AGENDA
CITY OF ST. CHARLES
GOVERNMENT OPERATIONS COMMITTEE
ALD. TODD BANCROFT, CHAIR

MONDAY, JULY 17, 2017
IMMEDIATELY FOLLOWING THE CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – 2 EAST MAIN STREET

1. Call to Order

2. Roll Call

3. Omnibus Vote

a. Budget Revisions – June, 2017

4. Fire Department

a. Recommendation to Approve Minor Changes to the Rules and Regulations of the Board of Fire and Police Commissioners.

b. Recommendation to approve an Ordinance amending Title 2 "Administration and Personnel", Chapter 2.24 "Board of Fire and Police Commissioners".

5. Inventory Control Division

a. Recommendation to approve an Ordinance Authorizing the Sale of Items of Personal Property Owned by the City of St. Charles.

6. Executive Session

- Personnel –5 ILCS 120/2(c)(1)
- Pending Litigation – 5 ILCS 120/2(c)(11)
- 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)

7. Additional Items from Mayor, Council, Staff, or Citizens.

8. 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).

ST. CHARLES SINCE 1834	**AGENDA ITEM EXECUTIVE SUMMARY**	Agenda Item number: 4a
	Title:	Recommend Approval of Minor Changes to the Rules and Regulations of the Board of Fire and Police Commissioners
	Presenter:	Fire Chief Joe Schelstreet

Meeting: Government Operations Committee	Date: July 17, 2017	
Proposed Cost: $0	Budgeted Amount: $0	Not Budgeted: ☐

Executive Summary (*if not budgeted please explain*)**:**

The Board of Fire and Police Commissioners has made several minor changes to their rules and regulations. These changes are greatly administrative housekeeping in nature and include the required components of the annual report, inclusion of the Oath of Office for board members and clarification of the procedure for submittal of a request for preference points during Police Testing. The new document has been reviewed by legal counsel and was approved by the Board at their July 10 meeting.

Attachments (*please list*)**:** Rules and Regulations of the Board of Fire and Police Commissioners

Recommendation/Suggested Action (*briefly explain*)**:** Recommend approval of the minor changes to the rules and regulations of the Board of Fire and Police Commissioners

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: ~~August 4, 2015~~June 12, 2017

ADOPTED by City Council: ~~October 5, 2015~~July 3, 2017

PUBLISHED: ~~October 15, 2015~~July 31, 2017

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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 ~~October 15, 2015.~~July 31, 2017

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 masculine noun or pronoun includes the feminine. 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 Chairman 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 Chairman shall be the presiding officer at all meetings. The Secretary shall keep the Minutes of all meetings of the Board in a permanent record book 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 open, notice thereof to be posted forty-eight (48) hours prior to convening, called by the filing of a notice in writing with the Secretary of the Board and signed either by the Chairman of the Board or any two members thereof. This notice shall contain a brief statement 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 ~~the~~ purpose. ~~of discussing personnel.~~ Closed sessions may be limited to Board members and such invited persons as the Board may deem necessary. The secretary 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) Public notice of any regularly scheduled or special meeting shall be held in accordance with the Open Meetings Act, Illinois Compiled Statutes, Chapter 5, "120/1-120/5.

e) 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 the municipal clerk at least 48 hours prior to the scheduled meeting.

f) 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) Correspondence
f) Old Business
g) New Business
h) Executive (Closed) Session
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 shall submit an Annual Report of its activities as required by §5/10-2.1-19 of the Board of Fire and Police Commissioners Act, and a Budget Request for the ensuing year, as required by local ordinance and the aforementioned §5/10-2.1-19.

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.

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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 must be citizens of the United States.

SECTION 2 - APPLICATION BLANKS.

Applications for a position shall be filed upon blank forms furnished by the Commission, and applicants must comply with the requirements of said form in every respect. The application must be filed with the Board prior to taking an examination.

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

The applicant shall furnish with his application a copy of his Military Service Record, Discharge Papers, Social Security Card, Birth Certificate, High School Diploma or G.E.D. Certificate, a copy of his College or University Degree and, if requested, a copy of a certified transcript of his course work from an accredited College or University.

Those seeking military and/or education preference points shall additionally furnish the following:

Every applicant shall furnish with their application a copy of their U.S. Form DD214 (copy #4), if applicable, for all periods of military service. If the above documentation is not provided at the time of application the Commission will not consider military preference points.

