

CITY OF LEROY
COUNTY OF MC LEAN
STATE OF ILLINOIS

ORDINANCE NO. 759

AN ORDINANCE AMENDING CHAPTER 2, CITY COUNCIL, AND CHAPTER 3, CITY ADMINISTRATION, MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS, 1975 (as amended), ALSO AMENDING ORDINANCE NO. 564 AND THE CITY OF LEROY POLICE DEPARTMENT PERSONNEL POLICY MANUAL, AND ALSO AMENDING ORDINANCE NO. 565, AND THE RULES AND REGULATIONS FOR THE CITY OF LEROY POLICE DEPARTMENT

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY
THIS 17th DAY OF November, 1997

PRESENTED: November 17, 1997
PASSED: November 17, 1997
APPROVED: November 17, 1997
RECORDED: November 17, 1997
PUBLISHED: November 17, 1997


In Pamphlet Form

Voting "Aye" 6

Voting "Nay" 0

The undersigned being the duly qualified and elected City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned ordinance and that such ordinance was presented, passed, approved, recorded and published as above stated.

(SEAL)


Sue Marcum, City Clerk of the City of
LeRoy, McLean County, Illinois

Dated: November 17, 1997.

ORDINANCE NO. 759

AN ORDINANCE AMENDING CHAPTER 2, CITY COUNCIL, AND CHAPTER 3, CITY ADMINISTRATION, MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS, 1975 (as amended), ALSO AMENDING ORDINANCE NO. 564 AND THE CITY OF LEROY POLICE DEPARTMENT PERSONNEL POLICY MANUAL, AND ALSO AMENDING ORDINANCE NO. 565, AND THE RULES AND REGULATIONS FOR THE CITY OF LEROY POLICE DEPARTMENT

WHEREAS, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, find it is in the best interests of the City of LeRoy and its residents that certain amendments be made to the organization and authority of the Police Committee of the City of LeRoy and to the personnel policy manual and rules and regulations adopted for the guidance and administration of the Police Department and the supervision and oversight of the City Marshall/Chief of Police and the Police Department of the City of LeRoy,

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of LeRoy, Illinois, in lawful meeting assembled, as follows:

Section 1. Chapter 2, City Council, Section 2.0 COMMITTEES, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended), is hereby amended by addition of new subitem 6 as follows:

6. Police

Section 2. Chapter 2, City Council, Section 2.07 RULES and ORDER OF BUSINESS, Rule 19, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended), is hereby adopted in words and figures as follows:

Rule 19. All committees shall be appointed by the Mayor unless otherwise required by law.

Section 3. Chapter 3, City Administration, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended), is hereby amended by repeal of Section 3.03 1/2 POLICE COMMITTEE, as said Section was ordained by Ordinance No. 368, passed and approved on June 4, 1990.

Section 4. New Section 3.03 1/2 POLICE COMMITTEE, of Chapter 3, City Administration, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended), is hereby adopted in words and figures as follows:

3.03 1/2 POLICE COMMITTEE. At the beginning of each municipal year the Mayor shall appoint, with the advice and consent of the City Council, three of the City Council members to the Police Committee for a one-year term. The Police Committee shall be considered a standing committee of the City of LeRoy. The Police Committee shall

hold meetings at such times and places during the fiscal year as may be appropriate. The Mayor of the City of LeRoy, when appointing the members of the committee, with the advice and consent of the City Council, shall name one of the committee members as chairman of the committee, in accordance with the customary procedures of the City of LeRoy and its administration and appointment of city council members to standing committees and as chairmen of those committees. The Police Committee shall have those duties and responsibilities as have customarily been assumed and carried out by other standing committees of the City, but specifically in regard to administrative matters and regulation of the Police Department of the City of LeRoy. The Mayor of the City of LeRoy shall, in his or her capacity as chief executive authority of the City, have those duties and responsibilities as hereinafter set forth:

- (a). Investigate complaints about the operation or administration of the Police Department or about the City Marshall/Chief of Police in the exercise of his or her duties as such City Marshall/Chief of Police, and the Mayor shall report such complaints in a timely manner to the City Council as well as the information obtained in any investigation of any such complaint;
- (b). Make recommendations to the City Council, as may be appropriate, for adoption of guidelines or statements of policy, changes thereto, or for enactment of ordinances, rules or regulations from time to time to correct deficiencies in the operation or administration of the Police Department, or to make the operation or administration of the Police Department more efficient or more effective.
- (c). Review the operations and administration of the Police Department and the actions of the City Marshall/Police Chief from time to time in order to be informed, and to be the better enabled to inform the City Council, as to the necessity for changes of policy or laws, rules and regulations governing the City Marshall/Police Chief and the administration and regulation of the Police Department.
- (d). Make written reports to the City Council, prior to each regular City Council meeting, of any administrative directives given to the Police Department or the Chief of Police.

