

ORDINANCE NO. 1348

**AN ORDINANCE OF THE VILLAGE OF FREEBURG
SETTING FORTH PROVISIONS FOR COMPLIANCE WITH THE
ILLINOIS FREEDOM OF INFORMATION ACT**

WHEREAS, the Freedom of Information Act took effect on July 1, 1984 (5 ILCS 140/1 *et seq.*) and was substantially amended by PA 96-0542 effective January 1, 2010; and

WHEREAS, such Act is intended to provide the public with greater access to the records of public bodies; and

WHEREAS, it is necessary for the Village of Freeburg to establish practices and procedures ensuring its full compliance with said Act, so that the public policy stated therein can be carried out effectively and efficiently with respect to the records of the Village.

BE IT ORDAINED by the President and the Board of Trustees of the Village of Freeburg, St. Clair County, Illinois as follows:

SECTION 1: The Village Clerk is hereby designated as the FOIA Officer to whom all initial requests for access to the records of the Village are to be referred. Such requests are to be made at the offices of the Village Clerk at 14 Southgate Center, Freeburg, Illinois, between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday. In the event that the Village Clerk is not available during the times described above, the Office Manager is designated as the Deputy FOIA Officer to whom such initial requests are to be made. Except in instances when records are furnished immediately, the FOIA Officer, or his/her designees, shall receive requests submitted to the Village under the Freedom of Information Act, ensure that the Village responds to requests in a timely fashion, and issue responses under the Act. The FOIA Officer shall develop a list of documents or categories of records that the Village shall immediately disclose upon request.

SECTION 2: Upon receiving a request for a public record, the FOIA Officer shall:

- (1) note the date the Village receives the written request;
- (2) compute the day on which the period for response will expire and make a notation of that date on the written request;
- (3) maintain an electronic or paper copy of a written request, including all documents submitted with the request until the request has been complied with or denied; and
- (4) create a file for the retention of the original request, a copy of the response, a record of written communications with the requester, and a copy of other communications.

SECTION 3: The FOIA Officer and Deputy FOIA Officer shall, within six (6) months after January 1, 2010, successfully complete an electronic training curriculum to be developed by the Public Access Counselor of the State of Illinois and thereafter successfully complete an annual training program. Whenever a new Freedom of Information Officer is designated by the Village, that person shall successfully complete the electronic training curriculum within 30 days after assuming the position.

SECTION 4: Any records which are the subject of a request under the Freedom of Information Act shall be retrieved from such place as they are stored, by the FOIA Officer, or by an employee of the Village acting under the direction of the FOIA Officer. In no event shall records be retrieved by the party requesting them or by any person who is not employed by the Village.

SECTION 5: If copies of records are requested, the fees for such copies, whether certified or not, shall be as determined from time to time by the FOIA Officer pursuant to Section 6(b) of the Freedom of Information Act. The Village Clerk shall maintain a written schedule of current fees in the Clerk's office. The fees so charged shall reflect the actual cost of copying the records, and the cost of certifying copies, if certification is requested.

SECTION 6: In the event that a request to inspect Village Records is denied by the FOIA Officer, the denial may be appealed to the Public Access Counselor of the State of Illinois.

SECTION 7: The Village Clerk shall prepare: (a) a Village Information Directory; (b) a block diagram of the functional Subdivisions of the Village; (c) a Village Records Directory; and (d) a Records Catalogue, all of which shall be substantially in the same form as the documents attached hereto and made a part hereof as Exhibits "A", "B", "C", and "D". This information shall also be posted on the Village's website.

SECTION 8: THIS ORDINANCE shall be in full force and effect immediately upon its passage and approval as required by law.

PASSED this 15th day of March, 2010, by the Corporate Authorities of the Village of Freeburg, County of St. Clair, Illinois, by a roll call vote as follows:

AYES Tony Miller NAYS _____
Dick Spenser _____
Carly Valentine _____
Reta Baker _____
Steve Smith _____
Charlie Mattson _____

ABSENT _____ ABSTAIN _____

Jerry Menard
Jerry Menard, Village Clerk

Approved this 15th day of March, 2010



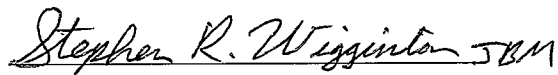
Raymond S. Danford, Village President

ATTEST:



Jerry Menard, Village Clerk

Approval as to Legal Form:



Stephen R. Wigginton, Village Attorney

ATTACHED EXHIBITS

EXHIBIT A. - MUNICIPAL INFORMATION DIRECTORY

EXHIBIT B. - BLOCK DIAGRAM OF FUNCTIONAL SUBDIVISIONS

EXHIBIT C. - MUNICIPAL RECORDS DIRECTORY

EXHIBIT D. - CATALOGUE OF PUBLIC RECORDS

EXHIBIT A.

