

ORDINANCE NO. 24-18

AN ORDINANCE AMENDING AND UPDATING VARIOUS PROVISIONS OF THE MANTENO MUNICIPAL CODE PERTAINING TO OFFICERS, BOARDS, COMMISSIONS, BUREAUS, AND PUBLIC PROPERTY

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BE IT ORDAINED by the President and Board of Trustees of the Village of Manteno, as follows:

Section 1

That Title 1, Administrative, Chapter 5, Village President, of the Manteno Municipal Code, be amended by changing Section 1-5-5, Appointments, to read as follows:

1-5-5: APPOINTMENT AND REMOVAL OF APPOINTED OFFICERS:

- (A) Unless otherwise provided by statute, all appointed officers of the village shall be appointed by the president with the advice and consent of the board of trustees. Appointed officers shall hold their office for such term as may be established and until their successor has been chosen and has qualified.
- (B) Vacancies in all appointed offices may be filled in the same manner as original appointments.
- (C) An appointed officer may resign from his or her office. If an appointed officer resigns, he or she shall continue in office until a successor has been chosen and has qualified.
- (D) If there is a failure to appoint an officer, or the person fails to qualify, the appointed officer then holding the office shall continue in the office until a successor has been chosen and has been qualified.
- (E) If an appointed officer ceases to perform the duties of or to hold an office by reason of death, permanent physical or mental disability, conviction of a disqualifying crime, or dismissal from or abandonment of office, the president may appoint a temporary officer to fill the office. The term for any temporary officer appointed shall be thirty (30) days. No person shall be eligible to be appointed or to fill an office as a temporary officer more than two (2) times in any one (1) fiscal year.
- (F) Except as otherwise provided by law, the president may remove any appointed officer on any written charge whenever he is of the opinion that the interests of the village demand removal. The president shall report the

reasons for the removal to the board of trustees at a special or regular board of trustees meeting to be held not less than five (5) no more than (10) days after the removal. If the president fails or refuses to report to the board of trustees the reasons for the removal, or if the board of trustees by two-thirds (2/3) vote disapproves of the removal, the officer shall thereupon be restored to the office from which the officer was removed. Upon restoration, the officer shall give a new bond and take a new oath of office. No officer shall be removed a second time for the same offense.

Section 2

That Title 1, Administrative, Chapter 7, Officers and Employees, of the Manteno Municipal Code, be amended by changing Section 1-7-1, Election; Appointment, to read as follows:

1-7-1: ELECTION; APPOINTMENT: The officers of the village shall consist of a president, a board of trustees consisting of six (6) members, and a village clerk, all of whom shall be elected by the electors of the village as provided by law. In addition, there shall be such appointed officers filling such offices as are created and as deemed necessary and convenient to carry out the purposes of village government.

Section 3

That Title 1, Administrative, Chapter 7, Officers and Employees, of the Manteno Municipal Code, be amended by changing Section 1-7-2, Bonds, to read as follows:

1-7-2: BONDS:

- (A) Before entering the duties of their respective offices, all elected and appointed officials, excepting trustees, shall execute a bond payable to the village in such penal amounts as are set forth below, conditioned upon the faithful performance of the duties of their respective offices and payment of all money received by them, according to the law and provision of this code.
- (B) The penal amount of such bonds shall be as follows:
 - (i) President - \$3,000.00
 - (ii) Village Clerk – \$50,000
 - (iii) Village Treasurer - the greater of \$50,000 or an amount equivalent to three (3) times the latest Federal census population or any subsequent census figure of the village used for Motor Fuel Tax Purpose.

- (iv) All other offices - \$100.00.
- (C) All bond premiums shall be payable from the village treasury.
- (D) All bonds shall be filed with the village clerk, except that the bond of the village clerk shall be filed with the village treasurer.
- (E) The village may purchase blanket bonds in lieu of individual bonds.
- (F) A bond shall be deemed approved by the board of trustees when payment of bond premium is made and the bond is filed.

Section 4

That Title 1, Administrative, Chapter 7, Officers and Employees, Section 1-7-4, Resignations, of the Manteno Municipal Code, is hereby repealed.

Section 5

That Title 1, Administrative, Chapter 7, Officers and Employees, of the Manteno Municipal Code, be amended by changing Section 1-7-5, Terms, to read as follows:

1-7-5: TERMS:

- (A) The terms of office for all elected officers shall be four (4) years and until their successor has been elected and has qualified. The terms of all elected officers shall commence at the first regular or special board of trustees meeting following the receipt of the official election results from the Kankakee County Clerk of the regular election at which such officers were elected. The swearing in of such elected officers at such meeting shall occur immediately following the consideration of the minutes for the next preceding board of trustees meeting.
- (B) Unless a different length of term is specified in this code or by statute, the term of office for all appointed officers shall be one (1) year and until their successor has been chosen and has qualified. The terms of all appointed officers shall commence on May 1.

