ORDINANCE NUMBER: 21-04

AN ORDINANCE OF THE VILLAGE OF POPLAR GROVE, ILLINOIS AMENDING VARIOUS PROVISIONS OF THE CODE TO REMOVE REFERENCES TO THE POSITION OF VILLAGE ADMINISTRATOR AND AMEND PURCHASING PROCEDURES

WHEREAS, the Village of Poplar Grove, Illinois ("Village") has adopted a Village Code of Ordinances ("Code"); and

WHEREAS, various provisions of the Code reference the title, duties, and responsibilities of the position of Village Administrator; and

WHEREAS, the Village desires to amend various provisions of the Code to remove and or alter references to the title, duties, and responsibilities of the position of Village Administrator; and

WHEREAS, the Village desires to amend certain Purchasing Procedures for purchases above the state limit; and

WHEREAS, the Village has determined such amendments and revisions are in the best interest of the Village and its citizens.

NOW THEREFORE, be it ordained by the President and Board of Trustees of the Village of Poplar Grove, Illinois as follows:

1. The above recitals are incorporated herein and made a part hereof.

2. That Title 1—Administration, Chapter 6—Village Officers and Employees, Article H—Village Administrator is amended to read as follows (deletions shown as strikethroughs and new language as bold and underlined):

   "ARTICLE H. ~~- VILLAGE ADMINISTRATOR.~~" **RESERVED.**

3. That Title 1—Administration, Chapter 6—Village Officers and Employees, Article H—Village Administrator, Section 1-6H-1 through Section 1-6H-7 the Village Code of Ordinances is amended to read as follows (deletions shown as strikethroughs and new language as bold and underlined):

   "~~Section 1-6H-1. OFFICE CREATED.~~
   ~~There is hereby created in the Village the position of one Village Administrator.~~

   ~~1-6H-2. COMPENSATION.~~

   ~~The Village Administrator shall receive such compensation as is fixed from time to time by the Village Board of Trustees.~~

~~1-6H-3. APPOINTMENT.~~

~~The Village Administrator shall be appointed by the Village President with the advice and consent of the Village Board of Trustees for a term concurrent with that of the Village President.~~

~~I-6H-4. REMOVAL.~~

~~The corporate authorities may remove the Village Administrator at any time by a two-thirds vote for the Village Board without incurring liability to the Village Administrator for any compensation due him/her for the remainder of his/her annual appointment.~~

~~1-6H-5. TRANSFER OR ASSUMPTION OF DUTIES IN ABSENCE OR INCAPABILITY.~~

~~In the event that the administrator shall be absent from the Village or incapable of discharging such duties and responsibilities for any reason, the Village President may appoint an interim administrator or delegate the duties of the Village Administrator to one or more current Village Officers.~~

~~1-6H-6. EDUCATION.~~

~~Minimum education should include a bachelor's degree in business administration, public administration, community planning or related field, and a minimum of three years direct employment experience in the public sector. A preference will be given for strong accounting and budgeting skills and for those holding a master's or related advanced degree. Furthermore, the position requires the following.~~

~~A. Proficiency in general accounting principles, public finance, municipal accounting and budgeting;~~
~~B. Experience in cost-benefit analysis, risk and project management principles;~~
~~C. Experience with communication, graphics and database programs;~~
~~D. Strong communication and interpersonal skills;~~
~~E. Verbal and writing skills associated with public and customer service for effectively interacting with citizens, colleagues, elected officials and various outside contractors;~~
~~F. Basic research and record keeping principles and disciplines.~~

~~1-6H-7. DUTIES.~~

~~A. Primary Duties and Responsibilities. The primary responsibilities of this position include but are not limited to the following.~~