The preceding statement (items (a), (b), (c)) of duties and responsibilities of the Mayor shall not be deemed a limitation of the authority of the Mayor, as chief executive authority of the City of LeRoy, to direct the City Marshall/Chief of Police and members of the Police Department as appropriate from time to time concerning the performance of their duties. Lawful orders of the Mayor shall be carried out promptly. Any concerns by the department or any member thereof may be brought to the City Council's attention at its next meeting. The City Council, in keeping with its normal legislative functions and rights as the deliberative body of the City of LeRoy, under the Illinois Municipal Code, reserves to itself the right to establish policy and guidelines in all matters pertaining to the organization, administration and regulation of the Police Department of the City of LeRoy, and in regard to the administration and regulation of the activities and authority of the City Marshall/Chief of Police and the exercise of his/her duties as Chief of the Police Department.

Section 5. Section 1 of Ordinance No. 564, and the City of LeRoy Police Department Personnel Policy Manual, are hereby amended by adoption of new Section 5.11 AUTHORITY OF THE MAYOR AND CITY COUNCIL IN REGARD TO THE REGULATION AND

ADMINISTRATION OF THE CITY OF LEROY POLICE DEPARTMENT, which shall read in words and figures as follows:

5.11 AUTHORITY OF THE MAYOR AND CITY COUNCIL IN REGARD TO THE REGULATION AND ADMINISTRATION OF THE CITY OF LEROY POLICE DEPARTMENT

- (a). The City Marshall/Chief of Police shall be responsible to, and shall answer in the chain of command to, the Mayor and City Council of the City of LeRoy and shall administer the Police Department under the direction and control of the City Council and shall report on a day to day basis to the Mayor, with regular reports to the City Council to be submitted at each regular City Council meeting. The City Marshall/Chief of Police shall make written and verbal reports to the City Council at its regular meetings and shall make reports on a more frequent basis to the Mayor, either written or verbal, as directed by the Mayor. The City Marshall/Chief of Police shall keep the Mayor and City Council informed of incidents or developments that may unusually affect public or official relations.
- (b). The City Marshall/Chief of Police shall certify on a regular basis to the correctness of all expenses incurred by the Police Department and shall first request authority from the Mayor and City Council before any expenses are incurred that would exceed \$250.00 for any specific item.
- (c). Any member of the City of LeRoy Police Department or any employee of said department receiving a complaint against police personnel shall notify the Chief of Police and the Mayor of the City of LeRoy. The Chief of Police, and the Mayor, shall investigate the complaint and make a written report of their findings to the City Council.
- (d). Any complaint received against the City Marshall/Chief of Police shall be made in writing and delivered to the Mayor and City Council with supporting facts and circumstances clearly set forth in such complaint.

Section 6. Section 1 of Ordinance No. 564, and the Rules and Regulations of the LeRoy Police Department, are hereby amended by adoption of new Section IX. AUTHORITY OF THE MAYOR AND CITY COUNCIL IN REGARD TO THE REGULATION AND ADMINISTRATION OF THE CITY OF LEROY POLICE DEPARTMENT, which shall read in words and figures as follows:

9.1 AUTHORITY OF THE MAYOR AND CITY COUNCIL IN REGARD TO THE REGULATION AND ADMINISTRATION OF THE CITY OF LEROY POLICE DEPARTMENT

- (a). The City Marshall/Chief of Police shall be responsible to, and shall answer in the chain of command to, the Mayor and City Council of the City of LeRoy and shall administer the Police Department under the direction and control of the City Council and shall report on a day to day basis to the Mayor, with regular reports to the City Council to be submitted at each regular City Council meeting. The City Marshall/Chief of Police shall make written and verbal reports to the City Council at its regular meetings and shall make reports on a more frequent basis to the Mayor, either written or verbal, as directed by the Mayor. The City Marshall/Chief of Police shall keep the Mayor and City Council informed of incidents or developments that may unusually affect public or official relations.

