

AGENDA
THE CITY OF ST. CHARLES
GOVERNMENT OPERATIONS COMMITTEE
ALD. STEVE WEBER, CHAIR
MONDAY, DECEMBER 4, 2023
IMMEDIATELY FOLLOWING THE CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – 2 EAST MAIN STREET

1. Call to Order

2. Roll Call

3. Administrative - None

4. Omnibus Vote

Items with an asterisk (*) are considered to be routine matters and will be enacted by one motion. There will be no separate discussion on these items unless a council member/citizen so requests, in which event the item will be removed from the consent agenda and considered in normal sequence on the agenda.

5. Information Systems Department

*a. Recommendation to approve a **Resolution** authorizing the purchase of Microsoft Server licensing from Dell Marketing LP for \$73,768.

*b. Recommendation to approve an **Ordinance** Authorizing the Disposal of Computer and Other Electronic Equipment for Fiscal Year 2024.

6. Police Department

a. Recommendation to Approve a **Resolution** Authorizing Approval of a Master Services and Purchasing Agreement for Police Body-Worn Cameras from Axon Enterprise, Inc.

b. Recommendation to Approve a **Resolution** Authorizing Approval of a Master Services and Purchasing Agreement for Police In-car Video Systems from Axon Enterprise, Inc.

c. Recommendation to Approve a **Resolution** Authorizing Approval of a Master Services and Purchasing Agreement for Police Tasers from Axon Enterprise, Inc and the Subsequent Declaration of Current Tasers as Surplus Property for the Purposes of Trade-in/credit.

d. Recommendation to Approve a **Resolution** Authorizing Approval of a Contract for the Construction of the St. Charles Police Tactical Training Center with KWCC Construction, Inc.

7. Fire Department

a. Recommendation to approve an **Ordinance** Amending Title 2 “Administration and Personnel”; Chapter 2.24 “Board of Fire and Police Commissioners”; Section 2.24.060 Rules and Regulations of the St. Charles Municipal Code.

8. Public Comment

9. Additional Items from the Mayor, Council or Staff


10. Executive Session

- Personnel – 5 ILCS 120/2(c)(1)
- Pending, Probable or Imminent Litigation – 5 ILCS 120/2(c)(11)
- Property Acquisition – 5 ILCS 120/2(c)(5)
- Collective Bargaining – 5 ILCS 120/2(c)(2)
- Review of Executive Session Minutes – 5 ILCS 120/2(c)(21)

11. Adjournment

ADA Compliance

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the ADA Coordinator, Jennifer McMahon, at least 48 hours in advance of the scheduled meeting. The ADA Coordinator can be reached in person at 2 East Main Street, St. Charles, IL, via telephone at (630) 377 4446 or 800 526 0844 (TDD), or via e-mail at jmcmahon@stcharlesil.gov. Every effort will be made to allow for meeting participation. Notices of this meeting were posted consistent with the requirements of 5 ILCS 120/1 et seq. (Open Meetings Act).

 CITY OF ST. CHARLES ILLINOIS • 1834	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item number: *5a
	Title:	Recommendation to approve a Resolution authorizing the purchase of Microsoft Server licensing from Dell Marketing LP for \$73,768	
	Presenter:	Larry Gunderson, Director of Information Systems	
Meeting: Government Operations Committee Date: December 4, 2023			
Proposed Cost: \$73,768		Budgeted Amount: \$	Not Budgeted: <input checked="" type="checkbox"/>
TIF District: None			
Executive Summary (if not budgeted, please explain): <p>The City utilizes Microsoft software as the core operating system software for its on-premise computer servers. To stay current with the latest server operating system software, the past practice has been to purchase new operating system software on a case-by-case basis as servers have been upgraded. Although this process has enabled staff to maintain our systems adequately, the result has been that multiple versions of server operating system software are in place at any given time. This leads to inefficiencies in management of our server operating systems, among other issues.</p> <p>With the proposed purchase of Microsoft Server 2022 licensing we will be standardized on one server operating system across our data centers. In addition, since Microsoft Server 2022 is the most up-to-date server operating system, the City will not have to purchase server operating system software again for several years.</p> <p>The cost for Microsoft Server 2022 licensing is from State of Illinois master contract #CMT1176800, which was awarded to Dell Marketing LP. Through the master contract with Dell, Microsoft provides discounted volume pricing on all Microsoft products to any Illinois state agency or local government. The purchase will be funded through the FY 24 Information Systems operating budget, utilizing funds for a project that has been deferred.</p>			
Attachments (please list): Bid Waiver Form, Resolution			
Recommendation/Suggested Action (briefly explain): Recommend approval of a resolution authorizing the purchase of Microsoft Server licensing from Dell Marketing LP for \$73,768			



BID WAIVER

One Time

Today through

Description:

Requested Vendor:

Requested by:

Date:

Approval: _____

Department Head

Bid Waivers are required when there are unique circumstances related to a proposed procurement that has not been competitively solicited.

1. This procurement is valued at \$_____ for this one time order, and/or
\$_____ for a 12 month period.
2. This good/service has been competitively solicited within the past 24 months. Yes No
If yes: Was the solicitation published on the city website? Yes No

3. Justification for Bid Waiver

Emergency i.e. declared by the Mayor and applicable to EOC/FEMA procedures.

Urgent i.e. required to resolve an unanticipated problem that, if not resolved within 48 hours, may cause undue risk to individuals and/or extensive damage to property.

Need for these goods/services were **not anticipated** and **procurement through normal channels would take too long.**

A responsible **contractor was on site** performing a related repair, and, based on professional judgement; it was prudent to request this service/repair from said contractor.

These goods are replacement parts for a **warranted item, and the warranty is still in place**, and purchase of a non-brand item will jeopardize warranty.

These goods/services are **inherently related to, and an ongoing part of**, other goods/services previously provided by the Provider.

These goods utilize a **proprietary, patent, trademark, or customized programing** resulting in lack of competition.

These goods are **standardized** for operational safety and efficiency.

These goods are only available through the provider's **local distribution** channels.

Other:

City of St. Charles, Illinois
Resolution No.

**A Resolution Authorizing the Purchase of Microsoft Server 2022 software
licensing from Dell Marketing LP in the submitted amount**

**Presented & Passed by the
City Council on**

WHEREAS, pursuant to the Illinois Governmental Joint Purchasing Act (30 ILCS 525/1, et seq.) the City may purchase personal property, supplies and services joining with other governmental units; and Illinois State Statutes authorize municipal governments to jointly purchase supplies; and

WHEREAS, the State of Illinois has publicly and competitively bid for a Joint Purchase Master Contract for a Microsoft Licensing Solutions Provider; and

WHEREAS, the State of Illinois awarded master contract #CMT1176800 to Dell Marketing LP of Round Rock, TX, the lowest priced responsive and responsible bidder, for the provision of Microsoft products, support and services and has made the contract available to other public entities; and

WHEREAS, the City solicited a quote for Microsoft Server 2022 Datacenter operating system software licensing from Dell Marketing LP; and

WHEREAS, Dell Marketing LP submitted contract pricing through State of Illinois master contract #CMT1176800;

THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, an Agreement be approved with Dell Marketing LP in the submitted amount.

PRESENTED to the City Council of the City of St. Charles, Illinois this ____ day of __, 2023

PASSED by the City Council of the City of St. Charles, Illinois, this ____ day of ____, 2023

APPROVED by the Mayor of the City of St. Charles, Illinois, this ____ day of ____, 2023

Resolution No. _____

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Lora Vitek, Mayor

ATTEST:

City Clerk


COUNCIL VOTE:


Ayes:

Nays:

Absent:

Abstain:

 <p>CITY OF ST. CHARLES ILLINOIS • 1834</p>	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item number: *5b
	Title:	Recommendation to approve an Ordinance Authorizing the Disposal of Computer and Other Electronic Equipment for Fiscal Year 2024	
	Presenter:	Larry Gunderson, Director of Information Systems	
Meeting: Government Operations Committee Date: December 4, 2023			
Proposed Cost: \$0		Budgeted Amount: \$0	Not Budgeted: <input type="checkbox"/>
TIF District: None			
Executive Summary (if not budgeted, please explain): <p>As older computer equipment and miscellaneous peripherals are replaced the Information Systems Department accumulates a surplus of unused equipment. IS staff have determined that the most economical approach to dispose of surplus computers and other electronic equipment is through donations or recycling.</p> <p>The proposed ordinance authorizes the Information Systems Department to donate or recycle the City's surplus electronic equipment. Equipment that the IS Department deems appropriate for secondary use can be donated to a number of organizations that can reuse, refurbish and redistribute the equipment. Equipment that is determined to be non-functional can be recycled.</p>			
Attachments (please list): Ordinance			
Recommendation/Suggested Action (briefly explain): Approve an Ordinance Authorizing the Disposal of Computer and Other Electronic Equipment for Fiscal Year 2024			

 <p>CITY OF ST. CHARLES ILLINOIS • 1834</p>	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item number: 5b
	Title:	Ordinance Authorizing the Disposal of Computer and Other Electronic Equipment for Fiscal Year 2024	
	Presenter:	Larry Gunderson, Director of Information Systems	
Meeting: Government Operations Committee Date: December 4, 2023			
Proposed Cost: \$0		Budgeted Amount: \$0	Not Budgeted: <input type="checkbox"/>
TIF District: None			
Executive Summary (if not budgeted, please explain): <p>As older computer equipment and miscellaneous peripherals are replaced the Information Systems Department accumulates a surplus of unused equipment. IS staff have determined that the most economical approach to dispose of surplus computers and other electronic equipment is through donations or recycling.</p> <p>The proposed ordinance authorizes the Information Systems Department to donate or recycle the City's surplus electronic equipment. Equipment that the IS Department deems appropriate for secondary use can be donated to a number of organizations that can reuse, refurbish and redistribute the equipment. Equipment that is determined to be non-functional can be recycled.</p>			
Attachments (please list): Ordinance			
Recommendation/Suggested Action (briefly explain): Approve an Ordinance Authorizing the Disposal of Computer and Other Electronic Equipment for Fiscal Year 2024			

City of St. Charles, Illinois
Ordinance No. 2023-M- _____

**Ordinance Authorizing Disposal of Computer and Other Electronic
Equipment for Fiscal Year 2024**

WHEREAS, the City of St. Charles is the owner of computer and other electronic equipment that has exhausted its usable life and is obsolete; and

WHEREAS, computer and other electronic equipment often contain heavy metals and other hazardous materials that might adversely affect the environment if not disposed of properly. Additionally, such equipment may contain personal, confidential or legally protected information that, if not erased or destroyed, may lead to inappropriate disclosure, identity theft and liability to the City of St. Charles; and

WHEREAS, the City of St. Charles intends to ensure that computer and other electronic equipment disposal is performed in an environmentally friendly and secure manner; and

WHEREAS, the City of St. Charles recognizes that organizations exist to help facilitate the recycling or refurbishing of unused computer and other electronic equipment; and

WHEREAS, the administrative regulations contained herein will apply to any computer equipment or peripheral device that is no longer needed by the City. This includes, but is not limited to, personal computers, servers, hard drives, laptops, tablets, printers, scanners and portable storage devices; and

WHEREAS, the Corporate Authorities of the City of St. Charles have decided that it is no longer necessary or useful for the City of St. Charles to retain ownership of surplus computer and other electronic equipment.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:**

1. Pursuant to Illinois Compiled Statutes, 65ILCS 5/11-76-4, the City Council finds that computer and other electronic equipment now owned by the City of St. Charles no longer necessary or useful to the City of St. Charles and the best interests of the City of St. Charles will be served by its donation or recycling.
2. Pursuant to said Section 65ILCS 5/11-76-4, the Director of Information Systems is hereby authorized to and may direct the disposal of the computer and other electronic equipment by either donating or recycling said computer and other electronic equipment free of charge. The computer and other electronic equipment is to be disposed of "AS-IS" without warranties of any kind. In particular, the City of St. Charles makes no warranties or representations expressed or implied about the performance ability of the equipment, about its present state of repair, about its condition or maintenance, or its fitness for a particular purpose.

PRESENTED to the City Council of the City of St. Charles, Illinois, this ____ day of _____, 2023.

PASSED by the City Council of the City of St. Charles, Illinois, this ____ day of _____, 2023.

APPROVED by the Mayor of the City of St. Charles, Illinois, this ____ day of _____, 2023.