Those seeking educational points shall furnish, with their application, a copy of their official transcript.

~~Police Applicants/Educational Preference Points: Every applicant shall furnish with their application a copy of their educational transcripts and any degree awarded. Persons who have successfully obtained an Associate's Degree from an accredited college or university in the field of law enforcement or criminal justice are eligible to receive 1.75 educational preference points. In the alternative, persons 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 under this subsection shall not be cumulative. No person shall receive the educational preference points for a promotional appointment granted by this subsection 2.24.04 (A) after he or she has received one promotion from an eligibility list on which he or she was allowed such preference.~~

~~Fire Applicants/Educational Preference Points: **Persons 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.** 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. Promotional candidates are eligible for the following educational preference~~

~~points: Associate's Degree – 2 points, Bachelor's Degree – 4 points, Master's Degree – 6 points. Promotional candidates 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 3.50 preference points. Military preference points may only be used only once for promotion.~~

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 Board may refuse to examine an applicant or, after examination, to certify him as eligible:

a) Who is found lacking in any of the established preliminary requirements for the service for which he or she applies.

b) Who is physically unable to perform the duties of the position to which he or she seeks appointment.

c) Who is addicted to the use of drugs or intoxicating beverages or is found to have taken or used drugs and/or narcotics illegally.

d) Who has been convicted of a felony or any misdemeanor involving moral turpitude, as specified in §5/10-2.10-6 of the Board of Fire and Police Commissioners Act.

e) Who has been dismissed from any public service for good cause.

f) Who has attempted to practice any deception or fraud in his or her application.

g) Who may be found disqualified in personal qualifications or health.

h) Whose character and employment references are unsatisfactory.

i) Who does not possess a high school education or its equivalent.

j) Who has applied for a position as a police officer and is or has been classified by his or her Local Selective Service Draft Board as a conscientious objector.

k) Who has applied for a position as a firefighter and is not currently certified as a Basic Operations Firefighter or Firefighter II ~~(Advanced)~~ by the Illinois State Fire Marshal's Office or licensed as an Emergency Medical Technician – Paramedic (EMT-P) by the State of Illinois.

l) Who has been previously disqualified as an eligible candidate by the Board of Fire and Police Commissioners from an existing St. Charles eligibility list shall be disqualified for any future consideration.

m) Who has been previously disqualified for employment with the City of St. Charles due to the failure of a polygraph exam, the failure of a police background investigation, the failure of a psychological examination or the failure of a medical exam which includes a drug test, shall be disqualified for any future consideration.

Any applicant, or eligible, deemed disqualified hereunder, shall be notified by the Board.

SECTION 4 - AGE REQUIREMENTS.

Applicants shall be under 35 years of age, at the time of application and at such time as the final eligibility list is posted, unless exempt from such age limitation as provided in Section 5/10-2.1-6 of the Fire and Police Commissioner's Act. Applicants, at such time as they file their application with this board, must be 21 years of age. Proof of birth date will be required at time of application.

SECTION 5 - NOTICE OF ACCEPTANCE.

The Secretary shall authorize the notification of ~~will notify~~ all applicants whose applications have been accepted by the Board to be present for orientation and subsequent examinations. ~~with an executed Physicians Certificate that they are physically capable of participating in a strenuous "Physical Aptitude Test.~~

SECTION 6 - RELEASE OF LIABILITY.

All applicants shall execute and deliver to the Board a release of all liability as the result of taking a "Physical Aptitude Test" in favor of the City of St. Charles on a form to be prescribed by the Board.

CHAPTER III - EXAMINATIONS

ORIGINAL APPOINTMENTS

SECTION 1 - NOTICE OF EXAMINATIONS.

Examinations shall be held on the dates fixed by the Board and advertised in a local paper 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 time and place where such examination will be held.

b) The location where applications may be obtained and the date by which applications must be returned to the Board.

c) The position to be filled from the resulting eligibility list.

SECTION 3 - TYPE OF EXAMINATIONS.

Applicants must attend the orientation program sponsored by the Board. In addition, applicants may be required to participate in a physical aptitude test, written and oral examinations as determined by the Board and as more particularly set forth in 4 below. No examination shall contain questions regarding applicant's political or religious opinions or affiliations.

SECTION 4 - EXAMINATIONS - MINIMUM GRADE.

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.