1. Carry out directives of the Village President and Village Board which require administrative implementation, reporting promptly to the Village President;
2. Serve as the primary staff person in procuring and monitoring the annual operating budget in accordance with all statutory requirements; and serve as the primary staff responsible for monitoring the budget and answering budget inquiries of staff and elected officials;
3. In consultation with the Village President, administer all day-to-day operations of the Village government, including the monitoring of all Village ordinances, resolutions, Village Board meetings and state statutes;
4. Draft administrative procedures to increase the effectiveness and efficiency of Village government according to the best practices in local government;
5. Promote the economic and business development of the Village through the use of outreach, marketing and promotion of development within Poplar Grove and a variety of other means to produce expanded property and commercial tax base;
6. Except as otherwise provided in this Code, oversee all aspects of personnel and benefits administration including evaluation, discipline, pay and wage recommendation, and health insurance claims. He/she is responsible for maintaining all personnel files for the Village. This section shall not be construed to provide any oversight over any Officer appointed by the Village President under this Code;
7. Oversee the engagement of independent consultants/contractors through drafting RFPs or bid requests, review the bids or proposals and make a recommendation to the Village Board;
8. Establish and maintain procedures to facilitate communications between citizens and Village government to assure that complaints, grievances, recommendations and other matters receive prompt attention by the responsible official;
9. Promote the economic well-being and growth of the Village through public and private sector cooperation;
10. Attend all meetings of the Village Board, assisting the President and the Board as required in the performance of their duties;
11. Attend all regular, special, and committee meetings of the Village Board of Trustees deemed to be appropriate unless excused therefrom by the Village President or other committee chairperson;
12. Keep the President and Board regularly informed about the activities of the administrator's office by written monthly reports at regular meetings of the Administration and Zoning committee;
13. Serve as the purchasing agent for the Village, supervising all purchasing and overseeing the contracting for supplies and services;
14. With the assistance of the Department heads, conduct and maintain an inventory of all Village real and personal property;
15. Perform all other duties as may be assigned by the Board.

B. Secondary, Incidental Duties and Responsibilities. In addition to the essential duties and responsibilities of this position, other needs arise on an as needed or less frequent basis. Some of those duties include.

~~1. Attend conferences, seminars, workshops and court proceedings as needed;~~
~~2. Administratively approve and issue certain requests for permits such as; block parties, one-day special events not involving the sale of alcohol, use of Village facilities following submittal of the appropriate application, and any other permit which can be approved administratively not in violation of the Illinois Municipal Code as the Village Board may determine from time to time.~~

~~C. Supervisory Responsibilities. The supervisory responsibility of this position includes, but is not limited to, the following.~~

~~1. Provide administrative direction and coordination for all Department heads of the Village according to the established organization procedures;~~
~~2. Work closely with Department heads to assure that employees receive adequate opportunities for training to maintain and improve their job-related knowledge and skills.~~"

4. That Title 1—Administration, Chapter 6—Village Officers and Employees, Article J—Reimbursement for Training/Class(es)/Travel, Section 1-6J-1, Subsection A and Subsection D of the Village Code of Ordinances is amended to read as follows (deletions shown as strikethroughs and new language as bold and underlined):

"1-6J-1. —ELECTED OFFICIAL TRAVEL REIMBURSEMENT

A. Before a training session, seminar, or class begins, any member of the corporate authorities must submit to the Village ~~Administrator~~ **President** or his or her designee documentation regarding the training, seminar or class along with the anticipated costs associated therewith. At the time of review, and before attendance is approved or denied, consideration will be given to mileage, food, attendance fees and wages. No member of the corporate authorities will be reimbursed for any entertainment expense, which includes shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement.

D. Classes and conferences are the only types of official business for which travel, meal, and lodging expenses are allowed. The maximum allowable reimbursement for travel, meal, and lodging expenses is set at $800.00 per class or conference. Meal costs are subject to the following per day maximum reimbursement limits. Breakfast - $8.00, Lunch -$12.00, Dinner - $20.00. If a meal or meals is provided with the training class attended, reimbursement will not be provided by the Village meals. The Village will not reimburse for any alcohol expenses of any kind. A form for submission of travel, meal, and lodging should be obtained from the Village ~~Administrator~~ **Clerk**. Approval of expenses that exceed the maximum allowable travel, meal, or lodging expenses, will only be approved in the event of an emergency or other extraordinary circumstances. Expenses for travel, meals and lodging of any member of the corporate authorities that exceeds the maximum reimbursement allowed under the regulations adopted under this paragraph may only be approved by a roll call vote at an open meeting of the corporate authorities of the Village.

5. That Title 1—Administration, Chapter 10—Purchasing Procedures, Section 1-10-3, Subsection C of the Village Code of Ordinances is amended to read as follows (deletions shown as strikethroughs and new language as bold and underlined):
"1-10-3. —GENERAL PURCHASING POLICIES.

C. Purchases above the state limit.

All of these categories require a different level of organizational approval.