Lora Vitek, Mayor

ATTEST:

City Clerk


Council Vote:

Ayes:

Nays:

Absent:

Abstain:

	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item number: 6a
	Title:	Recommendation to Approve a Resolution Authorizing Approval of a Master Services and Purchasing Agreement for Police Body-Worn Cameras from Axon Enterprise, Inc.	
	Presenter:	Chief James Keegan	
Meeting: Government Operations Committee Date: December 4, 2023			
Proposed Cost: \$ 1,023,168.80		Budgeted Amount: \$ See Attachment	Not Budgeted: <input type="checkbox"/>
TIF District: Choose an item.			
Executive Summary (if not budgeted, please explain): <p>To comply with the provisions of the Illinois SAFE-T Act, which mandates municipalities with populations under 50,000 to implement body-worn cameras (BWC) for all law enforcement by 2025, the Police Department undertook an extensive study of various body-worn camera platforms over the last year.</p> <p>Staff determined Axon was the best fit for police operations as it uses cloud-based retention and redaction software via Evidence.Com (used by State's Attorney Offices in DuPage/Kane) and its ease of operation, quality, and program integration with our existing technologies and support this recommendation.</p> <p>The recommended purchase from Axon is through a purchasing agreement with the Sourcewell Cooperative Purchasing Group (Contract #010720-AXN). In addition, staff is recommending to proceed before the end of calendar year 2023 as pricing increases and longer-term contracts provide the City with several benefits to include locked-in inflation escalators, bundled pricing, warranty and software support, and an equipment upgrade in the middle of the contract term.</p> <p>Each of our sixty (60) sworn officers will be assigned a BWC. The purchasing agreement also provides for two (2) spare cameras and the associated charging stations and ancillary equipment.</p> <p>Funding for the project will be off-set by a grant obtained by the U.S. Department of Justice for Body-Worn Cameras (\$120,000.00), set aside funds previously budgeted for this expense (\$117,000.00), and City funding incorporated within our operating budget in the out years of this 10-year contract.</p>			
Attachments (please list): Master Services and Purchasing Agreement			
Recommendation/Suggested Action (briefly explain): Recommendation to approve a Resolution authorizing approval of a master services and purchasing agreement for police body-worn cameras from Axon Enterprise, Inc.			



St. Charles Police Body Worn Camera Acquisition Project

PROJECT OVERVIEW



Safe T Act

A new Illinois law, HB 3653, signed in February 2021, required all police officers in the state to wear body worn cameras (BWC). The use of body worn cameras will help collect evidence while improving transparency and accountability, and strengthen public trust.

Body Camera Requirement

The Illinois State Police and law enforcement in the smallest municipalities and counties, with populations under 50,000, must have them in place by January 1, 2025. They must be equipped with pre-event recording of least the 30 seconds prior to camera activation and be capable of recording for a period of at least 10 hours. By law, recordings made on a BWC must be retained for a minimum of 90 days and must be destroyed unless it is considered a flagged encounter such as an arrest, a use of force incident, a complaint against the officer, or an event that will be used in a criminal proceeding.

Body Worn Camera (BWC) Operation Summary

BWC must be activated when an officer:

- Is engaged in law enforcement encounter activities, which include but are not limited to: traffic stops, pedestrian stops, arrests, searches, interrogations, investigations, pursuits, crowd control, traffic control, non-community caretaking interactions with an individual while on patrol, or any other instance in which the officer is enforcing the laws of the municipality, county, or State.

BWC need not be activated when an officer:

- Receives a request to not be recorded by a victim or witness reporting a crime not in progress.
- Engaging in a community care-taking function such as helping a lost child, well-being checks on the sick or elderly, providing death notifications, participating in town halls, or community outreach.
- While working on paperwork alone or only in the presence of other officers.

Body Worn Camera Systems

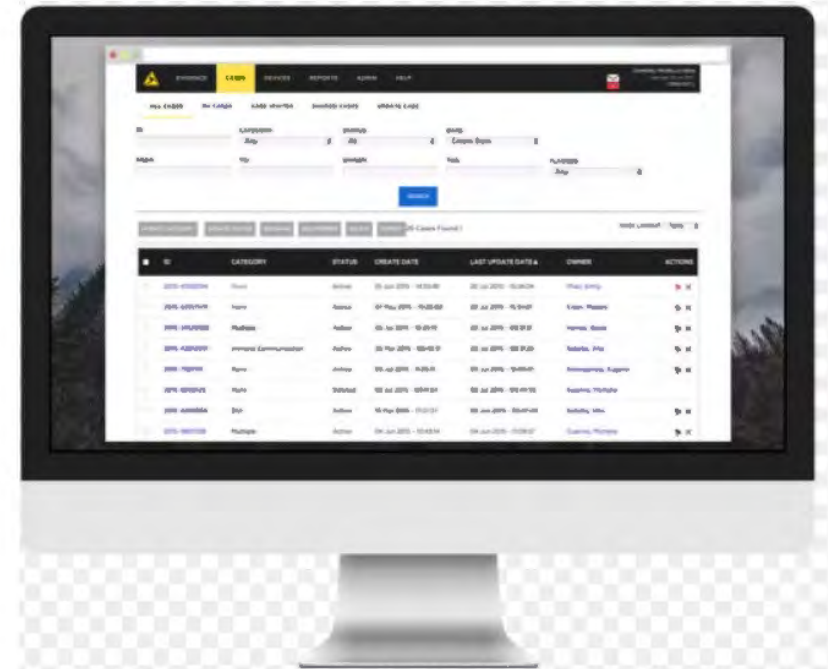
Hardware

- BWC and Docking Station to charge device and download footage



Software

- Cloud Based Platform for video upload, viewing, storage, and redaction application



Body Worn Camera Mounting



Squad Car Camera Systems

Front Windshield Camera



Rear seat/Prisoner Camera



- Squad Camera and Officer BWC will pair and footage from cameras will be linked and can be viewed simultaneously
- Squad camera recording can be initiated by emergency light activation which will automatically activate the BWC of the assigned officer

Body Worn Camera/Squad Camera Beta Testing Process



BWC

Beginning in August of 2023, SCPD conducted testing with three different BWC vendors: Axon, Motorola, and Midwest Public Safety. Officers, supervisors, evidence, and records staff participated in various phases of the testing process by learning the functionality of the camera to record along with viewing, downloading, and redaction of the footage. The testing lasted about 30 days per vendor and was completed on November 24, 2023.



Squad Car Cameras

Safe T Act

- The Safe T Act does not require agencies to have squad car cameras, only body worn cameras. However, having both capabilities will be beneficial for evidentiary purposes, particularly for prosecuting DUI cases, along with increased transparency and accountability.

Midwest Public Safety

- SCPD tested one squad car camera with Midwest Public Safety. Only officers assigned to use the body worn cameras utilized the squad car camera. The squad car was equipped with two camera views; one out the front windshield and the other for the back seat prisoner transport seat.

BWC Beta Testing Evaluations



BWC Rankings by officers in order: #1 Axon, #2 Midwest Public Safety, #3 Motorola

- Officers ranked Axon #1 for overall ease of use, best system to tag events, highest quality video, camera was rugged, Axon phone app, and access online to view the footage was convenient. Officers also found the function of the actual camera to be user-friendly in addition to the mounting options for their vest carriers.

BWC Rankings by supervisors and records staff in order: #1 Axon, #2 Midwest Public Safety, #3 Motorola

- Staff ranked Axon #1 due to the detailed training presentation, the Evidence.com platform is easy to use from low-end user (Officers) to high-end user (Records Supervisor/Deputy Chief) and, most importantly in relation to FOIA requests, the redaction software was by far the most advanced and easy to use.
- Axon's overall customer service from sales representatives to service managers were very knowledgeable and responsive.

Axon Body 4 (released in 2023)

Features Include

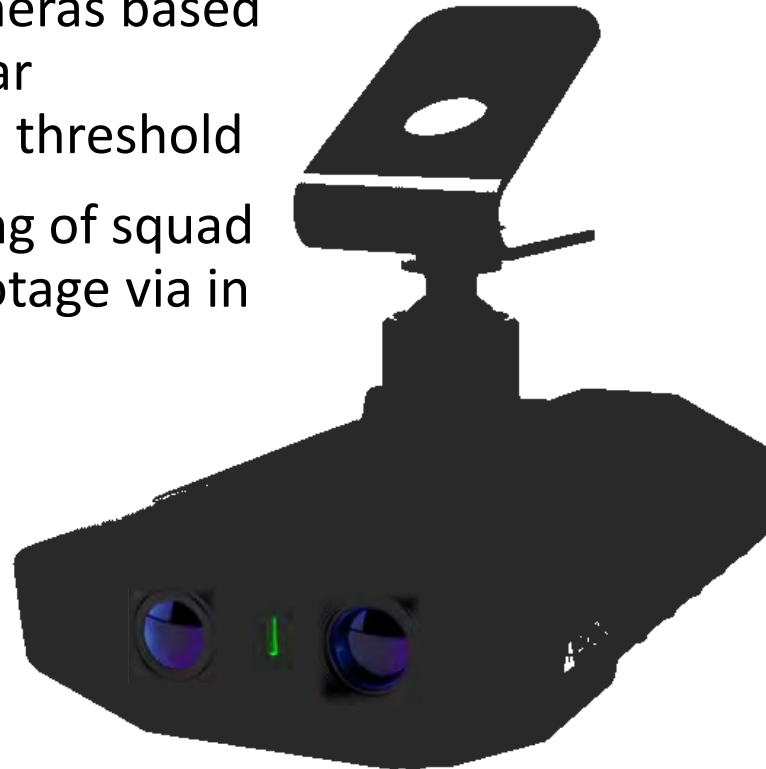
- More expansive images and video with increased visibility and 160-degree field of view
- Secure, clearer, and more detailed images for improved evidence collection
- Faster, more convenient charging
- Enhanced collaboration with two-way communication feature enabling field personnel to share body camera livestreams with support teams



Axon Fleet 3 Basic + TAP

Features Include

- Two cameras; front windshield and read seat prisoner view
- Fleet 3 activates cameras based on events like lightbar activation and speed threshold
- Wireless downloading of squad camera and BWC footage via in car computer (MDC)



TAP (Technology Assurance Plan)

- Provides warranty coverage for existing Axon cameras for a present number of years, after which they're replaced by the next models
- Additional onsite spares ensure officers are equipped with the tools they need and stay up to date with the newest Axon camera technology
- Replacement devices sent with 24 hours

Evidence.com

Features Include

- Video management software for BWC and Squad camera footage
- Redaction application to assist with FOIA request for video footage
- Manage users with varying access capabilities
 - Officers can only access their own recorded footage
 - Supervisors and Administration can view all footage
- All footage contains an audit trail which reveals the viewing history, date, and user
- SCPD is already using Evidence.com per Kane County and DuPage County State's Attorney mandate. All police reports, supporting documents, along with evidence in photo and video form, are uploaded per request by KCSAO/DPCSAO



Axon Taser Update

Previous Taser Model XP26P



New Model Taser 7



Taser 7 Features

- New rapid arc technology outperforms all previous Energy Weapons
- Spiral darts fly straighter and faster with nearly double the kinetic energy to compress loose and hanging clothing
- 93% increased probe spread at close range, where 85% of deployments occur
- New Taser platform allows training and on-duty deployment tracking via Evidence.com
- Contains two cartridges which can be changed by tilting the device versus X26P cartridges which have to be manually changed



Funding



- Purchasing Cooperative
 - Sourcewell Contract #010720-AXN
 - Additional savings through AXON for 10-year contract
- Grant Funding
 - Department of Justice (DOJ) Bureau Of Justice Assistance (BJA)
 - Body-worn Camera Policy and Implementation Program to Support Law Enforcement Age
 - Awarded in September 2023
 - **\$120,000 over 3 years**
 - Illinois Law Enforcement Training and Standards Board (ILETSB)
 - SCPD will be seeking this in 2024
 - This is a reimbursement grant for 100% of the costs of In Car Cameras (up to \$5,752 per camera)
 - **Approximately \$115,000 potential award**
- Budgeted Funds
 - \$117,000 has been budgeted for In-car camera purchases
 - \$300,000 available in Police Department escrow funds (statutory court fine/fees distribution)

Quote Summaries

St. Charles Police Department

Quote Summary - December 2023

Axon Enterprise, Inc.