Section 6

That Title 1, Administrative, Chapter 7, Officers and Employees, Section 1-7-6, Vacancies, of the Manteno Municipal Code, is hereby repealed.

Section 7

That Title 1, Administrative, Chapter 8, Village Clerk, of the Manteno Municipal Code, be amended by changing Section 1-8-4, Compensation, to read as follows:

1-8-4: COMPENSATION:

- (A) The village clerk shall receive compensation for his services in the amount of four thousand dollars (\$4,000.00) per annum, commencing with the 2001 term of office. Said amount shall be payable in equal monthly installments.
- (B) The deputy clerk shall receive compensation for his services in the amount of one thousand five hundred dollars (\$1,500.00) per annum, commencing with the 2001 term of office. Said amount shall be payable in equal monthly installments.

Section 8

That Title 1, Administrative, Chapter 8, Village Clerk, of the Manteno Municipal Code, be amended by adding Section 1-8-5, Deputy Village Clerk, to read as follows:

1-8-5: DEPUTY CLERK:

- (A) The village clerk may appoint one deputy clerk, which deputy clerk shall have power and duty to execute all documents required by law or ordinance to be executed by the village clerk and to affix the seal of the village thereto, whenever required.
- (B) The appointment of the deputy clerk shall be made by the village clerk and the deputy clerk shall serve at the pleasure of and perform such duties as directed by the village clerk.
- (C) In signing any document as described in subsection A of this section, the deputy clerk shall sign the name of the clerk followed with the word "by" and the deputy clerk's own name, and the words "deputy clerk".
- (D) When a deputy's signature is duly authorized as provided herein and is affixed by a deputy in the manner prescribed herein on any document (including but not limited to contracts, bonds, or other obligations of the Village), the document shall have the same effect as if the document had been signed by the village clerk in person.
- (E) The powers and duties of a deputy clerk shall be exercised only in the absence of the village clerk from the place where the clerk's office is maintained, and only when either written direction has been given by the

village clerk to that deputy to exercise a power or the corporate authorities have determined by resolution that the village clerk is temporarily or permanently incapacitated to perform that function.

Section 9

That Title 1, Administrative, Chapter 9, Department of Law, of the Manteno Municipal Code, be amended by changing Section 1-9-2, Village Attorney Appointed, to read as follows:

1-9-2: OFFICE CREATED: The office of village attorney is hereby created and established. The village attorney shall be appointed by the president with the advice and consent of the board of trustees. The office of village attorney may be filled with an individual lawyer or a law firm.

Section 10

That Title 1, Administrative, Chapter 10, Department of Finance, of the Manteno Municipal Code, be amended by changing Section 1-10-2, Treasurer, Duties, to read as follows:

1-10-2: TREASURER; DUTIES:

- (A) The office of village treasurer is hereby created and established. The village treasurer shall be appointed by the president with the advice and consent of the board of trustees.
- (B) The village treasurer shall receive all monies belonging to the village, and shall render at the end of each month, and more often if required by the president or village board, a statement under oath showing the state of the treasury at the date of such account and the balance of money in the treasury. Such statement shall set forth all the monies received by him and from whom, and on what account such monies shall have been received. It shall also show all monies paid out by him and on what account the same shall have been paid.

The village treasurer shall cause books of account to be kept in such manner as to show with entire accuracy all monies received by him, and from whom, and on what account they shall have been received; and all monies paid out by him, and on what account they shall have been paid; and the same shall be shown in such manner that such books may be readily understood and investigated. Such books, and all files and papers of his office shall at all times be open to inspection by the president, finance committee or any member of the village board.

The village treasurer shall have such other duties and responsibilities as set forth in the Illinois Municipal Code.

Section 11

That Title 1, Administrative, Chapter 10, Department of Finance, of the Manteno Municipal Code, be amended by changing Section 1-10-3, Collector, to read as follows:

1-10-3: COLLECTOR: The office of village collector is hereby created and established. The village clerk shall hold the office of village collector.

Section 12

That Title 1, Administrative, Chapter 10, Department of Finance, of the Manteno Municipal Code, be amended by changing Section 1-10-5, Collector's Duties, to read as follows:

1-10-5: COLLECTOR'S DUTIES: The village collector shall cause investigations to be made to determine whether all persons required by the provisions of this code to take out licenses have complied with such provisions and have, from time to time, procured the same as required by law. In cases of evasion of payment or neglect to observe such license provisions the village collector shall serve notices of delinquency and institute proceedings to enforce said provisions and the collection of all license fees subject to the directions of the village attorney.