A. Purchases up to $2,500.00 can be made in the open market with approval of the Department head. Verbal or written quotes are encouraged whenever possible. Physical records regarding dates, contacts, and quotes received should be retained in the Department's files.
B. Purchases between $2,501.00 and the state limit require three written quotes and the approval of the ~~Village Administrator,~~ Village Treasurer and Village President. Physical records regarding dates, contacts, and quotes received should be retained in the Department's files. Due diligence must be done to obtain three written quotes. If three written quotes are unable to be obtained, formal approval from the ~~Village Administrator,~~ Village Treasurer, and Village President must be obtained prior to purchase.
C. Purchases above the state limit must be competitively bid through formal public bid procedures, and in accordance with state law and Village ordinances. Bid documents require written approval of the Village President, and final bid approval is made by the Village Board. Requires approval of the ~~Village Administrator,~~ Village Treasurer, Village President, and Board of Trustees.

Emergency Purchases. In the event of enemy caused, other disaster, or other exigent circumstances, the Village President or his/her designee is authorized on behalf of the Village to procure such services, supplies, equipment, or materials as may be necessary for such purposes, in view of exigency, without regard to the statutory procedures or formalities normally prescribed by law pertaining to Village contracts or obligations, as authorized by the Village Code.

6. That Title 1—Administration, Chapter 10—Purchasing Procedures, Section 1-10-4 of the Village Code of Ordinances is amended to read as follows (deletions shown as strikethroughs and new language as bold and underlined):

"1-10-4. —PURCHASING PROCEDURES.

PURCHASES UNDER $2,500.00. Purchases up to $2,500.00 can be made in the open market with approval of the Department head. Verbal or written quotes are encouraged whenever possible. Physical records regarding dates, contacts, and quotes received should be retained in the Department's files.

PROCEDURE.

1. Staff evaluates need for service or item based on Department and Village objectives, and verifies that funds are appropriated and available.
2. Staff obtains verbal or written quotes if possible, including taking telephone bids, obtaining prices through catalogs or electronic means, and receiving letter quotations.
3. Staff makes recommendation after review of quotes and Department head gives final approval.
4. Village Board retains oversight through approvals of monthly warrants and annual budget.

If a supplier is recommended who has not quoted the lowest price, staff should document the reason for not recommending the supplier quoting the lowest price. If the purchase is for a routine operating good or service, a price comparison shall be performed once during the fiscal year. Exceptions to obtaining price quotes from more than one vendor may occur in the event an item is unique and/or specialized or specifications are detailed.

PURCHASES BETWEEN $2,501.00—State limit. Purchases of materials, equipment, services or supplies between $2,501.00 and the state limit are made by obtaining three written quotes where practical and the approvals of the ~~Village Administrator,~~ Village Treasurer and Village President. Physical records regarding dates, contacts and quotes received shall be retained in the Department's files along with utilization of purchase order forms.

PROCEDURE.

1. Staff evaluates need for service or item based on Department and Village objectives, and verifies that funds are appropriated and available.
2. Staff obtains three written quotes, including taking telephone bids, obtaining prices through catalogs or electronic means, and receiving letter quotations. Due diligence must be done to obtain three written quotes. If three written quotes are unable to be obtained, formal approval from the ~~Village Administrator,~~ Village Treasurer, and Village President must be obtained prior to purchase.
3. Staff makes recommendation to ~~Village Administrator and~~ **the** Village Treasurer after review of quotes. ~~Village Administrator and~~ **The** Village Treasurer makes **a** recommendation to Village President for final approval.
4. Village Board retains oversight through approvals of monthly warrants and annual budget.

If a supplier is recommended who has not quoted the lowest price, staff should document the reason for not recommending the supplier quoting the lowest price. If the purchase is for a routine operating good or service, a price comparison shall be performed once during the fiscal year. Exceptions to obtaining price quotes from more than one vendor may occur in the event an item is unique and/or specialized or specifications are detailed.