Item	Term	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Total Cost	Avg Savings per YR	Total Savings
TASER	60 months	\$13,198.33	\$13,726.26	\$14,275.31	\$14,846.32	\$15,440.18						\$71,486.40	\$1,321.92	\$6,609.60
In-car Camera	120 months	\$42,860.19	\$44,574.59	\$46,357.58	\$48,211.88	\$50,140.36	\$52,145.97	\$54,231.81	\$56,401.08	\$58,657.13	\$61,003.41	\$514,584.00	\$14,467.20	\$144,672.00
Body-worn Camera	120 months	\$153,058.25	\$82,219.35	\$85,508.12	\$88,928.45	\$92,485.59	\$96,185.01	\$100,032.41	\$104,033.71	\$108,195.05	\$112,522.86	\$1,023,168.80	\$3,023.28	\$30,232.80
TOTALS		\$209,116.77	\$140,520.20	\$146,141.01	\$151,986.65	\$158,066.13	\$148,330.98	\$154,264.22	\$160,434.79	\$166,852.18	\$173,526.27	\$1,609,239.20	\$18,812.40	\$181,514.40

Project Design and Implementation



The St. Charles Police Department Body-Worn Camera Transparency and Accountability Program (BWC-TAP) will be a comprehensive program to implement the use of not only body-worn cameras, but police in-car cameras, as well. The program will be designed to ensure that SPCD complies with the State of Illinois mandate for the implementation of body-worn cameras prior to January 1, 2025. Implementation will be through a planned and phased approach involving key stakeholders such as prosecutors from the Kane and DuPage County State's Attorney Offices, City of St. Charles executive staff members and elected officials, police officer and sergeant union representatives, police command staff and regional policing partners, as well as citizens of the St. Charles community.

Implementation Steps




- Assignment of a BWC-PIP Grant Coordinator
- Assignment of a Camera Implementation Coordinator
- Establishment of policies and written directives related to implementation and use of body-worn cameras and in-car cameras
- Coordination with the SCPD Police Records Division and the property/evidence custodian regarding procedures for:
 - Media storage
 - Review, redaction, inspection, and distribution
 - Sharing with prosecutors and other court officials
 - Retention and destruction
- Identifying employee responsibilities from each section and identifying roles

Implementation Steps cont.



- Purchase and Installation
 - Solicitation and Procurement
 - Installation of in-car cameras
 - Vendor provided train the trainer sessions
- Implementation and Training
 - Training on use of in-car camera systems – all personnel
 - Issuance and training: body-worn cameras
- Full Implementation and Use
 - Go-Live date for all sworn personnel
 - All policies signed and acknowledged by all personnel
- Compliance with FOIA and applicable records retention laws
- Community outreach and public education regarding camera systems in use
- Maintain annual reporting on use-of-force incidents and citizen complaints.

	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item number: 6b
	Title:	Recommendation to Approve a Resolution Authorizing Approval of a Master Services and Purchasing Agreement for Police In-car Video Systems from Axon Enterprise, Inc.	
	Presenter:	Chief James Keegan	
Meeting: Government Operations Committee		Date: December 4, 2023	
Proposed Cost: \$ 514,584.00		Budgeted Amount: \$ See Attachment	Not Budgeted: <input type="checkbox"/>
TIF District: Choose an item.			
Executive Summary (if not budgeted, please explain): <p>To comply with the provisions of the Illinois SAFE-T Act, which mandates municipalities with populations under 50,000 to implement body-worn cameras for all law enforcement by 2025, the police department undertook an extensive study of various body-worn camera platforms over the last year. As we progressed in our research, it became apparent that in-car video systems would also greatly enhance and compliment the recording of police personnel and their interactions.</p> <p>Staff determined Axon was the best fit for police operations as it uses cloud-based retention and redaction software via Evidence.Com and its ease of operation, quality and integration with our existing technologies support this recommendation.</p> <p>The recommended purchase from Axon is through a purchasing agreement with the Sourcewell Cooperative Purchasing Group (Contract #010720-AXN). In addition, staff is recommending to proceed before the end of calendar year 2023 as pricing increases and longer-term contracts provide the City with several benefits to include locked-in inflation escalators, bundled pricing, warranty and software support, and an equipment upgrade in the middle of the contract term.</p> <p>Funding for the project will be off-set by a pending reimbursement grant by the State of Illinois Law Enforcement Standards and Training Board (\$115,000.00) and City funds via our yearly operating budget. We will also be able to utilize fine monies designated for the use of in-car equipment as a means to fund and off-set this expenditure in the outyears of this 10-year contract.</p> <p>A total of twenty (20) in-car video systems will be purchased and installed by Axon Enterprise, Inc. to outfit all of our front-line police vehicles.</p>			
Attachments (please list): Master Services and Purchasing Agreement			
Recommendation/Suggested Action (briefly explain): Recommendation to approve a Resolution authorizing approval of a master services and purchasing agreement for police in-car video systems from Axon Enterprise, Inc.			

City of St. Charles, Illinois
Resolution No. _____

A Resolution Authorizing the Mayor and City Clerk of the City of St. Charles to Authorize the Purchase of 20 Police In-Car Video Systems from Axon Enterprise, Inc. through the Sourcewell Joint Purchasing Cooperative #010720-AXN in the amount of \$514,584.00

**Presented & Passed by the
City Council on December 18, 2023**

WHEREAS, to comply with the provisions of the State of Illinois SAFE-T Act, which mandates municipalities with populations under 50,000 to implement body-worn cameras for all law enforcement by 2025, and after extensive research, the Police Department has identified need to compliment the body-worn cameras with in-car video systems to enhance the recording of police personnel and their interactions;

THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, that the purchase of 20 Police In-Car Video Systems in the amount of \$514,584.00 be approved from Axon Enterprise, Inc. through the Sourcewell Joint Purchasing Cooperative # 010720-AXN.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 18th day of December, 2023

PASSED by the City Council of the City of St. Charles, Illinois, this 18th day of December, 2023

APPROVED by the Mayor of the City of St. Charles, Illinois, this 18th day of December, 2023

Lora Vitek, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain:

 <p>CITY OF ST. CHARLES ILLINOIS • 1834</p>	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item number: 6c
	Title:	Recommendation to Approve a Resolution Authorizing Approval of a Master Services and Purchasing Agreement for Police Tasers from Axon Enterprise, Inc and the Subsequent Declaration of Current Tasers as Surplus Property for the Purposes of Trade-in/credit.	
	Presenter:	Police Chief James Keegan	
Meeting: Government Operations Committee		Date: December 4, 2023	
Proposed Cost: \$ 71,486.40		Budgeted Amount: \$ See Attachment	Not Budgeted: <input type="checkbox"/>
TIF District: Choose an item.			
Executive Summary (if not budgeted, please explain): <p>The Police Department has utilized police tasers for about 15 years through three five-year contracts with Axon Enterprise, Inc. Our current contract has expired and our tasers (12), used by all front-line police officers (X-26P models), are no longer warranted or supported.</p> <p>As part of our recommendation in utilizing Axon for both body-worn cameras and in-car video systems, Axon offered “bundled” incentives to also secure and renew a five-year master services and purchasing agreement to upgrade our current platform of tasers to the Taser-7 model. Our current tasers will be returned to Axon and credit provided as part of this agreement.</p> <p>Staff is recommending approval and execution of this contract before the end of calendar year 2023 as pricing increases appear significant. The five-year contract is the longest-term Axon provides for tasers and this agreement includes locked-in inflation escalators, a bundle signing incentive, warranty and software support, and all of our training and in-service cartridges. This pricing is also publicly bided through the Sourcewell Purchasing Cooperative (Contract #010720-AXN).</p> <p>Funding for this purchase will be integrated into our yearly operating budget.</p>			
Attachments (please list): Master Services and Purchasing Agreement			
Recommendation/Suggested Action (briefly explain): Recommendation to approve a Resolution authorizing approval of a master services and purchasing agreement for police tasers from Axon Enterprise, Inc and the subsequent declaration of current tasers as surplus property for the purposes of trade-in/credit.			

City of St. Charles, Illinois
Resolution No. _____

A Resolution Authorizing the Mayor and City Clerk of the City of St. Charles to Authorize the Purchase of Twelve Tasers Model 7 from Axon Enterprise, Inc. through the Sourcewell Joint Purchasing Cooperative #010720-AXN in the amount of \$71,486.40 and the Corresponding Trade-In of Twelve Model X-26P Taser

**Presented & Passed by the
City Council on December 18, 2023**

WHEREAS, the Police Department has identified a need to replace the current police tasers. The current X-26P taser model is no longer supported or under warranty;

THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, that the purchase of 12 Model 7 Tasers in the amount of \$71,486.40 be approved from Axon Enterprise, Inc. through the Sourcewell Joint Purchasing Cooperative # 010720-AXN and the Corresponding Trade-In of 12 existing X-26P Tasers.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 18th day of December, 2023

PASSED by the City Council of the City of St. Charles, Illinois, this 18th day of December, 2023

APPROVED by the Mayor of the City of St. Charles, Illinois, this 18th day of December, 2023

Lora Vitek, Mayor

ATTEST:

City Clerk


COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain:

	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item number: 6d
	Title:	Recommendation to Approve a Resolution Authorizing Approval of a Contract for the Construction of the St. Charles Police Tactical Training Center with KWCC Construction, Inc.	
	Presenter:	Police Chief James Keegan	
Meeting: Government Operations Committee Date: December 4, 2023			
Proposed Cost: \$ 1,239,000.00		Budgeted Amount: \$ See Attachments	Not Budgeted: <input type="checkbox"/>
TIF District: Choose an item.			
Executive Summary (if not budgeted, please explain): <p>The Police Department owns and operates an outdoor firing range and has done so for many years. This range is used by numerous agencies throughout our region via rental agreements and features over 100-yards of firing space. As part of the overall planning of this range, a pavilion was constructed several years ago, but the range building as initially envisioned never materialized.</p> <p>Through a grant, made possible by the State of Illinois (Department of Commerce and Economic Opportunity-DECO), and private donations from both the Kara Foundation and Wayne Jimerson, \$1,265,000.00 was raised for the project.</p> <p>FGM Architects worked with City staff incorporating basic design features of the project into several scope documents and was publicly bided pursuant to City purchasing policies. The plan features a approximate 90x40 building to include a classroom, virtual training center, bathroom facilities, and a garage/storage area.</p> <p>A total of three (3) bids were received for this project with KWCC Construction Inc. (Montgomery, IL) being selected as the lowest bid at \$1,239,000.00. This bid and the subsequent construction of this project comes at no cost to the City and is completely absorbed by grant funding.</p> <p>Staff recommends approval as presented. A construction schedule outlines substantial completion of the project and the building being operational in June of 2024.</p> <p>Bids Received KWCC \$1,239,000.00 Paul Borge Construction \$1,281,000.00 Harbour Contractors \$1,337,172.00</p>			
Attachments (please list): RTTC Presentation, Bid Tabulation			
Recommendation/Suggested Action (briefly explain): Recommendation to approve a Resolution authorizing approval of a contract for the construction of the St. Charles Police Tactical Training Center with KWCC Construction, Inc.			

Tabulation Sheet

Agency Name City of St. Charles

Bid Number ITB-PD2023-40-0-2024/BP

Bid Name Tactical Training Facility

Bid Due Date 11/17/2023 10:00:00 Central

Bid Opening **Closed**

3 responses found.