MUNICIPAL INFORMATION DIRECTORY

Village of Freeburg - a non-home rule municipality

The Village of Freeburg is a municipality incorporated and organized under the laws of the State of Illinois for the purpose of providing its residents with the following services:

- A. Police protection.
- B. Sewer and water service.
- C. Electric service.

The Village of Freeburg has certain functional subdivisions which are shown on Table 1 attached hereto. The approximate amount of the operating budget of the Village of Freeburg is \$7,400,000 . The Village's sole office is located at 14 Southgate Center in Freeburg . The Village currently employs approximately 30 full and part-time employees. The members of the boards, commissions and committees of the Village are as follows:

Mayor: Raymond Danford
Board: Rita Baker, Corby Valentine, Charlie Mattern, Steve Smith, Tony Miller and Seth Speiser.
Clerk: Jerry Menard
Treasurer: Bryan Vogel

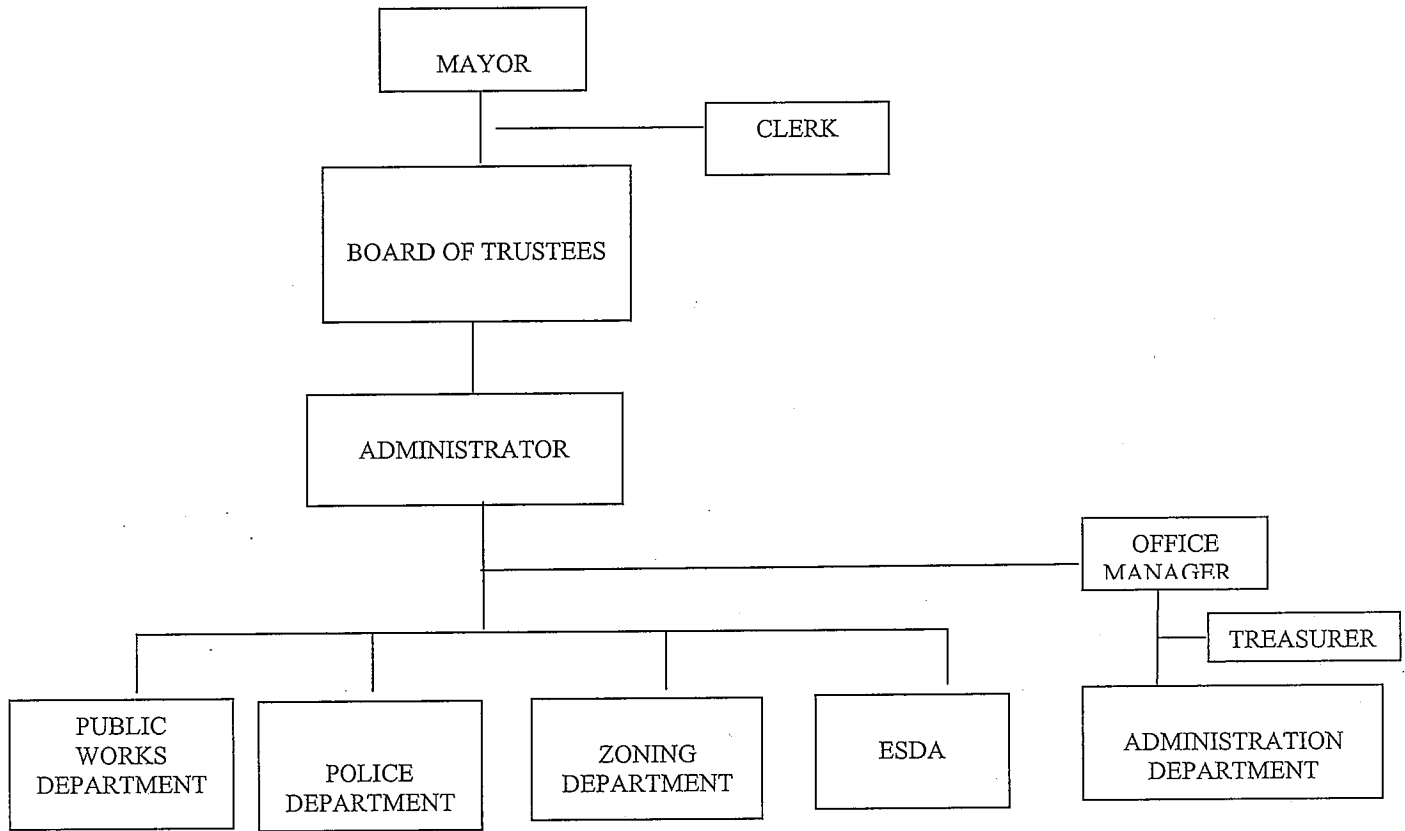
Plan Commission: Steve Woodward, Ray Walta, Dale Klohr, Mary Krieg, Sam Nold, Bill Schwartz and Bryan Vogel.