PURCHASES ABOVE STATE LIMIT. Purchases of materials, equipment, services or supplies above the state limit must be competitively bid through formal public bid procedures, and in accordance with state law and Village ordinances. Bid documents require written approval of the Village President, and final bid approval is made by the Village Board. Requires approval of the ~~Village Administrator,~~ Village Treasurer, Village President, and Board of Trustees. The Village President may waive the public bid requirement when procuring certain professional services as outlined in state statute. **In cases of urgently needed material or urgent repairs involving labor and material, such repairs and material may be obtained through negotiated contract without formal advertising with the approval of the Village President, when it is in the best interest of the Village and when it is impractical to convene a meeting of the Board of Trustees. Negotiated purchases without formal advertising may be approved by the Board of Trustees when it is impractical to secure competition, when it is impossible to draft adequate specifications or any other adequately detailed description of the required property or services, or when the contemplated contract involves maintenance, repair, alteration or inspection and the exact nature or amount of work to be done is not known. However, the Department Head shall first obtain in writing, whenever possible, at least three (3) informal bids to furnish same.** In these situations, the Village President may require that request for proposals be utilized. The purchasing procedure under this paragraph may be waived by a two-thirds vote of the corporate authorities.

PROCEDURE.

1. Staff evaluates need for service or item based on Department and Village objectives, and verifies that funds are appropriated and available.
2. Notice of call for bids shall be published in a newspaper of general circulation throughout the Village by at least one insertion which shall be at least ten days prior to the time designated for opening bids. The notice shall include a general description of the article or service desired; shall state the time, date and place of bid opening and shall designate where bidding documents may be found.
3. Formal bids are opened and read publicly at Village Hall on the date specified and immediately following the time shown in the notice of call for bids. Bids are read aloud and recorded on a bid tabulation form. A copy of the bid tab form is available to all bidders after the bid opening.
4. Bids are tabulated and analyzed by the appropriate staff and memorandum issued to the appropriate committee stating how the award should be made. The appropriate committee shall provide a recommendation to the Village Board based on its review of the recommended bid. Recommendation is usually based upon an award to the lowest responsible, responsive bidder meeting specifications. Criteria for awarding bids shall be made in the bid specifications and are subject to modification depending on the product or service being acquired.
5. Final bid is awarded by the Village Board, and official contracts and/or agreements are signed by the Village President.

PETTY CASH PURCHASES. The petty cash fund should be used whenever immediate payment for goods is needed. Petty cash should be restricted to payments less than $200.00 where practicable. All petty cash payments must be supported with receipts. Use of petty cash should be avoided unless necessary. The Village Treasurer or his/her designee is responsible for the petty cash fund and are the only persons allowed to disburse money from the account."

7. That Title VI—Public Ways and Property, Chapter 1—Streets, Sidewalks, and Public Ways, Article B—Miscellaneous Provisions, Section 6-1B-2 of the Village Code of Ordinances is amended to read as follows (deletions shown as strikethroughs and new language as bold and underlined):

   "6-1B-2. —DEPOSITING OF MATERIALS PROHIBITED.

   It shall be unlawful for any person to deposit, cause or permit to be deposited, placed or parked any vegetation, grass, leaves, foliage, earth, sand, gravel, water, snow, ice, debris, waste material, foreign substance, construction materials, equipment or object upon any street, sidewalk or public property without authorization of the ~~Village Administrator~~ **Public Works Director**, or upon any private property without the consent of the owner or lessee of the property. Any person who deposits, causes or permits to be deposited, placed or parked any such materials, equipment or objects upon any street, sidewalk or public property shall, upon conviction, pay a penalty as set forth in Section 6-1B-5 of this Code, in addition to the expense of removing the debris."

8. That Title XI—Professional Services Fees, Chapter 1—General Professional Services Fees Requirements, Section 11-1-4, Subsection C of the Village Code of Ordinances is amended to read as follows (deletions shown as strikethroughs and new language as bold and underlined):

   "11-1-4. —ESCROW ACCOUNT AND PROFESSIONAL SERVICES FEE AGREEMENT.

   B. Notwithstanding anything to the contrary contained in this section, the ~~Village Administrator~~ **Village Treasurer**, with the advice and consent of the Village President, shall have the right to adjust any escrow deposit amount or agreement, when warranted."

9. Except as amended in this Ordinance, all other provisions and terms of Village Code of Ordinances shall remain in full force and effect as previously enacted except that those ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

10. This Ordinance shall be in full force and effect after its approval, passage and publication in pamphlet form as required by law.

PASSED UPON MOTION BY _____

SECONDED BY _____

BY ROLL CALL VOTE THIS _____ DAY OF _____, 2021

AS FOLLOWS:

VOTING "AYE": _____

_____

VOTING "NAY": _____

_____

ABSENT, ABSTAIN, OTHER _____

_____

APPROVED_____, 2021

ATTEST:

_____ _____

CLERK PRESIDENT