✓ online,  offline, ● not submitting,  not received

Company		Responded	Address	Bid Amount	Alt Bid Amount	Declared Attributes	Documents	Sent
Complete								
1.	HARBOUR CONTRACTORS	11/17/2023 09:32:31 Central	23830 WEST MAIN STREET, PLAINFIELD, IL, 60544	\$1337172.0000	0.0000		Cover Page	✓
							Signature Page	✓
							Price Proposal	✓
							Certification of Compliance	✓
							Service Provider Response Requirements	✓
							References	✓
							Bid Bond	✓
							Financial Report	✓
							Certificate of Insurance	✓
							W-9	✓
							Exhibit E	✓
							Bid Form 004100	✓
2.	KWCC Inc. Construction	11/17/2023 09:42:40 Central	111 S. Lake Street, Suite 102, Montgomery, IL, 60538	\$1239000.0000	0.0000		Cover Page	✓
							Signature Page	✓
							Price Proposal	✓
							Certification of Compliance	✓
							Service Provider Response Requirements	✓
							References	✓
							Bid Bond	✓
							Financial Report	✓
							Certificate of Insurance	✓
							W-9	✓
							Exhibit E	✓
							Bid Form 004100	✓
3.	Paul Borg Constructuotion Co	11/17/2023 09:10:15 Central	2007 S. Marshall Blvd., Chicago, IL, 60623	\$1281000.0000	0.0000		Cover Page	✓
							Signature Page	✓
							Price Proposal	✓
							Certification of Compliance	✓
							Service Provider Response Requirements	✓
							References	✓
							Bid Bond	✓
							Financial Report	✓
							Certificate of Insurance	✓
							W-9	✓
							Exhibit E	✓
							Bid Form 004100	✓

St. Charles Police Department Regional Tactical Training Center



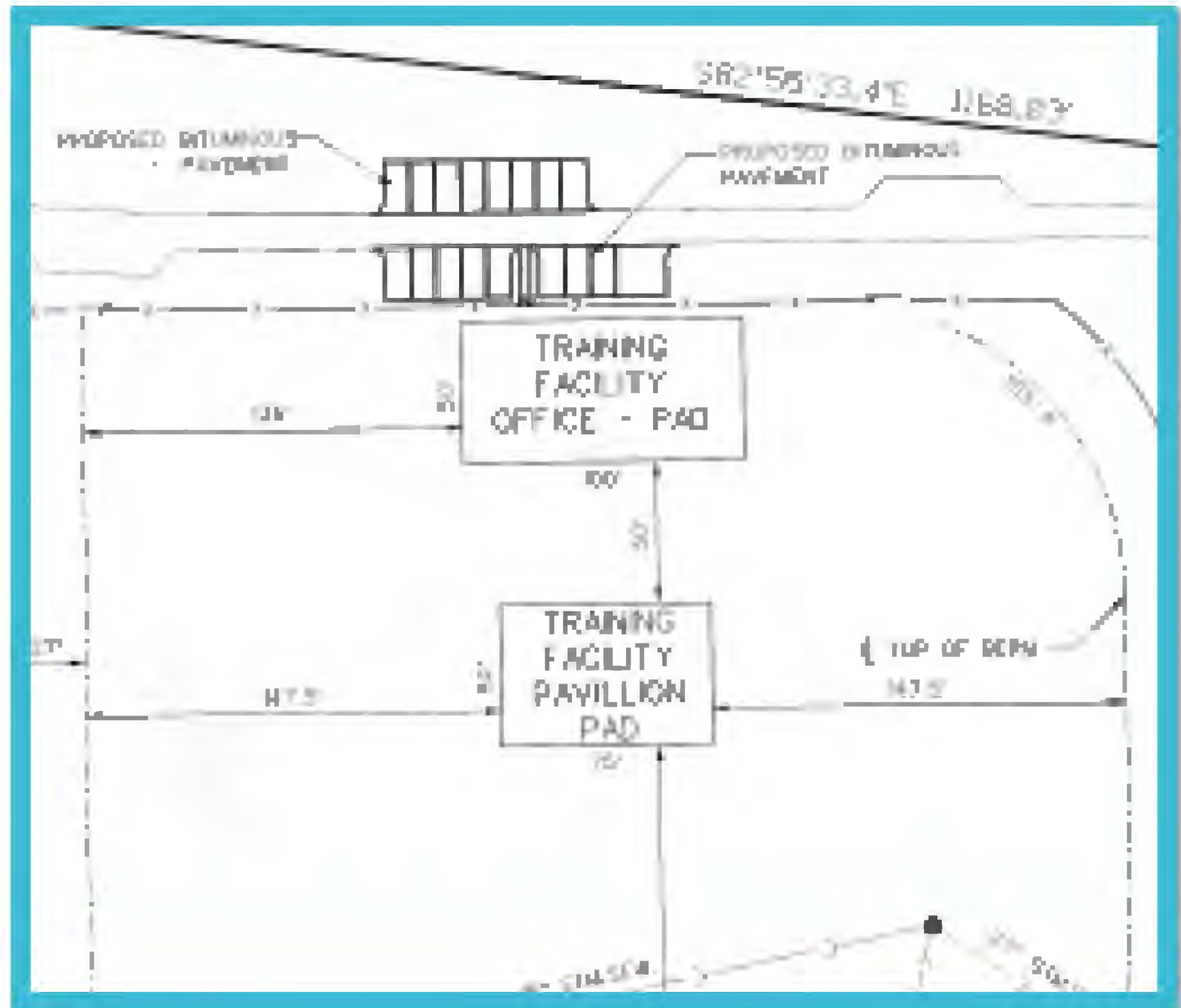
Agencies which currently utilize the St. Charles Police Department's Regional Tactical Training Center

Aurora Police Department
Aurora SRT
Bartlett Police Department
Batavia Police Department
Cortland Police Department
Dupage County Sheriff
Dupage County State's Attorney
Elburn Police Department
Elgin Police Department
Elmhurst Police Department
Geneva Police Department
Glen Ellyn Police Department
Gilberts Police Department
Hanover Park Police Department
Itasca Police Department
Kane County Forest Preserve
Kane County Sheriff
Kane County WMD/SRT

Lake in the Hills Police Department
Lombard Police Department
Metro SWAT (Dupage County)
Northlake Police Department
Pingree Grove Police Department
Roselle Police Department
Schaumburg Police Department
South Barrington Police Department
South Elgin Police Department
Streamwood Police Department
Sugar Grove Police Department
Wayne Police Department
West Chicago Police Department
West Dundee Police Department
Wheaton Police Department
Winfield Police Department
Wooddale Police Department



Original Plans - Including the Building Site



City of
St. Charles

City of
St. Charles

Illinois Department of Corrections

Westside Water
Reclamation Facility

Tri - Com

Stormwater
Mangement
Area

Prairie Green Area

Tri-City Public Safety Training Facility
Earthwork Improvements
Utility and Geometric Plan
City of St. Charles, Kane County, Illinois



TROTTER
ASSOCIATES
Consulting Engineers and Surveyors
1800 N. River Road, Suite 100 • St. Charles, IL 62278
(618) 735-1234 • Fax (618) 735-1235

Project No.	110001
Plan File	110001
Sheet No.	02.101
Date	09/12/11
Scale	1" = 40'
Sheet Number	C-2

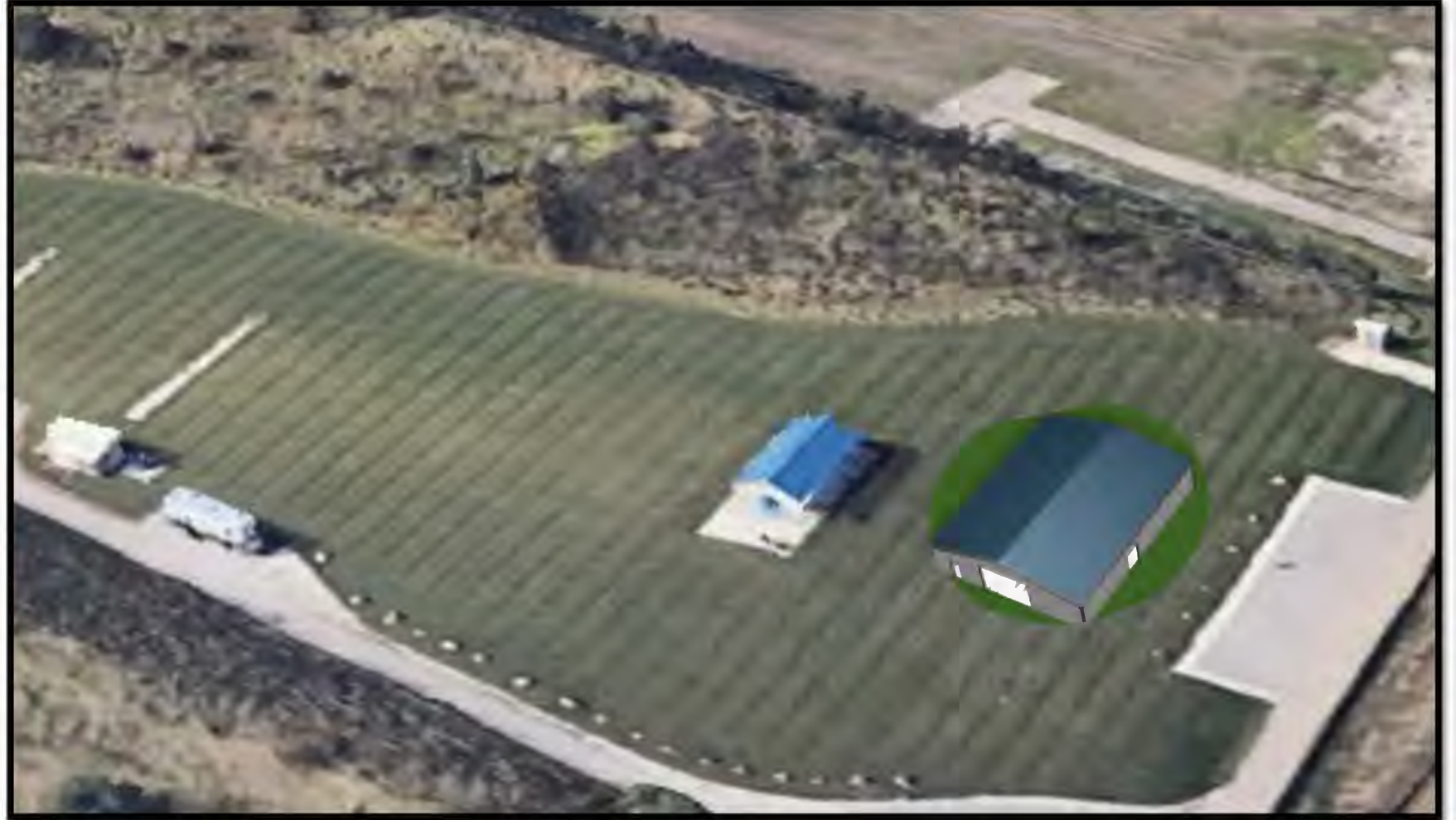
St. Charles Police Department Regional Tactical Training Center

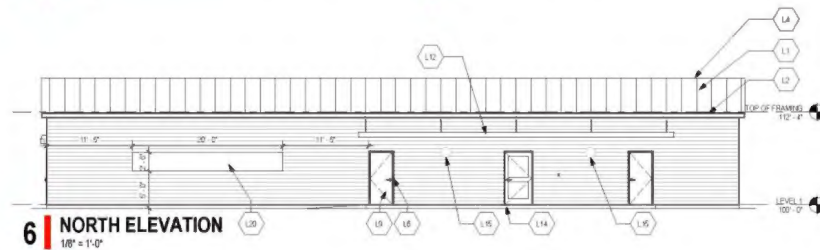
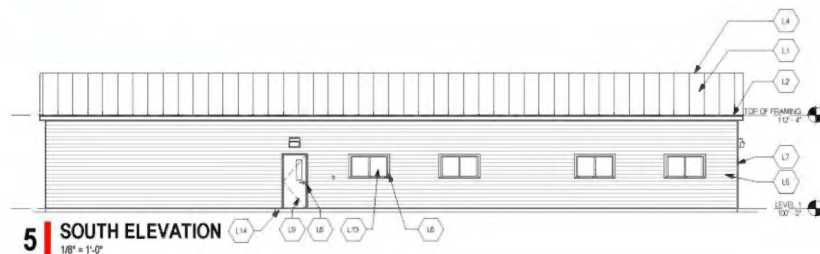
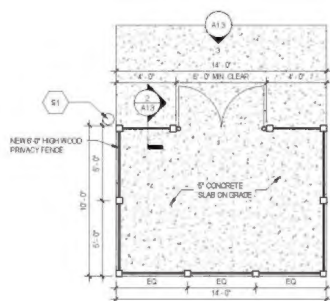
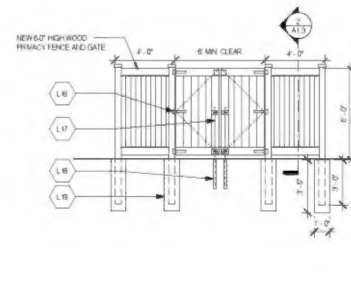
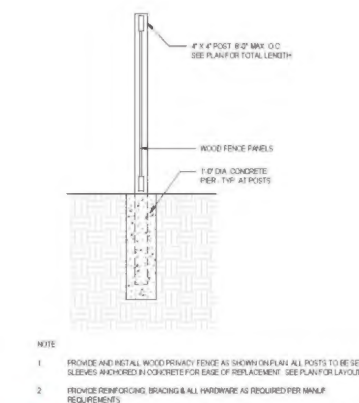
- **3,600 Square Foot**