Examinations	% of Total Grade	Minimum Passing
Orientation	-	Attendance Mandatory
Physical Aptitude Test	-	**
Written Test	70%	75%
Oral Test (Interview)	30%	75 %
Polygraph Test	-	Pass or Fail

Background Investigation	-	Pass or Fail

CONDITIONAL OFFER OF EMPLOYMENT

Psychological Examination	-	Pass or Fail
Medical Examination	-	Pass or Fail

** Test may be given for demonstration purposes or on a pass/fail basis. Certification that a fire fighter candidate has successfully, within the twelve months immediately preceding the conduct of the written test, passed the Candidate Physical Ability Test (CPAT), as licensed and approved by the International Fire Chief's Association and the International Association of Fire Fighters, satisfies the candidate's obligation to complete the "physical aptitude test" component of this screening process.

Police officer applicants must have passed and possess a Police Officer Wellness Evaluation Report (POWER) proficiency card issued within the past 12 months, prior to the last date for filing applicants to the Board of Fire and Police Commissioners. Candidates must also provide a POWER card, or equivalent, issued within the past 12 months at time of employment.

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SECTION 5 – PREFERENCE POINTS

Preference Points 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:

MILITARY SERVICE:

Any person 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. Preference points must be requested on a form provided by the City.

EDUCATIONAL PREFERENCE POINTS;

Police Applicants/Educational Preference Points: Every applicant shall furnish with their application a copy of their educational transcripts and any degree awarded. Persons who have successfully obtained an Associate's Degree from an accredited college or university in the field of law enforcement or criminal justice are eligible to receive 2.5~~1.75~~ educational preference points. In the alternative, persons who have successfully obtained a Bachelor's Degree from an accredited college or university are eligible to receive 5.0~~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 under this subsection shall not be cumulative. ~~No person shall receive the educational preference points for a promotional appointment granted by this subsection 2.24.04 (A) after he or she has received one promotion from an eligibility list on which he or she was allowed such preference.~~

Fire Applicants/Educational Preference Points: **Persons 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.** 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. Promotional candidates are eligible for the following educational preference

points: Associate's Degree – 2 points, Bachelor's Degree – 4 points, Master's Degree – 6 points. Promotional candidates 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 3.50 preference points. Military preference points may only be used only once for promotion.

SECTION 6- ORIGINAL APPOINTMENT - PHYSICAL APTITUDE TEST.

All applicants may be required to submit themselves to a physical aptitude test. In the event a physical aptitude test is administered, only candidates who have successfully passed the "written test" will be permitted to participate in the physical agility test. Candidates applying for the position of a firefighter must provide proof of current CPAT certification at such time application or prior to

submitting for the written examinations as they are required to submit to an oral interview hereunder. Police officers applicants must possess a valid and current POWER proficiency card as indicated in the prior section.

SECTION 7 - 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 8- ORIGINAL APPOINTMENT - ORAL EXAMINATION.

All Commissioners shall participate in the Oral Examination except wherein one Commissioner is absent due to illness or when matters of an emergency nature preclude his attendance. In no event shall less than a majority of the Commissioners conduct the Oral Interview. Additionally, a designee from the command staff level of the respective department may represent the Chief of that department in the oral examination as well as a representative of Human Resources. Said designees shall have equal grading authority. Questions shall be asked of the Candidate that will enable the Commissioners to properly evaluate and grade the Candidate on speech, alertness, ability to communicate, judgment, emotional stability, self-confidence, social skill and general fitness for the position. On completion of each Oral Examination the Commissioners and staff liaisons will discuss the Candidate's abilities using the traits listed above. Candidates who fail to successfully complete the Oral Examination 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 examination to be conducted by an outside testing agency or testing vendor.

The Board shall select a number of applicants for ~~O~~oral examinations ~~can be conducted using a % of applicants passing~~using the minimum passing requirements of any written examinations (example: applicants with the top 20~~%~~scores on the ~~of~~ 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,~~I~~in no instance shall the group (or pool) of candidates being interviewed exceed 30 applicants at any one time.

SECTION 9- 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 10-CERTIFIED/ELIGIBLE POLICE OFFICERS

CERTIFIED ENTRY CANDIDATES FOR POLICE OFFICER

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 Sheriffs 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 a background investigation, oral interview, polygraph, psychological, physical agility examination (or valid POWER Card) and medical examination prior to appointment.

