectively, and follows to the centerline of 180th Street, turns east on 180th Street to the centerline of Kostner Avenue, turns north and follows the centerline of Kostner until its intersection with the centerline of 179th Street, turns west on the centerline of 179th

Street to the centerline of Baker Avenue, follows the centerline of Baker Avenue north until it intersects with the centerline of 177th Place, turns east on 177th Place to Kostner, follows the centerline of Kostner north to its intersection with the centerline of Interstate 80 and Kostner, if extended (ARCO Oil Easement).

*Fourth Ward:* The Fourth Ward of the City of Country Club Hills shall be comprised of that area of the City which is bounded ON THE NORTH by the centerline of the intersection of 183rd Street and Pulaski Road at the eastern boundary of the city, continuing west along the centerline of 183rd Street to the centerline of Kostner Avenue, if extended, (ARCO Oil Easement); ON THE WEST turns south along the centerline of Kostner, if extended, (ARCO Oil Easement) and follows until its intersection with the centerline of Flossmoor Road; ON THE SOUTH follows the centerline of Flossmoor Road east until its intersection with the centerline of Pulaski Road, (Eastern limits of the city); ON THE EAST follows the centerline of Pulaski Road north to its intersection with the centerline of 183rd Street.

*Fifth Ward:* The Fifth Ward of the City of Country Club Hills shall be comprised of that area of the city which is bounded ON THE NORTH commencing at the intersection of the centerlines of 187th Street and Kostner Avenue, if extended, continuing west along the centerline of 187th Street to the centerline of Cicero Avenue, continuing north on Cicero Avenue to the intersection of 183rd Street and Cicero Avenue, continuing west on the centerline of 183rd Street to the western city limits; ON THE WEST follows the western city limits south along the centerline of Interstate 57 to its intersection with the centerline of Flossmoor Road; ON THE SOUTH follows the centerline of Flossmoor Road east until its intersection with Kostner Avenue, if extended, (ARCO Oil Easement); ON THE EAST follows Kostner, if extended, (ARCO Oil Easement) north to its intersection with 187th Street; ALSO includes that portion of land within the city limits west of the centerline of Pulaski Road and south of the centerline of Flossmoor Road.

#### ARTICLE 8. - DATE FOR INAUGURATION OF NEWLY ELECTED OFFICERS OF THE CITY

##### 1.8.01. - Date and time for inauguration.

The date and time for the inauguration of newly elected officers of the City shall be immediately following roll call of the first regular or special meeting of the Corporate Authorities during the month of May following the receipt of the official election results from the Cook County Clerk of the consolidated election at which such officers were elected, and the terms of such newly elected municipal officers shall commence from such inauguration.

#### ARTICLE 9. - PRESERVATION, DESTRUCTION AND ACCESS TO LOCAL PUBLIC RECORDS

##### 1.9.01. - Definitions.

- A. "Public Body" means the City, any legislative, executive, administrative or advisory bodies of the City, and any boards, bureaus, committees, commissions or subcommittees of the City, including but not limited to committees and subcommittees which are supported in whole or in part by tax revenue, or which expend tax revenue.

- B. "Public Record" means all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, recorded information and all other documentary materials, regardless of physical form or characteristics, having been prepared, or having been or being used, received, possessed or under the control of any public body.

1.9.02. - Determination of Permanent Records of the City.

The following items shall be considered permanent records of the City:

- A. Approved minutes of the City Council meetings, its committees, and all duly authorized commissions and boards of the City. Tapes of said meetings may be destroyed after the official written minutes of any meeting are approved by their respective bodies.
- B. Ordinances and Ordinance Amendments.
- C. City Codes, past and present, adopted by reference in any ordinance.
- D. Resolutions and Proclamations by the City.
- E. Select Financial Reports of the City listed below:
  - 1. Annual MFT Audit.
  - 2. Annual City Audit.
  - 3. Annual Collector's Report.
  - 4. Annual Treasurer's Report.
- F. Employee records covering all full-time and part-time employees as well as employment applications by any person whether that person was hired or not.
- G. Blueprints and plats of survey, whether they City-owned or resident-owned.
- H. Engineering documents of any nature, including drawings or atlases of locations of utilities, easements, grading, cable TV site plans and the like.
- I. Land use documents as listed below:
  - 1. Plats of subdivision.
  - 2. Planned Unit Development (PUD) and annexation agreements.
  - 3. Official comprehensive plan.