- 90X40
- Classroom
- Virtra System Room
- Bathrooms (4)
- Garage/Gun Cleaning Area & Storage

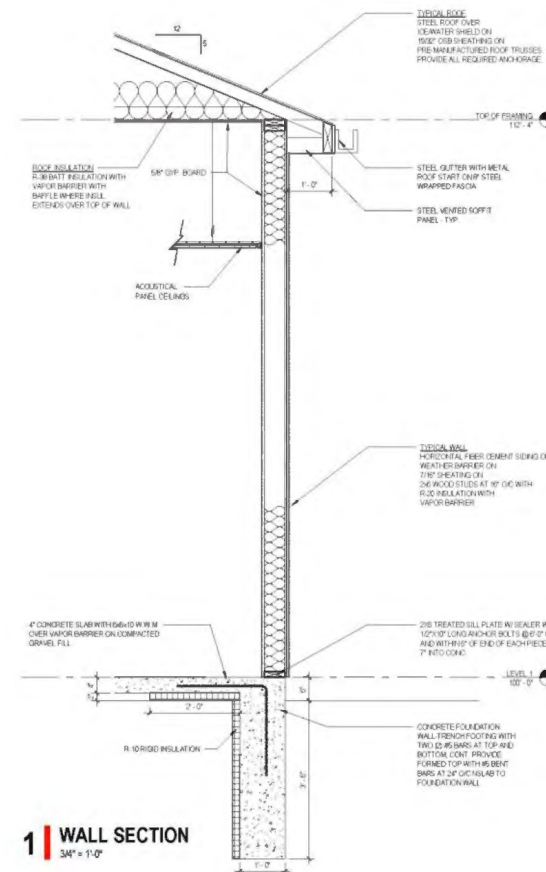


St. Charles Police Department Regional Tactical Training Center



**8 | EAST ELEVATION**
1/8" = 1'-0"**7 | WEST ELEVATION**
1/8" = 1'-0"**6 | NORTH ELEVATION**
1/8" = 1'-0"**5 | SOUTH ELEVATION**
1/8" = 1'-0"**4 | TRASH ENCLOSURE PLAN**
1/4" = 1'-0"**3 | TRASH ENCLOSURE**
1/4" = 1'-0"**2 | TYPICAL ENCLOSURE WALL DETAIL**
1/2" = 1'-0"

EXTERIOR ELEVATIONS KEYED NOTES	
TAG	DESCRIPTION
L1	PREFINISHED GALVANIZED STEEL ROOF
L2	8\"
L3	METAL WRAPPED W/ RAIN TIGHT COLOUR BLACK
L4	ROOF VENT
L5	PREFINISHED FIBER CEMENT SIDING WITH 1\"
L6	PREFINISHED FIBER CEMENT TRIM 3\"
L7	PREFINISHED FIBER CEMENT CORNER BOARDS 3\"
L8	EXTERIOR DOOR AND FRAME
L9	EXTERIOR WINDOW DOOR
L10	EXTERIOR WALL PACK LIGHT FIXTURE
L11	ARCHITECTURAL CANOPY, SUPER LUMINOUS PRE-ENGINEERED ALUMINUM CANOPY SYSTEM SUPPORTED WITH BRACKET
L12	FIBERGLASS SLIDING WINDOW UNITS
L13	CONCRETE STAIR
L14	EXTERIOR LIGHT SPRAY POLICE BLUE SPRAY CO. AND MED. W/ POLICE LIGHT WITH WALL BRACKET
L15	WALL BRACKET BY SENTRY ELECTRIC AT WORK SENTRY LIGHTING CO. INC.
L16	GATE HINGE
L17	SPRINKLER STEEL LUGS/HANGERS
L18	PROVIDE KEEPER ROD AND SHOE AT OPEN AND CLOSED POSITIONS FOR EACH GATE
L19	MIN. 42\"
L20	PROVIDE 20\"

**1 | WALL SECTION**
3/4" = 1'-0"**NOT FOR CONSTRUCTION**

FOR REVIEW ONLY

Not for regulatory approval, permit or construction.
The information on this document is preliminary or incomplete, not for construction, recording purposes, or implementation.

ISSUANCE		
NO.	DATE	DESCRIPTION

ST. CHARLES POLICE TACTICAL TRAINING BUILDING
CITY OF ST. CHARLES
3825 Karl Madsen Dr.
St. Charles, IL 60174

FOR REVIEW ONLY

EXTERIOR ELEVATIONS

SHEET NO.

A1.3

JOB NO. 23-3624.01

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St. Charles
Police
Department
Regional
Tactical
Training
Center

Budget & Bids

- State of Illinois DECO Grant (Department of Commerce and Economic Opportunity) 1.1 Million
- Private Grant/Donations (Kara Foundation and Wayne Jimerson) \$165,000
- Total outside funding: \$1,265,000.00
- Bid awarded to KWCC Construction for \$1,239,000.00



 <p>CITY OF ST. CHARLES ILLINOIS • 1834</p>	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item number: 7a
	Title:	Recommend Approval of the Ordinance Amending Title 2 "Administration and Personnel"; Chapter 2.24 "Board of Fire and Police Commissioners"; Section 2.24.060 "Rules and Regulations".	
	Presenter:	Fire Chief Scott Swanson	
Meeting: Government Operations Committee Date: December 4, 2023			
Proposed Cost: \$ 0		Budgeted Amount: \$ 0	Not Budgeted: <input type="checkbox"/>
<p>Title 2 "Administration and Personnel"; Chapter 2.24 "Board of Fire and Police Commissioners "; Section 2.24.060 "Rules and Regulations" has been updated. City staff has reviewed and recommended the amendments to the Board of Fire and Police Commissioners. The Board has reviewed the amended rules and approved the updated Rules and Regulations of the St. Charles, Illinois Board of Fire and Police Commissioners at their November 27, 2023 special meeting.</p> <p>This Ordinance, upon City Council adoption, will place these Rules and Regulations into effect. The adopted Rules and Regulations will be incorporated into and made part of Chapter 2.24, Section 2.24.060 – Rules and Regulations and Ordinance by reference.</p>			
<p>Attachments (please list):</p> <p>Ordinance Amending Title 2 "Administration and Personnel"; Chapter 2.24 "Board of Fire and Police Commissioners"; Section 2.24.060 _ Rules and Regulations.</p> <p>Appendix A – Rules and Regulations of the Board of Fire and Police Commissioners</p>			
<p>Recommendation/Suggested Action (briefly explain):</p> <p>Recommendation for approval of the Ordinance and placing the amended Rule and Regulations Board of Fire and Police Commissioners in effect.</p>			

City of St. Charles, Illinois

Ordinance No. 2023-M-

**An Ordinance Amending Title 2 “Administration and Personnel”;
Chapter 2.24 “Board of Fire and Police Commissioners”; Section 2.24.060
Rules and Regulations**

WHEREAS, the City of St. Charles (the "City") is a home rule municipality duly organized and existing pursuant to the Illinois Constitution of 1970 and the laws of the State of Illinois; and,

WHEREAS, the City has provided for a Board of Fire and Police Commissioners pursuant to the City's statutory and home rule authorities; and

WHEREAS, The Board of Fire and Police Commissioners has approved certain Rules and Regulations; and

WHEREAS, the City finds it necessary to amend Title 2, Chapter 2.24 and adopt updated Board of Fire and Police Commission Rules and Regulations section 2.24.060.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION 1: The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2: Exhibit A, attached hereto and made part of, is hereby approved as the Rules and Regulations of the City of St. Charles, Illinois Board of Fire and Police Commissioners under Title 2, Chapter 2.24, Section 2.24.060 of the St. Charles Municipal Code and shall be adopted as presented and incorporated as by reference.

SECTION 3: If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or any part thereof is, for any reason, held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof.

SECTION 4: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of the conflict.

SECTION 5: This Ordinance shall be in full force and effect upon its passage and approval in accordance with law.

Ordinance No. _____

Page 2

PRESENTED to the City Council of the City of St. Charles, Illinois, this _____ day of December 2023.

PASSED by the City Council of the City of St. Charles, Illinois, this _____ day of December 2023.

APPROVED by the Mayor of the City of St. Charles, Illinois, this _____ day of December 2023.

Lora Vitek, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain:

Appendix A

Amended

Rules & Regulations of the
Board of Fire & Police Commissioners
2023



ST. CHARLES
SINCE 1834

**RULES AND REGULATIONS OF THE BOARD OF
FIRE AND POLICE COMMISSIONERS CITY OF
ST. CHARLES STATE OF ILLINOIS**

APPROVED by the Board of Fire and Police Commissioners: November 27, 2023

ADOPTED by City Council: December 18, 2023

PUBLISHED: December 18, 2023

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**RULES AND REGULATIONS OF THE
BOARD OF FIRE AND POLICE COMMISSIONERS OF THE
CITY OF ST. CHARLES STATE OF ILLINOIS**

As approved by the Board of Fire and Police Commissioners of the City of St. Charles, Illinois, and adopted by the City Council of the City of St. Charles, effective December 18, 2023.

CHAPTER I - ADMINISTRATION

SECTION 1 - SOURCE OF AUTHORITY

The Board of Fire and Police Commissioners of the City of St. Charles, Illinois derives its power and authority from an Act of the General Assembly entitled, "Division 2.1 Board of Fire and Police Commissioners", of Chapter 65 of the Illinois Compiled Statutes. (65 ILCS 5/10-2.1 et seq.), the City of St. Charles Code and the Home Rule Authority of the City of St. Charles derived from the Illinois Constitution, Article VII, Section 6.

SECTION 2 - DEFINITIONS

The word "Commission" and/or "Board" wherever used shall mean the Board of Fire and Police Commissioners of the City of St. Charles, Illinois. The word "Officer" shall mean any person holding a permanent office in the Police or Fire Department of the City of St. Charles, Illinois. The singular includes the plural, and the plural the singular.

SECTION 3 - OFFICERS OF BOARD AND THEIR DUTIES

The Board shall annually, on the first meeting in May elect a Chairperson and a Secretary. They shall hold office until the end of the fiscal year of the municipality and until their successors are duly elected and qualified. The Chairperson shall be the presiding officer at all meetings. The Secretary or City staff designee shall maintain the Minutes of all meetings of the Board and shall be the custodian of all the forms, papers, books, records and completed examinations of the Board.

SECTION 4 - MEETINGS

- A. Regular meetings shall be held monthly, notice shall be posted and meetings shall be open to the public.
- B. Special meetings shall be called for by the Chairperson upon request of the board or City staff. The meeting shall be open and notice thereof to be posted forty-eight (48) hours prior to convening. This notice shall contain an agenda of the business to be submitted for the consideration of the Board at such special meetings, and shall set forth the time and place of such special meeting, and no other business shall be considered at such special meeting unless by unanimous consent of the Board.
- C. During any regular or special meeting, a closed session may be held upon a proper motion made by any single member of the Board for any lawful purpose. Closed sessions may be limited to Board members and such invited persons as the Board may deem necessary. The minute taker will record the motion to close the meeting, record the roll call vote of the members on said motion and keep minutes of the closed session. An audio or video record of each closed session will be maintained by the Secretary of the Board and, after a minimum of 18 months, shall be disposed of in accordance with the provisions of the Open Meetings Act.
- D. If a member is unable to be physically present at a meeting of the Board, whether it be for health related reasons, the need to conduct personal business or the business of the Board, or due to a personal or family emergency, that member may attend and participate at a Board meeting by telephonic or other

electronic means provided that a quorum of the Board's members are physically present at the meeting and vote to approve the attendance of the missing member(s) by way of telephonic or other electronic means. The minutes of the meeting shall reflect, by name, those members of the Board who are physically present as well as those attending by telephonic or other electronic means. Notice that a board member will be in attendance and participating at a Board meeting, not in person but electronically, shall be provided to the Board's recording secretary or City staff designee at least 48 hours prior to the scheduled meeting.

