

## Chapter 2

### CITY COUNCIL AND ELECTED OFFICIALS

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#### 2.01 MAYOR

A. Authority: The Mayor shall perform the duties and exercise the powers conferred upon the Mayor of the City by the City Council, and shall perform all duties provided, prescribed and permitted by the laws of the State of Illinois and the ordinances of the City. As the chief officer of the City, the Mayor shall be the supervisor over all City employees.

B. Presides at Board Meetings: The Mayor shall preside at all regular and special meetings of the City Council.

C. Appointments: The Mayor shall appoint, by and with the consent of the City Council, all officers of the City whose election or appointment is not otherwise provided for. Any vacancies occurring in any appointed office shall be filled in the same manner.

D. Committee Appointments: The Mayor shall appoint, by and with the consent and advice of the City Council, all standing committees of the City Council and all special committees and make any necessary changes therein.

E. Investigations: The Mayor shall have full power and authority to investigate all matters pertaining to the interest of the City and the public welfare of its residents; and to make written or oral report and recommendation thereon to the City Council.

F. City Property: The Mayor shall exercise general supervision over all City property and over the various administrative departments of the City.

G. Supervision of Officers: The Mayor shall supervise the conduct of all officers of the City and shall examine the grounds of all reasonable complaints made against any of them and cause their violation of duty and other offenses, if any, to be properly sanctioned.

H. Designation for Signing Instruments: The Mayor may designate in writing another person to affix the signature of the Mayor to any written instruments required to be signed by the Mayor. When the signature of the Mayor is placed on a written instrument at the direction of the Mayor in the specified manner, the instrument or instruments, in all respects, shall be as binding on the City as if signed by the Mayor in person.

I. Mayor Pro Tem, Temporary Chairman:

1. If the Mayor is temporarily absent because of an incapacity to perform official duties, but the incapacity does not create a vacancy in the office, the Aldermen shall elect one of their members to act as Mayor Pro Tem. Provided, however, if the absence is planned by the Mayor, and the Mayor has submitted his designee, in writing, to the Council, then the designee shall act as Mayor Pro Tem. The Mayor Pro Tem, during this absence or disability, shall perform the duties and possess all the rights and powers of the Mayor but shall only vote in the capacity of an Alderman.
2. In the absence of the Mayor, acting Mayor or Mayor Pro Tem, where the Mayor is actually in the City, capable of performing his duties although not present at a Council meeting, the Aldermen may elect one of their members to act as a temporary chairman. Provided, however, if the absence is planned by the Mayor, and the Mayor has submitted his designee, in writing, to the Council, then the designee shall act as temporary chairman. the temporary chairman shall have only the powers of a presiding officer and a right to vote only in the capacity as Alderman on any ordinance, resolution or motion.

J. Designating An Emergency Interim Executive  
(Added Ord. 2008-105)

1. In accordance with and pursuant to the Emergency Interim Executive Succession Act, the following officers are hereby designated as the emergency interim successor(s) to the office of Mayor of the City of Harvard in the following order:
  - a. The City of Harvard City Administrator.
  - b. The Alderman with the highest number of years in office.
  - c. The Alderman with the second highest number of years in office.
  - d. The Alderman with the third highest number of years in office.
2. An Emergency Interim Successor means a person authorized to act in the event the Mayor is unavailable, to exercise the powers and discharge the duties of the office until a successor is appointed or elected and qualified as provided by law or until the lawful incumbent is able to resume the exercise of the powers and discharge the duties of the office.
3. The terms “unavailable”, “office”, “attack” and “disaster” shall have the

definitions provided in 5 ILCS 275/3.

4. At the time of their designation, the Emergency Interim Successor shall take such oath as may be required for them to exercise the powers and discharge the duties of the office to which they may succeed.
5. Officials authorized to act pursuant to this Section 2.01-J are empowered to exercise the powers and discharge the duties only after an attack upon the United States or a designation of a disaster within the City of Harvard.

## **2.02 OFFICE OF ALDERMAN**

Aldermen may be responsible for the chairmanship of at least one standing committee of the City Council. As chairman he shall be responsible for the preparation and submittal of all meeting minutes in a timely manner to the Clerk.