Board of Appeals: Kenneth Bald, Richard Gordon, John Dittman, Bob Koerber, Diana Kasper, Dolly Revelle and Tom Kreher.

<u>Committees</u>	<u>Member</u>	<u>Title</u>
Electric:	Corby Valentine	Chairman
	Tony Miller	Trustee
	Steve Smith	Trustee
Finance	Steve Smith	Chairman
	Corby Valentine	Trustee
	Seth Speiser	Trustee
Legal/Ordinance	Seth Speiser	Chairman
	Rita Baker	Trustee
	Charlie Mattern	Trustee
Personnel/Police	Rita Baker	Chairperson
	Charlie Mattern	Trustee
	Steve Smith	Trustee
Public Property	Tony Miller	Chairman
	Rita Baker	Trustee
	Corby Valentine	Trustee
Public Works	Charlie Mattern	Chairman
	Tony Miller	Trustee
	Seth Speiser	Trustee

EXHIBIT B.

BLOCK DIAGRAM OF FUNCTIONAL SUBDIVISIONS



The Freedom of Information Officers for the Village are:

Name:

Contact Location:

Jerry Lynn Menard
Village Clerk

14 Southgate Center
Freeburg, IL 62243

Julie Polson
Office Manager

14 Southgate Center
Freeburg, IL 62243

EXHIBIT C.

MUNICIPAL RECORDS DIRECTORY

Village of Freeburg

Any person requesting records of the Village of Freeburg may make such a request either in person, orally or in writing at the Village Clerk's office located at 14 Southgate Center, Freeburg, Illinois. Such request should be made to Jerry Menard, FOIA Officer at such address and if she is not present in person, you should see Julie Polson, Deputy FOIA Officer. Another method would be by mailing, faxing or emailing a written request to either Jerry Menard or Julie Polson specifying in particular the records requested to be disclosed and copied. All written requests should be addressed to the FOIA Officer at the address of the Clerk's office. If you desire that any records be certified, you must indicate that in your request and specify which records must be certified.

The fees for any such records, if the person requesting the records wishes them to be copied, are as follows:

First 50 pages, black and white, letter or legal size copies, no cost.

Additional pages, black and white, letter or legal, actual cost to \$0.15.

Electronic records will be formatted subject to reimbursement for costs of recording medium. Color copies or copies in a size other than letter or legal shall be reimbursed to actual costs.

Costs of certifying a record will be \$1.00.

Records may be furnished without charge or at a reduced charge, as determined by the Village, if the person requesting the documents states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. Waiver or reduction of the fee is in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit.

EXHIBIT D.

CATALOGUE OF PUBLIC RECORDS

This catalogue of Village records is listed by department and is divided into various types of records and various categories of records within each type. The "type" of records is meant to be a broad general category and the category is a sub-part of the type.

Administration Department Records

Financial Records

- Budget
- Appropriation Ordinance
- Annual Audits
- Purchase Orders
- License fees

Utility Records

- Utility bills and receipts
- Liens

Village Board Records

- Board Meeting Minutes
- Committee meeting minutes
- Ordinances
- Resolutions

Personnel Records

- Salary Schedules
- Personnel Policies
- Employee Handbook
- Training Records
- Pension Fund Records
- Worker's Compensation Records

Public Works Department Records

Utility Records

- Water system records
- Wastewater system records
- Electric System records
- Utility Permits

Zoning Department Records

Building Permit Records

- Building Permit Applications
- Building Permits
- Occupancy Permits

Zoning Records

- Amendments
- Variances & Special Use Permits
- Village Maps
- Comprehensive Plan

Police Department Records

Police Personnel Records

- Union Contract
- Salary Schedules
- Police Policy Manual
- Training Records

Police Equipment Records

- Equipment Maintenance records
- Vehicle Maintenance logs

Police Activity Records

- Complaint Files
- Investigative files
- Mutual Aid Agreements
- Issued Traffic Citations
- Law Enforcement Agency Data System (LEADS) Records
- National Incident Management System (NIMS) Records
- Illinois Law Enforcement Alarm System (ILEAS) Records

ESDA Records

- Emergency Response Plan records