The village collector shall file with the village board a monthly statement of all monies received by him showing from whom and on what account they were received. It shall be the duty of the collector to keep books of account which shall show all monies received by him and other matters pertaining to his office. Such books and accounts shall be kept in a clear, intelligible and methodical condition.

The village collector shall have such other duties and responsibilities as set forth in the Illinois Municipal Code.

Section 13

That Title 1, Administrative, Chapter 12, Superintendent of Public Works, of the Manteno Municipal Code, be amended by changing Section 1-12-1, Office Created, to read as follows:

1-12-1: OFFICE CREATED: The office of superintendent of public works is hereby created and established. The superintendent of public works shall be appointed by the president with the advice and consent of the board of trustees.

Section 14

That Title 1, Administrative, Chapter 14, Village Chaplain, of the Manteno Municipal Code, be amended by changing Section 1-14-1, Office Created, to read as follows:

1-14-1: OFFICE CREATED: The office of village chaplain is hereby created and established. The village chaplain shall be appointed by the president with the advice and consent of the board of trustees.

Section 15

That Title 1, Administrative, Chapter 21, Contracts, Purchases and Financial Regulations (Illinois Budget Act), of the Manteno Municipal Code, be amended by changing Section 1-21-3, Annual Budget and Budget Officer, to read as follows:

1-21-3: ANNUAL BUDGET AND BUDGET OFFICER:

- (A) Statutes Adopted: The village hereby adopts 65 Illinois Compiled Statutes 5/8-2-9.1 through and including 5/8-2-9.10, providing for an annual municipal budget in lieu of the passage of an annual appropriation ordinance.
- (B) Budget Officer:
 - 1. Office Created; Duties: The office of budget officer is hereby created and established. The budget officer shall be appointed by the president with the advice and consent of the board of trustees.
 - 2. Bond: The budget officer shall execute a bond as provided by section 1-7-2 of this title, or such other sum as may be required by statute.
 - 3. Duties: The budget officer shall compile a budget pursuant to the above sections of the Illinois Compiled Statutes as they are now, or may hereafter be amended, containing estimates of the revenues available before the beginning of the fiscal year to which it applies, together with recommended expenditures for the municipality and all of its boards, commissions and departments, with said budget being adopted by the board of trustees prior to May 1 of each fiscal year.
- (C) Preliminary Budget: Copies of the preliminary annual budget shall be made available for public inspection in typewritten form in the office of the village clerk for at least ten (10) days prior to the passage of the annual budget, and not less than one week after the budget is available for inspection, and prior to final action on the budget at least one public hearing shall be held on the budget by the president and board of trustees.

Notice of this hearing shall be given by publication in a newspaper having general circulation in the village at least one week prior to the time of the hearing.

(D) Budget Revisions:

1. Authority: The board of trustees may delegate authority to the village administrator, budget officer or director of finance to delete, add to, or change items previously budgeted to the department, board or commission, subject to such limitation or requirement for prior approval by the village manager as the board of trustees, upon a two-thirds ($\frac{2}{3}$) vote of members, may establish. The village administrator may revise or alter the annual budget by changing line items in the same category without board approval.

2. Vote On Revisions: The annual budget may be revised by a vote of two-thirds ($\frac{2}{3}$) of the board of trustees by deleting, adding to or changing budgeted items.

3. Restrictions On Revisions: No revision of the budget items shall be made which results in increasing the total budget unless funds are available to effectuate the purpose of the revision.

4. Emergency Budget Revisions; Borrowing Money:

(a) Notwithstanding the limitation of this section, the president and board of trustees, by two-thirds ($\frac{2}{3}$) vote, may make emergency revisions to the annual budget for: 1) improvements or restorations made necessary by any casualty or accident; 2) to meet any unforeseen emergency requiring immediate action to prevent the spread of disease or avoid imminent danger to persons or property.

(b) For this purpose, the president and board of trustees, by a like vote, may authorize the president and the finance committee to borrow the amount of money necessary therefor for a space of time not extending beyond the close of the next fiscal year. The sum so borrowed and the interest thereon shall be added to and included in the amount authorized to be raised in the next general tax levy.

(c) Should any judgment be obtained against the village, the president and the finance committee, under sanction of the board of trustees, may borrow a sufficient amount to pay the same for a space of time expiring not later than the

close of the next fiscal year, which sum and interest shall, in like manner, be added to and included in the amount authorized to be raised in the general tax levy of the next year.