## **2.03 CITY CLERK**

The City Clerk shall have the following duties:

1. Perform the duties required by the Illinois Compiled Statutes.
2. Seal and attest all contracts of the City, and all licenses, permits and other documents which require this formality.
3. Be the custodian of all documents belonging to the City which are not assigned to the custody of other officials.
4. Keep a journal of the proceedings of the Council and within 10 days after each meeting of the Council, issue the meeting minutes.
5. All documents necessary to be filed or recorded shall be filed or recorded by the Clerk or designee within 10 days after City Council action.
6. Keep and maintain a proper index to all documents and records kept by the Clerk.
7. Perform such other duties as may be required by statute or ordinance or assigned by the Mayor and/or City Council.

## **2.04 CITY TREASURER**

A. Appointment. The Treasurer shall be appointed by the Mayor with the advice and consent of the City Council and serve for a term not to exceed the term of the Mayor and until a successor is qualified, as provided by statute. (Ord. 2013-121,§1)

B. Effective Date. The appointment of the Treasurer shall take effect upon the

happening of either: (1) the expiration of the present term of the currently elected Treasurer, or (2) the vacancy of the position held by the currently elected Treasurer; whichever occurs first. (Ord. 2013-121,§2)

C. Bond: Before entering upon the duties of office, the Treasurer shall execute a bond in such amount and with such sureties required by law and by ordinance, conditioned upon the faithful performance of the duties of the office, and to indemnify the City against any loss due to any neglect of duty or wrongful act on the part of the Treasurer. The City shall pay the premium on such bond. (Ord. 2013-121,§2)

D. Duties: The Treasurer shall perform the following duties: (Ord. 2013-121,§2)

1. The Treasurer shall receive all money paid in to the City, either directly from the person paying it or from City officers and employees.
2. The Treasurer shall pay out money only on vouchers, checks or orders properly signed by the Mayor, City Clerk and City Treasurer.
3. The Treasurer shall deposit the City funds in such legal depositories as may be designated by the City Council by resolution or ordinance, and shall keep the City funds separate and distinct from his own funds and all others, and shall not mingle his own funds or any others with the City funds, and he shall not make private or personal use of the City funds.
4. The Treasurer shall deposit all City funds in an interest bearing account within 48 hours of receipt.
5. The Treasurer shall keep and maintain accurate books and records of accounts, showing all moneys received by him, the source thereof, and all moneys paid out by him, and the purpose for which such money was paid out. The Treasurer shall keep a record showing at all times the financial condition of the City; shall make monthly reports to the City Council showing the funds received and disbursed during the month; and shall make an annual report to the City Council at the close of the fiscal year with the total amount of all receipts and expenditures of the City, and showing all the transactions as Treasurer during the preceding year.
6. The Treasurer shall keep a register of all warrants, bonds and orders filed with him or paid by him, and of all vouchers, as provided by law or by ordinance.
7. In addition, the Treasurer shall perform such other duties as may be required by law or by ordinance.

8. The Treasurer shall assist in the execution of the enacted budget ordinance, including the recommendation of administrative controls when required. (Ord. 2006-113, §3)
9. The Treasurer shall distribute from the general fund and the various City funds such amounts as are set forth by the annual budget as compiled by the Budget Officer. (Ord. 2006-113, §3)

## **2.05 MEETINGS**

A. Regular Meetings: All regular meetings of the City Council shall be held on the second and fourth Tuesdays of the month in the City Hall beginning at the hour of 7 p.m., except which such meeting shall fall on a public holiday, in which case the City Council shall cancel such meeting or schedule a new meeting date, pursuant to the Illinois Compiled Statutes. Such meetings shall be held at the regular meeting hour. Any regular meeting may be adjourned to such time as the City Council may direct. Prior to the first regularly scheduled meeting of the calendar year, the City Council shall pass a resolution listing the meeting dates for the calendar year. (Ord. 2005-169,§1)

B. Special Meetings: Special meetings of the City Council may be called by the Mayor or any three Aldermen upon submitting a request to the Clerk, setting forth the purpose of such special meeting, and directing the Clerk to give notice of the same. Upon the submission of such request, the Clerk shall prepare a public notice of said special meeting pursuant to the Open Meetings Act.

C. Year End Meetings: The City Council shall hold its year end (annual) meeting after adjourning its regularly scheduled meeting in April. In the event there are two regularly scheduled meetings in April, the year end (annual) meeting shall be held after adjourning the second meeting.

D. Order of Business: The Mayor shall decide all questions of order. City Council meetings shall be governed by Roberts' Rules of Order and Section 2.10 herein.