Upon 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 – 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 70%; and,
2) Oral interview score multiplied by 30%.

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 his or her 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 passing or completing an in-depth psychological examination, a polygraph test, background investigation, 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).

SECTION 12 – 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 13 – 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 70%; and,

2) Oral interview score multiplied by 30%.

SECTION 14 – 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 passing or completing an in-depth psychological examination, ~~a polygraph test,~~ background investigation, 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 15 - 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 him from further consideration.

B. Any applicant for original appointment to the Police ~~or Fire~~ Department of the City of St. Charles, Illinois, may be required to submit to a Polygraph Device Deceptive Test, commonly known as a Lie Detector Test, at such time and place as the Board may designate. Such test shall be given without expense to the applicant. Failure of the applicant to take or successfully complete such test shall disqualify him to enter upon the duties of the office for which the application for examination was filed.

C. Medical Examinations shall be performed by a licensed physician.

SECTION 16 - 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 an officer first reports for duty and continuing for a period of eighteen (18) months beyond the date the officer successfully completes the department's field training program. All original appointments to the fire department shall be for a probationary period of twelve (12) months. The probationary period of a newly appointed fire fighter will commence when the fire fighter first reports for work with the fire department. A probationary period may be tolled for those periods of time a probationary employee, is unable or unavailable to perform his or her 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.

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

D. 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 17 - 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.

B. ~~Final certification of probationary Fire Fighters shall be subject to successful completion of the Certified Fire Fighter Basic Training Course as prescribed by the Illinois Fire Protection Personnel Standards and Education Board.~~

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 ~~members of the next lower rank~~ 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 - PROBATIONARY APPOINTMENT-SUPERVISOR.

All promotional appointments to ~~either the fire or~~ the police department~~s~~ 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 his or her 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.

Probationary 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.

SECTION 2 – 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%	75%
Written Test	30%	75%
Test (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 w/BFPC	40%	75%

A designee from the command staff level of the respective departments as well as a representative of Human Resources may represent the Chief of that department in the oral examination 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.) Police Sergeant Applicants/Educational Preference Points: Persons who have successfully obtained an Associate's Degree from an accredited college or university in the field of law enforcement or criminal justice are eligible to receive 1.75 educational preference points. In the alternative, persons 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 under ~~this subsection~~Section 2 shall not be cumulative. No person shall receive the educational preference points for a promotional appointment granted by this subsection 2.24.04
(A) after he or she has received one promotion from an eligibility list on which he or she was 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 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 May 1, 2013 to April 30, 2016, 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 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.

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, 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

I,_____, do solemnly swear or affirm that I will support the Constitution of the United Sates, 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

_____ _____

Chairman Date
Board of Fire & Police Commissioners

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

_____
City Clerk

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

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 his 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 he desires 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 his 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 his 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 papers may be filed with the Board by mailing them or delivering them personally to the Secretary of the Board at the City of St. Charles, Illinois. For the purpose of these Rules and Regulations, the filing date of any paper shall be the date it was received in the Board's Office, in the event the paper is delivered personally or by messenger. In the event a paper is forwarded by mail, then the filing date shall be the date which is postmarked on the envelope of such paper.

SECTION 6 - FORMS OF PAPER.

a) All papers filed in any proceeding shall be typewritten or printed and shall be on one side of the paper only.

b) If typewritten, the lines shall be double spaced, except that long quotations may be single spaced and indented.

c) All papers shall be not larger than 8½" by 11" with inside margins of not less than one inch.

d) The original of all papers filed shall be signed in ink by the party filing the paper or by an officer, agent, or attorney thereof and copies thereof provided the opposing party or his counsel.

e) If papers are filed by an attorney, his name and address shall appear thereon.

SECTION 7 - 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 8 - 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 9 – 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 Chairman 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.