- E. The agenda for a "Regular Meeting" shall allow for an "Open Forum" to permit individuals to appear before and address their concerns to the members of the Commission. The commission may limit those individuals appearing during the open forum to a presentation not to exceed three (3) minutes and may require an individual to be seated if the individual addresses those present in a disrespectful or discourteous manner or the subject matter being presented is not relevant to the duties and responsibilities of the Fire and Police Commission.

SECTION 5 - QUORUM

A majority of the members of the Board shall constitute a quorum for the conduct of all business.

SECTION 6 - ORDER OF BUSINESS

The order of business at any meeting shall be:

- a) Call to Order
- b) Roll Call
- c) Public Forum (Citizen Comments)
- d) Approval of Minutes
- e) Old Business
- f) New Business
- g) Executive (Closed) Session
- h) Other Business
- i) Adjournment

SECTION 7 - PROCEDURE

The parliamentary procedure prescribed in Robert's "Rules of Order" shall be followed as far as applicable.

SECTION 8 - AMENDMENTS

Amendments to the rules of the Board may be made at any meeting of the Board. All amendments to these rules and regulations must be adopted and approved by ordinance of the City Council before taking effect.

SECTION 9 - ANNUAL REPORT AND BUDGET REQUEST

The Board may submit an Annual Report of its activities and a Budget Request for the ensuing year as outlined by §5/10-2.1-19 of the Board of Fire and Police Commissioners Act and local ordinance.

SECTION 10 – OATH OF OFFICE

The members of the Board of Fire and Police Commissioners shall have such qualifications as are now or may hereafter be required of them by law. Each member of the Board of Fire and Police Commissioners shall take the oath or affirmation of office as administrated by the Mayor. The members of the Board of Fire and Police Commissioners shall be subject to removal from office in the same manner as other officers of the City.

Date: _____

I, _____, do solemnly swear or affirm that I will faithfully and impartially perform the duties of a member of the City of St. Charles Board of Fire and Police Commissioners as prescribed by law and to the best of my ability and that I will support and maintain the Rules and Regulations of the Board, the Ordinances of the City of St. Charles, and the laws and constitutions of the State of Illinois and the United States of America.

Member

Mayor

City Clerk

CHAPTER II - APPLICATIONS

SECTION 1 - RESIDENCE

Applicants for examination for Police Officer must be a citizen of the United States. An individual who is not a citizen but is legally authorized to work in the United States under federal law or is an individual against whom immigration action has been deferred by the U.S. Citizenship and Immigration Services under the federal Deferred Action for Childhood Arrivals (DACA) process is authorized to apply for the position of police officer, subject to (i) all requirements and limitations, other than citizenship, to which other applicants are subject and (ii) the individual being authorized under federal law to obtain, carry, or purchase or otherwise possess a firearm.

Applicants for examination for Firefighter must be citizens of the United States.

SECTION 2 - APPLICATION

Applications for a position must be completed and submitted as directed by the Commission, and applicants must comply with the requirements of said process in every respect. The application must be completed and submitted prior to taking an examination.

Every applicant must be of good moral character, of temperate habits, and must be physically able to perform the duties of the position applied for. The burden of establishing these facts rests upon the applicant.

All applicants shall furnish with the application a copy of Birth Certificate and High School Diploma or G.E.D. Certificate.

Those seeking military and/or education preference points shall additionally furnish with their application; a copy of their military service record and discharge papers U.S. Form DD214 (copy #4) for all periods of military service; and/or a copy of College or University Degree and, if requested, a copy of a transcript of course work. Certified transcripts may be requested at any time. If this documentation is not provided at the time of application the Commission will not consider preference points.

Applicants may be required to submit themselves to a physical aptitude test. Candidates applying for the position of a firefighter must provide proof of current Candidate Physical Ability Test (CPAT) certification with ladder climb issued within the twelve months immediately preceding the written test, by a provider licensed and approved by the International Fire Chief's Association and the International Association of Fire Fighters. Police officer applicants must provide proof of a valid and current Police Officer Wellness Evaluation Report (POWER) proficiency card issued within the past 12 months. Such proof will be required at time of application or prior to the written examinations.

A false statement knowingly made by a person in an application for examination, connivance in any false statement made in any certificate which may accompany such application or complicity in any fraud touching the same, shall be regarded as good cause for exclusion from the examination.

SECTION 3 - DISQUALIFICATION

The Rules and Regulations of the St. Charles Board of Fire and Police Commissioners (BFPC) govern the testing and hiring process. According to the Rules, the BFPC may refuse to examine or, after examination, refuse to certify as eligible, or refuse to hire, any candidate who qualifies for any of the criteria listed on the Disqualification Notice, which is furnished in the application packet and vetted by the City of St. Charles Human Resources Department. Any applicant, or eligible, deemed disqualified hereunder, shall be notified by the Board.

SECTION 4 - AGE REQUIREMENTS

Applicants must be at least 20 years of age and under 35 years of age at the time of application, unless exempt from such age limitation as provided in Section 5/10-2.1-6 of the Fire and Police Commissioner's Act. Applicants must be 21 years of age at the time of appointment. Proof of birth date will be required at time of application.

SECTION 5 - NOTICE OF ACCEPTANCE

The Board shall authorize the notification of all applicants whose applications have been accepted by the Board to be present for orientation and subsequent examinations.

CHAPTER III - EXAMINATIONS

SECTION 1 - NOTICE OF EXAMINATIONS

Examinations for original appointment shall be held on the dates fixed by the Board and advertised in accordance with the Statutes of the State of Illinois. Examinations may be postponed, however, by order of the Commission, which order shall state the reason for such postponement and shall designate a new date for said examination. Applicants shall be notified of the postponement of any examination and of the new date fixed for said examination.

SECTION 2 - EXAMINATIONS

The Board shall call examinations to fill vacancies in the class of service in which vacancies are liable to occur. A call for such examination shall be entered in the Minutes of the Board and shall include a statement

of:

- a) The position to be filled from the resulting eligibility list.
- b) The time and place where such examination will be held.
- c) How applications may be obtained and the date by which applications must be submitted.

SECTION 3 - TYPE OF EXAMINATIONS

Applicants must attend the orientation program sponsored by the Board, the written examination, and oral interviews as determined by the Board and as more particularly set forth in section 4 below.

SECTION 4 – EXAMINATION PROCESS SCORING

The following examinations may be conducted by the Board. The sequence of testing may vary at the discretion of the Board. Failure to achieve the minimum passing grade in any examination disqualifies the applicant from any further participation. Each weighted component of the examination process shall be based upon a scale of 1 to 100. The board, at its discretion, may employ a testing vendor(s) to conduct any of the examinations administered pursuant to these rules.

<u>Examinations</u>	<u>% of Total Score</u>	<u>Passing Score</u>
Physical Aptitude Test		CPAT/POWER Card
Orientation		Attendance Mandatory
Written Test	50%	70%
Oral Interview	50%	70%
Background Investigation		Recommend or Not Recommend
Polygraph Test*		

*Authorities agree that polygraph examinations or other instruments for the detection of deception should be used only as an investigative aid. An admission during pre-test, test, or post-test interviews, together with other information, may only support decisions relevant to employment status.

Examinations Upon Conditional Offer of Employment

Psychological Examination	Recommend or Not Recommend
Medical and Functional Capacity Examination	Capable or Not Capable

SECTION 5 – PREFERENCE POINTS

Application of preference points shall follow current state statute or collective bargaining agreement. Preference points must be requested and may be added to the scores of those candidates who have successfully completed the Physical Ability Test, the Written Examination and the Oral Interview Process as follows:

A. Police Applicants

1. Educational Preference Points

Applicants who have successfully obtained an Associate's Degree or 60 semester hours of credit from an accredited college or university are eligible to receive 1.75 educational preference points. Applicants who have successfully obtained a Bachelor's Degree from an accredited college or university are eligible to receive 3.50 educational preference points. Preference points under this subsection shall not be cumulative.

2. Military Preference Points

Any applicant who was engaged in the military service of the United States for total period of at least one year and who was honorably discharged therefrom, or who is now or may hereafter be on inactive or reserve duty in such military service for at least one year shall upon request, be awarded five (5) preference points. It shall be the responsibility of the

applicant to provide evidence of qualifying military service as listed above with the original application for employment in order to be considered for preference points. Acceptable evidence of qualifying military service shall be an official Department of Defense document such as a DD 214 Copy #4, DD 214 Copy #1 and proof of honorable service from the Department of Defense such as a DD 256 A/N/AF or other official Department of Defense documentation as deemed acceptable by the Board of Fire and Police Commissioners.

B. Fire Applicants

1. Educational Preference Points

Applicants who have successfully obtained an Associate's Degree in Fire Science or Emergency Medical Services from an accredited college or university or a Bachelor's Degree in any field are eligible to receive 5.00 educational preference points.

2. Military Preference Points

Any applicants who have served a minimum of 12 months on active duty in the service of the U. S. Military and who have either been honorably discharged or, in lieu of an honorable discharge, are still serving in an active or inactive reserve status are eligible for 5.00 preference points.

SECTION 6 - ORIGINAL APPOINTMENT - WRITTEN EXAMINATIONS

Information as to the type of written examination employed by the Board will be provided as part of the orientation program. All examination papers shall be and remain the property of the Board and the grading thereof by the Board shall be final and conclusive and not subject to review by any other board or tribunal of any kind or description. Candidates who fail to achieve a passing grade will be notified and eliminated from all further consideration.

SECTION 7- ORIGINAL APPOINTMENT - ORAL INTERVIEWS

A quorum of the board shall participate in the oral interviews. In no event shall more than a majority of the Commissioners conduct these oral interviews. Additionally, a designee from the command staff level of the respective department may represent the Chief of that department in the oral interview as well as a representative of Human Resources. Said designees shall have equal grading authority. Questions shall be asked of each candidate that will enable the interviewers to properly evaluate qualifications for the position. Upon completion of each oral interview, the Commissioners and staff designees will discuss and score the candidates. Candidates who fail to successfully complete the oral interview will be notified and eliminated from all further consideration. Notwithstanding anything to the contrary herein, the Board, at its discretion may provide for the oral interview to be conducted by an outside testing agency or testing vendor.

The Board shall select a number of applicants for oral interview using the minimum passing requirements of any written examinations (example: applicants with the top 20 scores on the written examinations) if all candidates will not be interviewed initially; the number of candidates to be interviewed will be announced at the orientation session for the process. Except in the case of ties, in no instance shall the group (or pool) of candidates being interviewed exceed 30 applicants at any one time.

SECTION 8 - INITIAL ELIGIBILITY LIST – POLICE OFFICER

- A. The Commissioners will prepare an "Initial Eligibility Register" of the Candidates successfully completing the orientation, physical ability test (if any) and written test. Candidates shall be placed on the eligibility list in order of their relative excellence as determined by their test scores. The Candidates will be listed in order of excellence based on their final score.
- B. This register is subject to change with the addition of any claimed preference points as prescribed in

5/10-2.1-8 and 5/10-2.1-9 (a) of the Act. Preference points will not be added to any candidate's score if that candidate failed to obtain a minimum passing score. Candidates who are eligible for any preference points, shall make a claim in writing with proof thereof within ten (10) days after the date of the first posting of the initial eligibility list or such claim shall be deemed waived.

- C. A dated copy of the Initial Eligibility Register, duly adjusted with preference points awarded, shall be sent to each person appearing thereon.
- D. A candidate's name shall be stricken from an initial eligibility register or a subsequent final eligibility register after the name has been on the initial eligibility register for a period exceeding two (2) years.