E. Disturbing Meetings: It shall be unlawful for any person or member of the City Council to interrupt, interfere with or disturb any meeting of the City Council. Any person violating this Section 2.05 shall be subject to a fine as stated in Section 1.14.

F. Public Comment at Meetings  
(Added Ord 2014-121)

Members of the public are permitted to speak at any public, open meeting of the City Council and any other commission, committee, board or other public entity created by or subject to the City's ordinances, subject to the following rules:

1. Individuals wishing to be heard on an item that is not on the agenda may be recognized by the Mayor or Chairperson during the Public Comment portion of each meeting which will generally be held as one of the initial items of business

on the agenda but may, by a majority vote of the members of the public body present at a particular meeting, be moved to a different point on the agenda for that meeting.

2. Individuals wishing to be heard on an item that is included in the agenda will be provided an opportunity to speak by the Mayor or Chairperson during the consideration of that item.
3. Public comment may be restricted to no more than three minutes for each individual speaker. The Mayor or Chairperson may permit additional comment in his or her discretion taking into account the number of persons wishing to be heard on a matter and the amount of village business requiring attention.
4. Members of the public may be asked to avoid repeating comments that have already been made, although they may be given the opportunity to indicate that they agree or disagree with an earlier speaker.
5. Members of the public will be required to step forward to the podium and to identify themselves for the record. Members may be asked to provide an address for the record. The Mayor or Chairperson shall require that order and decorum be maintained at public meetings. This includes prohibiting outbursts from the public or other behavior that is disorderly or disruptive to the public business. The Mayor or Chairperson may eject from a public meeting any person who, in the Mayor or Chairperson's sole opinion, disrupts the order and decorum of the meeting or otherwise violates the rules of this Section.
6. Public comment shall be restricted to the portions of meetings which are required to be open to the public under the Open Meetings Act. Nothing in this Section shall be construed to allow public access to or public comment at closed sessions or any other meeting of public officials which is not required to be open to the public under the Open Meetings Act.
7. To the extent necessary, each public body subject to the City's jurisdiction, ordinances and control, shall adopt the public comment rules of this Section at the first public meeting of each public body following the adoption of this ordinance.

G. Meetings Defined; Attendance by Electronic Means

1. The term "meeting" as used in this Code in reference to meetings of the city council or any committee or subcommittee of the city council, or any board or commission of the city established pursuant to state law or by action of the city council or the mayor (collectively and individually "public body"), shall have the same meaning as in the Illinois Open Meetings Act, 5 ILCS 120/1 et seq., as amended from time to time. Members of any public body of the city may attend meetings of the public body by electronic means in

accordance with applicable state law and rules adopted by the city council and maintained by the clerk.

H. Electronic Attendance at Meetings Rules

1. It is the decision of the city that any member of the city council, or any committee, subcommittee, board or commission created by the city council or the mayor (collectively and individually "public body"), may attend any open or closed meeting of the public body via electronic means (such as by telephone, video or internet connection) provided that such attendance is in compliance with these rules and any applicable laws.
2. A member may attend a meeting electronically if the member meets the following conditions:
  - a) The member should notify the city clerk at least 48 hours before the meeting, unless impractical, so that necessary communications equipment can be arranged. Inability to make the necessary technical arrangements will result in denial of a request for remote attendance.
  - b) The member must assert one of the following four reasons why he or she is unable to physically attend the meeting: 1) the member cannot attend because of 1) personal illness or disability; or the member cannot attend because of 2) employment purposes or the business of the city; or the member cannot attend because of a 3) family or other emergency; or 4) unexpected childcare obligations. (Ord 2024-101, §2)
  - c) The city clerk, after receiving the electronic attendance request, shall inform the presiding officer of the public body of the request for electronic attendance.
  - d) After establishing that there is a quorum physically present at a meeting where a member desires to attend electronically, the presiding officer shall state that:
  - e) a notice was received from a member in accordance with these Rules, and
  - f) the member will be deemed authorized to attend the meeting electronically unless a motion objecting to the member's electronic attendance is made, seconded, and approved by two-thirds of the members of the public body physically present at the meeting.

If no such motion is made and seconded or if any such motion fails to achieve the required vote by the members of the public body physically present at the meeting, then the request by the member to attend the meeting electronically shall be deemed approved by the public body and the presiding officer shall declare the requesting member present. After such declaration by the presiding officer, the question of a member's electronic attendance may not be reconsidered.