- (b). The City Marshall/Chief of Police shall certify on a regular basis to the correctness of all expenses incurred by the Police Department and shall first request authority from the Mayor and City Council before any expenses are incurred that would exceed \$250.00 for any specific item.
- (c). Any member of the City of LeRoy Police Department or any employee of said department receiving a complaint against police personnel shall notify the Chief of Police and the Mayor of the City of LeRoy. The Chief of Police, and the Mayor, shall investigate the complaint and make a written report of their findings to the City Council.
- (d). Any complaint received against the City Marshall/Chief of Police shall be made in writing and delivered to the Mayor and City Council with supporting facts and circumstances clearly set forth in such complaint.

Section 7. All ordinances, or parts thereof, and all resolutions, or parts thereof, in conflict with this ordinance shall be and the same are hereby repealed to the extent of such conflict, and this ordinance shall be in full force and effect as set forth hereafter.

Section 8. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or any liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 7 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 9. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as required by law.

PASSED by the City Council of the City of LeRoy, Illinois, upon the motion by Dick

Oliver, seconded by Ryan Miles by roll

call vote on the 17th day of November, 1997, as follows:

Aldermen elected 6 Aldermen present 6

VOTING AYE:

Ryan Miles, Ron Litherland, Dave McClelland, W.H. Weber, Dawn Thompson, Dick Oliver.
(full names)

VOTING NAY:

None

(full names)

ABSENT, ABSTAIN, OTHER:

None

(full names)

and deposited and filed in the office of the City Clerk in said municipality on the 17th day of November, 1997.

Sue Marcum
Sue Marcum, City Clerk of the City of LeRoy,
McLean County, Illinois

APPROVED BY the Mayor of the City of LeRoy, Illinois, this 17th day of
November, 1997.

Robert Rice
Robert Rice, Mayor of the City of LeRoy, McLean
County, Illinois

ATTEST: (SEAL)

Sue Marcum
Sue Marcum, City Clerk,
City of LeRoy, McLean County, Illinois

CERTIFICATE

I, Sue Marcum, certify that I am the duly elected and acting municipal clerk of the City of LeRoy, of McLean County, Illinois.

I further certify that on November 17, 1997, the Corporate Authorities of such municipality passed and approved Ordinance No. 759, entitled:

AN ORDINANCE AMENDING CHAPTER 2, CITY COUNCIL, AND CHAPTER 3, CITY ADMINISTRATION, MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS, 1975 (as amended), ALSO AMENDING ORDINANCE NO. 564 AND THE CITY OF LEROY POLICE DEPARTMENT PERSONNEL POLICY MANUAL, AND ALSO AMENDING ORDINANCE NO. 565, AND THE RULES AND REGULATIONS FOR THE CITY OF LEROY POLICE DEPARTMENT,

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 759, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on November 17, 1997, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at LeRoy, Illinois, this 17th day of November, 1997.

(SEAL)


Municipal Clerk

STATE OF ILLINOIS)
) SS:
COUNTY OF McLEAN)

I, Sue Marcum, do hereby certify that I am the duly qualified and elected City Clerk of the City of LeRoy , McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

AN ORDINANCE AMENDING CHAPTER 2, CITY COUNCIL, AND CHAPTER 3, CITY ADMINISTRATION, MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS, 1975 (as amended), ALSO AMENDING ORDINANCE NO. 564 AND THE CITY OF LEROY POLICE DEPARTMENT PERSONNEL POLICY MANUAL, AND ALSO AMENDING ORDINANCE NO. 565, AND THE RULES AND REGULATIONS FOR THE CITY OF LEROY POLICE DEPARTMENT.

I do further certify said ordinance was adopted by the City Council of the City of LeRoy at a regular meeting on the 17th day of November , 1997, and prior to the making of this certificate the said ordinance was spread at length upon the permanent records of said City where it now appears and remains as a faithful record of said ordinance in the record books.

Dated this 17th day of November , 1997.



City Clerk

(SEAL)