Section 16

That Title 2, Boards, Commissions and Bureaus, Chapter 1, Board of Health, of the Manteno Municipal Code, is hereby repealed.

Section 17

That Title 2, Boards, Commissions and Bureaus, Chapter 2, Fire Prevention Bureau, of the Manteno Municipal Code, be amended by changing Section 2-2-2, Office; Appointment, to read as follows:

2-2-2: OFFICE; APPOINTMENT: The office of chief of the fire prevention bureau is hereby created and established. The chief of the fire prevention bureau shall be appointed by the president with the advice and consent of the board of trustees

Section 18

That Title 2, Boards, Commissions and Bureaus, Chapter 3, Planning Commission, of the Manteno Municipal Code, be amended by changing Section 2-3-2, Membership, to read as follows:

2-3-2: MEMBERSHIP: The planning commission shall consist of seven (7) members, being residents of the village. Members of the planning commission shall be appointed by the president with the advice and consent of the board of trustees.

Section 19

That Title 2, Boards, Commissions and Bureaus, Chapter 5, Board of Local Improvements, of the Manteno Municipal Code, is hereby repealed.

Section 20

That Title 2, Boards, Commissions and Bureaus, Chapter 8, Recreation and Parks Commission, of the Manteno Municipal Code, is hereby repealed.

Section 21

That Title 6, Public Ways and Property, Chapter 2, Village Parks, Section 6-2-1, Lease Vacant Lots, Section 6-2-2, Park Plan, and Section 6-2-3, Equipment, are hereby repealed.

Section 22

That Title 6, Public Ways and Property, of the Manteno Municipal Code, be amended by changing Chapter 3, Water Regulations, to read as follows:

CHAPTER 3 WATER AND SEWER REGULATIONS

SECTION:

6-3-1: Nonpotable Community Wells

6-3-2: Required Connection To Municipal Water And Sewer System; Wells Prohibited

...

6-3-2: REQUIRED CONNECTION TO MUNICIPAL WATER AND SEWER SYSTEM; WELLS PROHIBITED:

- (A) Prior to annexation into the Village of any property, the property owner must notify the Village of the number and location of every well and septic system on the property.
- (B) It shall be the duty of the owner, occupant, or party or parties in possession of any house, structure, institutional or commercial establishment or any other building of any character located on property abutting on the municipal water or sewer system, to cause such house, structure, institutional or commercial establishment or other building to be connected with the said municipal water or sewer system within thirty six (36) months from the date that water or sewerage facilities become available to such property.
- (C) Any private water wells and private sewer or septic systems shall be sealed in the manner required by law within ninety (90) days after connection of the property served by such private well or sewer system to the municipal water or sewer system.
- (D) No new private water wells and no new septic systems shall be permitted in the village for any purpose unless no municipal water supply or sewer system is reasonably available.
- (E) Any person found to be in violation of any provision of this section shall be subject to a fine of not less than two hundred fifty dollars (\$250.00) nor more than seven hundred fifty dollars (\$750.00). Each violation, or day said violation is permitted to continue, shall constitute a separate offense.

Section 23

That Title 6, Public Ways and Property, Chapter 4, Sewerage System, of the Manteno Municipal Code, is hereby repealed.

Section 24

That Title 6, Public Ways and Property, Chapter 5, Municipal Golf Course, of the Manteno Municipal Code, is hereby repealed.

Section 25

If any section, paragraph, clause, or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

Section 26

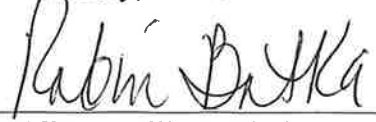
All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

Section 27

This ordinance shall be immediately in full force and effect after the passage, approval, and publication. This ordinance is authorized to be published in pamphlet form.

PASSED by the Board of Trustees of the Village of Manteno, Illinois and deposited in the office of the Village Clerk this 3rd day of February, 2025.

DEPOSITED with the Village Clerk this 3rd day of February, 2025.



ROBIN BATKA, Village Clerk

APPROVED by me this 3rd day of February, 2025.



TIMOTHY O. NUGENT, Village President

I DO HEREBY CERTIFY that this Ordinance was, after its passage and approval, published in pamphlet form by authority of the Village of Manteno, in accordance with law, this 3rd day of February, 2025.

A handwritten signature in cursive script that reads "Robin Batka". The signature is written in black ink and is positioned above a horizontal line.

ROBIN BATKA, Village Clerk