SECTION 9 – FINAL ELIGIBILITY REGISTER – POLICE OFFICER

- A. Final appointment for the Police Department shall be from the names appearing on the "Final Eligibility Register."
- B. The Board shall select a number of candidates (the number to be determined at the discretion of the Board and announced at orientation) from the top of the Initial Eligibility List who shall be required to submit to an oral interview to be conducted by the Board and, if successful, whose names will be included on the "Final Eligibility Register."
- C. The names of the applicants shall be placed upon the "Final Eligibility Register" in rank order, highest first. Rank order shall be based upon the applicant's total cumulative score which shall be calculated as follows:
 - 1) Original written test score multiplied by 50%; and,
 - 2) Oral interview score multiplied by 50%.
- D. In the event a "Final Eligibility Register" is exhausted prior to the expiration of the "Initial Eligibility Register," the Board may establish another "Final Eligibility Register" in accordance with subsections a) through c) above.
- E. Applicants shall be appointed from the final eligibility list in descending order. Notwithstanding anything to the contrary contained within these rules and regulations, the Board may, at its discretion, choose to appoint an applicant, for a police officer's position, who has been awarded a certificate attesting to their successful completion of the Minimum Standards Basic Law Enforcement Training Course, as provided in the Illinois Police Training Act, ahead of non-certified applicants.
- F. Appointment from the Final Eligibility Register is subject to satisfactorily completing an in-depth background investigation, which may include a polygraph, a psychological examination, and a thorough medical examination (which may include a test of the applicant's vision and hearing, a test for the presence of communicable diseases as well as a test to screen for the use of drugs and/or narcotics). A conditional offer of employment shall be made prior to an applicant submitting to the in-depth psychological examination and the medical exam.

SECTION 10 - CERTIFIED/ELIGIBLE POLICE OFFICERS

Qualifications

All persons possessing certification from the Illinois Law Enforcement Training and Standards Board may be considered for accelerated entry (referred to as "certified entry candidates"). Certified entry candidates selected must first meet all of the following criteria:

- Status as a sworn municipal, Illinois state trooper or county Sheriff's deputy for one year after completion of a probationary period, and

- In good standing in the police department in which the person serves served or laid off due to budgetary restraints, and
- Possesses substantially equivalent skills and abilities as a City of St. Charles Police Officer who has completed the probationary period, as determined by the City, and
- Possesses an Associate Degree or 60 semester hours of credit from an institution accredited by the U.S. Department of Education, and
- Taken and passed such examinations as the Commission deems necessary to determine fitness for duty as a police officer.

Certified entry candidates who have been determined by the Commission to meet the aforementioned requirements will not be required to attend the orientation or take the written examination. For such candidates, the examination process may consist of oral interview(s), a background investigation, polygraph, psychological, physical agility examination (or valid POWER Card) and medical examination prior to appointment.

Upon successful completion of the aforementioned criteria, a pool of eligible candidates will be maintained and depending upon the needs of the Police Department, the Chief of Police can ask for justification from the City Administrator to select from any candidate within this pool or elect to hire from the traditional hiring list.

SECTION 11 – PRELIMINARY ELIGIBILITY LIST - FIREFIGHTERS

The Commissioners will prepare a "Preliminary Eligibility Register" of the Candidates who have attended the orientation and passed the written test. Candidates shall be placed on the preliminary eligibility list in the order of their relative excellence as determined by their written test scores.

SECTION 12 – INITIAL ELIGIBILITY LIST - FIREFIGHTERS

- A. The Board shall select a number of candidates (the number to be determined at the discretion of the Board and announced at orientation) from the top of the Preliminary Eligibility List who shall be required to successfully submit to an oral interview to be administered by the Board and, if successful, their names will be included on the "Initial Eligibility Register."
- B. The names of the applicants shall be placed upon the "Initial Eligibility Register" in rank order, highest first. All scored examinations shall be based upon a scale of 1 to 100. Rank order shall be based upon the applicant's total cumulative score which shall be calculated as follows:
 - 1) Original written test score multiplied by 50%; and,
 - 2) Oral interview score multiplied by 50%.

SECTION 13 – FINAL ELIGIBILITY LIST - FIREFIGHTER

- A. Within ten (10) days after the posting of the Initial Eligibility Register, applicants, whose names appear thereon, shall make a claim for preference points. Failure to timely make a claim for preference points shall constitute a waiver thereof. Preference points shall be awarded as follows:
 - 1) Military Preference – 5 points. Awarded to applicants who have served a minimum of 12 months on active duty in the service of the U. S. Military and who have either been honorably discharged or, in lieu of an honorable discharge, are still serving in an active or inactive reserve status.
 - 2) Education Preference – 5 points. Candidates must have an Associate's Degree in Fire Science or Emergency Medical Services from an accredited Community or Junior College or a Bachelor's Degree in any field from an accredited College or University.

- B. Applicants shall be appointed from the Final Eligibility Register in descending order. Notwithstanding anything to the contrary contained herein, the Commission, at its discretion, may bypass a higher ranking candidate and appoint a lower ranking candidate if, in the Commission's opinion, the lower ranking candidate is more qualified for the position and that candidate's name appears within the top 5% of the names remaining on the list or, if there is less than 100 names remaining on the list, the applicant's name is within the top 5 names remaining on the list.
- C. Appointment from the Final Eligibility Register is subject to satisfactorily completing an in-depth background investigation, psychological examination, and a thorough medical examination (which may include a test of the applicant's vision and hearing, a test for the presence of communicable diseases as well as a test to screen for the use of drugs and/or narcotics). A conditional offer of employment shall be made prior to an applicant submitting to the in-depth psychological examination and the medical exam.
- D. In the event a "Final Eligibility Register" is exhausted prior to the expiration of the "Initial Eligibility Register," the Board may establish another "Final Eligibility Register" in accordance with Section 11 above. Names will be stricken from the "Final Eligibility List" and the Initial Eligibility List after the names have appeared on the original "Initial Eligibility List" in excess of two years.

SECTION 14 - PROFESSIONAL EXAMINATIONS AND TESTS

- A. Each applicant for original appointment shall submit to a Psychological Examination by such psychologist or psychiatrist as the Board may designate. Such examination shall be without expense to the applicant. Failure of the applicant to take or successfully complete such test shall eliminate the applicant from further consideration.
- B. Any applicant for original and certified appointment to the Police Department may be required to submit to a Polygraph Device Deceptive Test, commonly known as a Lie Detector Test as a component of the background investigation. Such test shall be given without expense to the applicant. Failure to complete such test shall disqualify the applicant from further consideration.
- C. Medical Examinations shall be performed by a licensed physician.

SECTION 15 - PROBATIONARY APPOINTMENT

- A. All vacancies in the Police or Fire Department shall be filled by individuals from the Final Eligibility Registers in the order in which their names appear on the register and having met all requirements previously listed. Pursuant to Section 5/10-2.1-14 of the Board of Fire and Police Commissioners Act, the Board may choose to appoint a certified police officer applicant ahead of non-certified applicants.
- B. All original appointments to the police department shall be on a probationary basis commencing upon the date of hire and continuing for a period of twelve (12) months for certified eligible officers and eighteen (18) months for traditional officers.
- C. All original appointments to the fire department shall be for a probationary period of twelve (12) months from the date of hire and in accordance with state statute 65 ILCS 5/10-2.1-6.3.
- D. Any person whose name appears on the Final Eligibility Register may decline appointment once. Should a candidate decline appointment a second time, their name shall be struck from the Final Eligibility Register.
- E. Probationary employees may be summarily dismissed by the Board and are not entitled to the protection afforded to other full-time officers or fire fighters by statute or these rules.

SECTION 16 - CERTIFICATION

- A. Final certification of probationary Police Officers shall be subject to successful completion of the Basic Training Course, as mandated by the State of Illinois, as well as successfully completing all requirements of the departments field training program within the prescribed probationary period. Inability to successfully complete the course and the FTO program shall be grounds for dismissal.

CHAPTER IV - PROMOTIONAL EXAMINATIONS

SECTION 1 - GENERAL

The Board, by its rules, shall provide for promotion in the Police and Fire Departments on the basis of ascertained merit and seniority in service and examination, and shall provide in all cases, where it is practicable, that vacancies shall be filled by promotion. All examinations for promotion shall be competitive among such eligible as desire to submit themselves to examination. The method of examination and the rules governing examinations for promotion are specified below. For the purpose of determining that a vacancy exists, the Board must have received notice from the appropriate corporate authorities to fill an existing vacancy prior to the date the name(s) are to be stricken from a promotional eligibility register.

SECTION 2 - PROMOTIONAL VACANCY

Upon notice from the appropriate corporate authority that a promotional vacancy exists, the Board shall select the individual to be promoted in the manner specified in Section 1 of this Chapter IV.

SECTION 3-PROMOTIONAL TESTING - FIRE DEPARTMENT

Promotions within the Fire Department shall be accomplished in accordance with the Fire Department Promotion Act and as further specified within Article 18 of the Collective Bargaining Agreement between the City of St. Charles and the St. Charles Professional Firefighters Association Local 3322 of the International Association of Fire Fighters (IAFF), A.F.F.I., AFL/CIO, effective at the time of commencement of the promotional testing process, and subject to any amendments thereto. Promotional vacancies within the Fire Department that are governed by the Fire Department Promotion Act shall be appointed in rank order from the promotional list in accordance with the Act.

SECTION 4 – PROMOTIONAL TESTING POLICE DEPARTMENT

Candidates for promotion must have served a minimum of five (5) full years of certified service as a full-time law enforcement officer at a lower rank prior to the written test being administered in order to be eligible to test for promotion to the next higher rank. All promotions within the police department shall be made from the three (3) individuals having the highest ranking at the time of the promotional opening, and where there are less than three (3) names on the promotional eligibility register, as originally posted, or remaining thereon after appointments have been made there from, appointments to fill existing vacancies shall be made from those names or the name remaining on the promotional register. The Board shall strike off the names of candidates for promotional appointment after they have remained thereon for more than two (2) years, provided there is no vacancy existing which can be filled from the promotional register.

Each weighted component of the examination process shall be based upon a scale of 1 to 100.

- a) The final Promotional Examination score for positions within the police department shall be determined as follows:

Examination

Weight

Passing Grade

- Written Essay 10% 70%
 - Written Test 30% 70%
(to be created and customized specific to the City of St. Charles using department directives, City codes, personnel policy manual and one reference book)
 - Oral Interview 40% 70%
(A designee from the command staff as well as a representative of Human Resources may represent the Chief in the oral interview of candidates, and said designees shall have equal grading authority)
 - Departmental Merit and Efficiency (Chief's Points) 20%
- b) In the event no candidate from the immediate next lower rank qualifies for promotion, the Board in determining next in order of rank in promotional examinations herewith determines a policy of extending the examination successively through all the orders of rank in the services in an endeavor to qualify suitable eligible or eligibles for the vacancy or vacancies existing before extending the examination to the general public.
- c) Candidates who are otherwise qualified and have timely requested credit for prior military service shall be granted veterans preference points as provided by state statute pursuant to guidelines previously mentioned within these rules and regulations.
- d) Applicants who have successfully obtained an Associate's Degree or 60 semester hours of credit from an accredited college or university are eligible to receive 1.75 educational preference points. Applicants who have successfully obtained a Bachelor's Degree from an accredited college or university are eligible to receive 3.50 educational preference points. Any promotional exam candidate who is eligible for educational preference points shall make a claim in writing with proof thereof within ten (10) calendar days after the date of the posting of the initial eligibility register or such claims shall be deemed waived. The preference points shall not be cumulative. No person shall receive the educational preference points for a promotional appointment after receiving one promotion from an eligibility list on which allowed such preference.

Total Score

A Candidate's total score shall consist of the combined scores of the written examination, written essay and BFPC oral interview and Chief's preference points plus veteran's preference/educational points, if applicable. Candidates shall take rank upon a promotional eligibility register in the order of their relative excellence as determined by their total score. In the event of a tie score, the placement of the tied candidates' names on the eligibility list shall be determined by lot, in the presence of a quorum of the Board, in whatever manner the Board deems appropriate.

SECTION 5 - PROBATIONARY APPOINTMENT – POLICE SUPERVISOR

All promotional appointments to the police department shall be for a probationary period of twelve (12) months. A probationary period may be tolled for those periods of time a probationary employee, is unable or unavailable to perform their assigned duties due to required training or due to injury or illness (whether or not job-related) if such periods of absence exceed 30 days.

A person whose name appears on the Final Eligibility Register may decline appointment once. It shall be the option of the Board, should a candidate decline appointment a second time, to strike from or maintain upon the register the name of such candidate without otherwise altering the candidate's original position on the Final Eligibility Register.

Promotional appointments may have their probationary period extended by the Board as recommended by the respective Police Chief or demoted to their previous position by the Board while on probation.

CHAPTER V - ORDER OF RANK, CLASSIFICATION AND OATH OF OFFICE

SECTION 1 - RANK.