1.9.03. - Disposition of Non-Permanent Records of the City.

The retention schedule shown below shall be used to determine when public records are no longer required and may be destroyed.

- A. *Public Records, excluding the Water Department.*
  - 1. Seven years after completion of the annual audit:
    - a. Bank statements, deposit slips and cancelled checks.
    - b. Vouchers.
    - c. MFT and other tax records.

- d. IMRF financial records.
    - e. Any other city expense records.
  - 2. Seven years after expiration: Insurance records.
  - 3. Two years after the end of each fiscal year:
    - a. Check stubs.
    - b. Check records.
    - c. Receipts.
  - 4. Two years after cancellation: Bonds and Certificates.
  - 5. Two years after preparation date: Purchase orders.
  - 6. One year after receipt: Tax levy recapitulation (from County Clerk).
  - 7. One year after expiration:
    - a. Business licenses.
    - b. Health permits.
    - c. Liquor licenses.
- B. *Water and Sewer Public Records.*
- 1. Seven years after completion of the annual audit: Water and sewer ledgers.
  - 2. Two years after completion of the annual audit:
    - a. Receipt books.
    - b. Meter book pages.
    - c. End-of-month Accounts Receivable summary.
    - d. Paid move-out ledgers.
  - 3. One year after completion of the annual audit:
    - a. Payment stubs.
    - b. Computer readouts.
      - 1. Cash received.
      - 2. Adjustments.
      - 3. Penalties added.
      - 4. Billings.

#### 1.9.04. - Disposal of Public Records.

No public record shall be disposed by anyone unless the written approval of the state Local Records Commission is obtained. Any records that are microfilmed may be disposed after the film is checked for true and accurate images. Archival microfilm is an approved permanent record.

#### 1.9.05. - Access To Local Records.

- A. *Adoption by Reference of the Freedom of Information Act.* The Freedom of Information Act, Ill. Rev. Stat., Ch. 116, Sec. 43.115 et seq., be and is hereby incorporated as the City's Local Records Act. Three copies of

this Act shall be kept on file in the City Clerk's Office for inspection by the public during normal business hours.

- B. *Availability of Records.* During normal business hours, the City shall make available for inspection or copying to any person any public record unless exempted from disclosure under the Freedom of Information Act. Application for a request to review any public record must be made in writing to the City Clerk or her designee on a "Request for Public Records" form. The request must state specifically which public record is being sought by name, title, category, or general description of the public records. The City Clerk or her designee shall be responsible to see that no public record is removed by any person, nor marked, nor altered in any manner.
- C. *Current Index of Records.* The City shall maintain and make available for inspection a current index of all types of records. The index shall be reasonably detailed to aid persons in obtaining access to public records pursuant to this Section. Such Index shall be made available to the public in the office of the City Clerk. The City shall also maintain copies of all notices of denial of requests, which copy shall be retained in a single central office file in the Clerk's office, which file shall be open to the public and indexed according to the type of exemption asserted and to the extent feasible according to the types of records requested.
- D. *Response to a Request.* Any requests for access to public records shall be reviewed initially by the Administrative Assistant to the Mayor, who may designate the City Attorney to formulate a response on his behalf. The City shall either comply with or deny a written request for a public record within seven working days of receipt of a request. The manner of denial and the manner within which an extension of time may be requested shall be pursuant to the terms of the Freedom of Information Act.
- E. *Right to Appeal Denial of Access.* Any person denied access to public records by the Administrative Assistant to the Mayor shall have the right, within seven working days, to file an Appeal from the decision. The Appeal must be sent, in writing, to the Mayor, stating specifically the reasons why the decision should be reversed. Within seven working days, the Mayor shall make a final determination whether any portion or all of the request should be granted and send his written findings to the person requesting the access to any public record with copies of the final determination transmitted to the City Council.
- F. *Fees for Copying Public Records.* The City Clerk shall charge fees reasonably calculated to reimburse the actual cost in providing certified or non-certified copies of public records and shall charge for the use by any person of equipment of the public body to copy public records in accordance with the schedule below:
1. Copies: \$0.20 per page.
  2. Plats, blueprints and oversize documents: Actual cost of reproduction.
- Fees shall not be charged whenever the public records are requested by a municipal official or employee in performance of his statutory duties.