- I. Adequate Equipment Required: The member participating electronically and other members of the public body must be able to communicate effectively, and members of the audience must be able to hear all communications at the meeting site. Before

allowing electronic attendance at any meeting, the city shall provide equipment adequate to accomplish this objective at the meeting site.

- J. Minutes: Any member attending electronically shall be considered an off-site attendee and counted as present electronically for that meeting if the member is allowed to attend. The meeting minutes shall also reflect and state specifically whether each member is physically present or present by electronic means.
- K. Rights of Remote Member: A member permitted to attend electronically will be able to express his or her comments during the meeting and participate in the same capacity as those members physically present, subject to all general meeting guidelines and procedures previously adopted and adhered to. The member attending electronically shall be heard, considered, and counted as to any vote taken. Accordingly, the name of any member attending electronically shall be called during any vote taken, and his or her vote counted and recorded by the clerk and placed in the minutes for the corresponding meeting.

A member attending electronically may leave a meeting and return as in the case of any member, provided the member attending electronically shall announce his or her leaving and upon returning.

## **2.06 TERM OF OFFICE**

The members of the City Council shall be elected to serve a four-year term, and until their successors are elected and qualified, as provided by law. The term of office for newly elected members shall begin at the first regular or special meeting of the corporate authorities following receipt of the official election results at which the members were elected. (Ord. 2007-112,§1)

## **2.07 STANDING COMMITTEES**

- A. The standing committees of the City Council shall be as follows:  
(Amended Ord. 2021-117)
  - 1. Administration  
Areas of Oversight: Finance, Grants, State and Federal Legislation, Personnel, Ordinance, Community Relations and Community Outreach.
  - 2. Community & Economic Development  
Areas of Oversight: Building Issues, Public Properties, Public Works, Water and Sewer Issues, Zoning and Planning.
  - 3. Transportation  
Areas of Oversight: Long Term Transportation Planning and Goals, Sidewalk Planning and Construction, Road Signage, Bike Paths, Streets and Alleys Construction, Pedestrian Safety, Traffic Studies.



4. Parks and Recreation

Areas of Oversight: Park and Recreation Programs, Aquatic Center, Long Term Park and Recreation Planning, Carry out Duties as Defined in Section 5.04E of the Harvard Municipal Code.

B. Four Aldermen shall serve on each standing committee of the City Council. Each committee shall have a chairman appointed by the Mayor. Three members of a committee shall constitute a quorum to conduct business. The Mayor shall be an ex-officio member of each standing committee.

## **2.08 SPECIAL COMMITTEES**

Special committees shall be established from time to time by the City Council. Special committee members shall be appointed by the Mayor with the advice and consent of the City Council. Such committees shall be incorporated into Chapter 5, Boards and Commissions, of the Harvard Municipal Code. (Ord. 2007-134, §3)

## **2.09 SALARIES**

The salaries, compensation or other fees payable to certain elected City officers shall be as follows:

1. Mayor: The Mayor shall receive a salary of \$10,000.00 per year, to be paid in 24 equal semi-monthly installments, plus an expense allowance of \$150.00 per month.
2. Liquor Commissioner: The Liquor Commissioner shall receive a salary of \$50.00 per month.
3. Aldermen: Each Alderman shall receive a salary of \$100.00 for each regular meeting of the City Council attended, \$40 for each special meeting of the City Council attended and \$25.00 for each Committee meeting attended.
4. City Clerk: The City Clerk shall receive a salary of \$300.00 per month.
5. City Treasurer: The City Treasurer shall receive a salary of \$150.00 per month.

## **2.10 CITY COUNCIL RULES OF PROCEEDING**

A. Disorderly Conduct: Pursuant to 65 ILCS 5/3.1-40-15, which provides authority for the City Council to enact rules of proceeding and punish its members for disorderly conduct, Disorderly conduct by a member of the City Council is defined as:

1. The misuse of the powers of the Office of Alderman or Mayor outside meetings of the City Council, including regular, special and committee meetings;
2. Disclosing to anyone in the public information received in a closed meeting of the City Council before minutes of the closed meeting are released to the public; and
3. Disclosing to anyone in the public any information contained in any written document marked confidential.

B. Penalty: Any elected official found, by a majority vote of the Aldermen and Mayor, guilty of Disorderly Conduct shall be fined not less than \$100.00 for each offense. Such fine assessed may be deducted from regular compensation due from the City to any such elected official.