The order of rank in the Police Department shall be as provided by ordinance and municipal budget. The order of rank in the Fire Department shall be as provided by ordinance and municipal budget.

SECTION 2 - CLASSIFICATION.

The Board classifies such offices in the fire and police departments for the purpose of establishing and maintaining standards of examinations and promotions based upon job descriptions and departmental regulations.

SECTION 3 - OATH OF OFFICE.

Before entering duty or upon promotion, any person about to become a member of the Fire or Police Department, shall take the following oath, before any person authorized to administer oaths in the State of Illinois:

Oath of Office

I, _____, do solemnly swear or affirm that I will support the Constitution of the United States, the laws of the State of Illinois, the ordinances of the City of St. Charles, and the Rules and Regulations of the Board of Fire and Police Commissioners, and that I will faithfully discharge the duties of the office of _____ to the best of my ability.

Affirmant

Date

Chairperson
Board of Fire & Police Commissioners

Date

Signed and Sworn to before me this ____ day of _____, 20 ____.

City Clerk

CHAPTER VI – HEARING OF CHARGES, REMOVALS, SUSPENSIONS AND DISCHARGES

This chapter applies, unless otherwise stipulated in a collective bargaining agreement.

SECTION 1 - HEARING OF CHARGES

- A. Hearings before the Board are not common law proceedings. The provisions of the "Code of Civil Procedure" do not apply to hearings before the Board.
- B. "Counsel" as used herein means: One who has been admitted to the bar as an attorney-at-law in this State.
- C. No rehearing, reconsideration, modification, vacation, or alteration of a decision of the Board shall be allowed.
- D. "Cause" is some substantial shortcoming which renders continuance in employment in some way detrimental to the discipline and efficiency of the public service and something which the law and sound public opinion recognize as cause for the officer or fire fighter no longer occupying their position. The right to determine what constitutes cause is in the Board.
- E. The complainant or appellant initiating any proceedings which call for a hearing before the Board shall have the burden of proof to establish by a preponderance of the evidence that cause for discipline exists or that a suspension, previously imposed by the Chief of a department, is unwarranted. Should the question of a crime be involved, the rule of "reasonable doubt" shall not control.
- F. The phrase "preponderance of evidence" is defined as the greater weight of the evidence, that is to say, it rests with that evidence which, when fairly considered produces the stronger impression, and has a greater weight, and is more convincing as to its truth when weighed against the evidence in opposition thereto.
- G. Probationary employees may be summarily dismissed by the Board and are not entitled to the protection afforded to other full-time officers or fire fighters by statute or these rules.
- H. All hearings shall be public, in accordance with the Open Meetings Act.
- I. At the time and place of hearing, both parties may be represented by counsel, if they so desire.
- J. All proceedings before the Board during the conduct of the hearing shall be recorded by a court reporter to be employed by the Board.
- K. The records of all hearings will not be transcribed by the court reporter unless requested to do so by the Board or any party of interest.
- L. All witnesses shall be sworn prior to testifying and the matter will be decided by the Board solely on evidence presented at the hearings.
- M. The Board will first hear the witnesses either substantiating the charges which have been made against the respondent or in support of an appeal brought by a suspended fire fighter or police officer. Thereafter the other party may present and examine those witnesses whom they desire the Board to hear. All parties shall have the right to cross-examine witnesses presented by the opposite party.

SECTION 2 - HEARING PROCEDURE

- A. **Complaints:** In all cases, written complaints shall be filed in quintuple, setting forth a plain and concise statement of the facts upon which the complaint is based.
- B. **Probable Cause:** The Board shall have the right to determine whether there is or is not probable cause

for hearing a complaint and may conduct such informal hearings as may be necessary for such purpose.

- C. **Notification of Hearing:** Upon the filing of a complaint in quintuple with the Secretary of the Board, and the determination by the Board of probable cause for entertaining said complaint, the Secretary of the Board shall notify both the complainant and the respondent, either by registered or certified mail, return receipt requested, or personally, of the time and place of the hearing of the charges contained in the Complaint. The respondent shall also be served with a copy of the Complaint, and if an Order of Suspension Pending a Hearing is entered by the Board, the respondent, the complainant, the Chief of the Department, the treasurer, comptroller, manager, or other finance officer of the municipality shall be notified of the entry of such Order of Suspension Pending a Hearing, and be served either personally or by registered or certified mail, return receipt requested, with a copy of such Order.
- D. **Continuances:** The matter of granting or refusing to grant a continuance of a hearing is within the discretion of the Board.
- E. **Stipulations:** Parties may, on their own behalf, or by Counsel, stipulate and agree in writing, or on the record, as to evidenced guilt. The facts so stipulated shall be considered as evidence in the proceeding. In the event a respondent has been suspended pending a hearing and desires a continuance, it shall also be stipulated and agreed that in the event said respondent is to be retained in their position as a result of a decision of the Board following a hearing of the cause, then no compensation shall be paid to said respondent during the period of said continuance.
- F. **Sufficiency of Charges-Objections to:** Motions or objections to the sufficiency of written charges must be filed or made prior to or at the hearing before the Board.

SECTION 3 - SUBPOENAS

- A. Any party to an administrative hearing may, at any time before the hearing, make application to the Board by filing with it a written request for subpoenas for any individual to appear for a hearing or have them produce books, papers, records, accounts and other documents as may be deemed by the Board to be relevant to the hearing. On the filing of such application, subpoenas will be issued for the named persons. Subpoenas may be served by any person 21 years of age or older designated by the party requesting the subpoenas. Application for subpoenas should contain the names and addresses of the individuals to be subpoenaed, and the identity of any documents which they are to produce. Subpoenas will not be issued for anyone residing outside of the State of Illinois.
- B. Any request for continuance by reason of inability to serve subpoenas shall be filed in the office of the Board at least three (3) days before the date set for such hearing, provided, however, that the Board in its discretion may waive this rule.

SECTION 4 - SERVICE

All papers required by these Rules and Regulations to be served shall be delivered personally to the party designated or mailed, by United States mail in an envelope properly addressed with postage prepaid, to the designated party at their last known residence as reflected by the complaint filed with the Board, except as herein otherwise provided. Proof of service of any paper may be made by the certification of any person so mailing the paper or delivering the same to the designated party personally, or by filing a return receipt showing that a paper was mailed, by either registered or certified mail, return receipt requested, to a party's address where it was received by a named party.

SECTION 5 - FILING

All documents shall be filed as directed by the Secretary of the Board at the City of St. Charles, Illinois. For the purpose of these Rules and Regulations, the filing date of document shall be the date it was received

by the Board's Office, in the event documents are delivered personally or by messenger. In the event a document is forwarded by mail, then the filing date shall be the date which is postmarked on the envelope of such paper.

SECTION 6 - COMPUTATION OF TIME

The time within which any act under these Rules is to be done shall be computed by excluding the first day and including the last, unless the last day is Sunday or is a holiday as defined or fixed in any statute now or hereafter in force in the State, and then it shall also be excluded. If the day succeeding such Sunday or holiday is also a holiday or a Sunday then such succeeding day shall also be excluded.

SECTION 7 - DEMOTIONS

Promoted sergeants are subject to a probationary period and potential demotion to the next lowest rank pursuant to the terms of the collective bargaining agreement then in effect between the City and the labor organization representing the sergeants.

SECTION 8 – SUSPENSION

The Board may suspend any member of the Fire or Police Department, against whom charges have been proffered, pending a hearing of the charges by the Board, but not to exceed thirty (30) days, without pay, at any one time except those members whose disciplinary procedures are determined by separate collective bargaining agreements. The Chief of the Fire or Police Department shall have the right to suspend any officer under the Chief's command for a period of not to exceed ten (10) days without pay, providing no charges on the same offense have been filed and are pending before the Board, and the Chief shall notify the Board in writing within twenty-four (24) hours of the time of such suspension. Any police officer or firefighter/paramedic so suspended may appeal to the Board for a review of the suspension within five (5) days after receiving notice of such suspension by filing notice of such appeal in writing with the Chairperson of the Board of Fire and Police Commissioners. A hearing shall be had upon such appeal, and due notice given to the Chief of the Department who suspended such officer and to the officer so suspended. The burden of establishing that a suspension is unwarranted shall be upon the individual bringing the appeal. Upon such appeal, the Board may sustain the action of the Chief of the Department, may reverse it with instructions that the officer so suspended receive pay for the period involved, may suspend the officer for a period of not more than thirty (30) days without pay, or discharge the officer, depending on the evidence presented.

SECTION 9 - DISCHARGE OR SUSPENSION AFTER HEARING

- A. Discharge from office or suspension from service in the Fire or Police Department shall follow the Fire and Police Commissioners Act of the State of Illinois, 65 ILCS 5/10-2.1, or the appropriate collective bargaining agreement.
- B. The Board shall, within a reasonable time after the hearing is completed, enter its findings on the records of the Board.

SECTION 10 - DATE OF HEARING

The time for the hearing of charges shall be set by the Board, within thirty (30) days of the time of the filing of such charges. Continuances may be granted from time to time upon motion of any party to the proceeding by order of the Board. This time limitation is not applicable to hearings conducted to review suspensions of five (5) days or less imposed by a Chief of a department on one of its members

SECTION 11 - FINDINGS AND DECISION

In case any member of the Fire or Police Department shall be found guilty of the charges preferred against them after a hearing by the Board, the member may be removed, discharged, or suspended for a period not exceeding thirty (30) days, without pay. Upon an appeal, the Board may sustain the action of the Chief, may reverse it, in whole or in part, or may suspend the officer or firefighter for an additional period of not more than thirty (30) days, or discharge the officer or firefighter, depending on the facts presented.

SECTION 12 - RULES - CONFLICT

The personnel of the Fire and Police Department shall be governed by the Rules as adopted by the Commission and the Regulations of the Fire and Police Departments as adopted by ordinance. In case of conflict, the rules of the Board shall govern unless otherwise stipulated in a collective bargaining agreement.

SECTION 13 - VIOLATION OF RULES

All members of the Police and Fire Departments shall be subject to the regulations of such Department, and the Rules of the Board, and a violation of such rules or regulations may be cause for filing of charges before the Board, a subsequent hearing and action by the Board on such charges.

SECTION 14 - VIOLATION OF LAW

Any violation of the laws of the municipality or state or federal law, by any member of the Police or Fire Department of such municipality may be cause for the filing of charges against said fire fighter or officer, except as herein otherwise provided.

CHAPTER VII - GENERAL

SECTION 1

The Board shall have such other powers and duties as are given it by the Statutes of the State of Illinois or by ordinance.

SECTION 2

Any Chapters, Sections and/or Subsections of the foregoing Rules for the operation of the Board that are in conflict with the State Statute or with any amendments thereto that may hereafter be enacted are null and void. This, however, does not invalidate any other Chapters, Sections and/or Subsections of said Rules.

SECTION 3 - AMENDMENTS

Amendments to the Rules of the Board may be made at any meeting of the Board. A notice shall be published, in a newspaper of general circulation in the municipality, specifying where such Rules are available for inspection. The notice shall specify the date, not less than ten (10) days subsequent to the date of such publication when said Rules shall become effective. All amendments to these rules and regulations must be adopted and approved by ordinance of the City Council before taking effect

SECTION 4 - LEAVE OF ABSENCE

Leaves of Absence shall be granted by reason of military service or duty-related disability as specified in Illinois Compiled Statutes, Chapter 65, Section 5/10-2.1-23. If a Leave of Absence is granted during a probationary period, such probationary period shall be tolled until the probationary employee returns from their leave of absence.

SECTION 5 - POLITICAL CONTRIBUTIONS

No person in the Police or Fire Departments of the City of St. Charles, Illinois, shall be under any obligation to contribute any funds to render any political service, and no such person shall do so or be removed or otherwise prejudiced for refusing to do so. No person in the Fire or Police Departments of the City of St. Charles, Illinois, shall discharge or promote or reduce, or in any manner change the official rank or compensation of any other person in such service, or promise or threaten so to do, for withholding or refusing to make any contribution of money or service or any other valuable thing for any political purpose, or in any other manner, directly or indirectly, use their official authority or influence to compel or induce any other person to pay or render any political assessment, subscription, contribution or service.

Approved and adopted, this 27th day of November, 2023 by motion of the Board of Fire and Police Commissioners.

Vote: 5
Ayes: 5
Nays: 0
Absent: 0

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