SECTION10 - DISCHARGE OR SUSPENSION AFTER HEARING

a. Discharge from office or suspension from service in the Fire or Police Department shall be in compliance with 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 11 - 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 12 - FINDINGS AND DECISION

In case any member of the Fire or Police Department shall be found guilty of the charges preferred against him/her 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 13 - 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 14- 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 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 by the Board during a probationary period, such probationary period shall be tolled until the probationary employee returns from his 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 his 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 ~~4~~12th day of ~~August 2015~~June, 2017 by motion of the Board of Fire and Police Commissioners.
Vote:
Ayes: 3 Nays: 0
Absent: 2

ST. CHARLES SINCE 1834	**AGENDA ITEM EXECUTIVE SUMMARY**	Agenda Item number: 4b
	Title:	Recommend Approval of the Ordinance Amending Title 2 "Administration and Personnel," Chapter 2.24 "Board of Fire and Police Commissioners"
	Presenter:	Fire Chief Joe Schelstreet

Meeting: Government Operations Committee	Date: July 17, 2017	
Proposed Cost: $0	Budgeted Amount: $0	Not Budgeted: ☐

Executive Summary (*if not budgeted please explain*)**:**

Title 2, Chapter 2.24.030 of the City of St. Charles Municipal Code is being updated to reflect the current requirements for becoming a member of the Board of Fire and Police Commissioners. A question was brought regarding a potential conflict between the previous ordinance and State Statute regarding political affiliation of Board of Fire and Police Commission Members. Legal counsel has reviewed the concern and recommended that the language be changed to indicate that the City has Home Rule Authority and can supersede the State Statue.

Attachments (*please list*)**:** Ordinance updating Chapter 2.24.030 of the Municipal Code

Recommendation/Suggested Action (*briefly explain*)**:** Recommend approval of the ordinance amending Title 2 Chapter 2.24 Board of Fire and Police Commissioners

ORDINANCE NO. _____

CITY OF ST. CHARLES, ILLINOIS
AN ORDINANCE AMENDING TITLE 2, CHAPTER 24 (FIRE AND POLICE COMMISSIONERS) OF THE ST. CHARLES MUNICIPAL CODE

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 City finds that it is necessary and desirable to clarify the qualifications necessary to become a member of the Board of Fire and Police Commission; and,

WHEREAS, the City finds that this clarification pertains to the government and affairs of the City, and is otherwise in the public interest.

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

SECTION ONE. Recital. The foregoing recital is hereby adopted as part of this Ordinance.

SECTION TWO. That Section 2.24.030 of the St. Charles Municipal Code is hereby deleted in its entirety and the following language is inserted in lieu thereof:

"2.24.030 Members – Qualifications – Oath – Bond - Removal

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, except that no person shall be disqualified from serving as a Commissioner because of his or her political affiliations. Pursuant to the City's home rule authority, this section shall supersede Section 10-2.1-3 of the Illinois Municipal Code.

Each member of the Board of Fire and Police Commissioners shall take oath or affirmation of office, and shall execute and deliver to the City a bond in the sum of One Thousand Dollars, with such sureties as the Mayor and City Council shall approve, conditioned for the faithful performance of the duties of his or her office. 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."

SECTION THREE SEVERABILITY - If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence

shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance."

SECTION FOUR: That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

SECTION FIVE: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this _____ day of _____, 2017.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this _____ day of, _____, 2017.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this _____ day of _____,2017.

_____
Raymond P. Rogina, Mayor

Attest:

_____
City Clerk

COUNCIL VOTE:
Ayes:
Nays:
Absent:
Abstain:

APPROVED AS TO FORM:

_____
City Attorney

Date:_____

ST. CHARLES SINCE 1834	**AGENDA ITEM EXECUTIVE SUMMARY**	Agenda Item number: 5a
	Title:	Recommendation to Approve an Ordinance Authorizing the Sale of Items of Personal Property Owned by the City of St. Charles
	Presenter:	Mike Shortall

Meeting: Government Operations Committee Date: July 17, 2017

Proposed Cost: $	Budgeted Amount: $	Not Budgeted: ☐

Executive Summary (*if not budgeted please explain*)**:**

We are asking for approval to sell items to the highest respective bidders:

Four skids of pvc. tees
One skid of reels
One skid of tires
One skid of oil dry
Two concrete poles
One box hydraulic hose
One lot of hand tools
One lot of bikes.
One lot of chairs
One lot of cabinets
Air hose system
Canon copier
Vending machine
Addco DOT sign
Gold bracelet
Flex bracelet
Silver ring with diamond
Silver ring with large diamond/four small diamonds
Ladies silver ring with large diamond/two small diamonds
Gold ring with large diamond
Ladies gold ring with green stone
Men's wedding band
Men's titanium ring
Six earrings
Small silver necklace
Camera necklace
EQ3B equalizer
Philips DVD player
2001 Sauber reel trailer (Vehicle 2019)
2009 Ford Escape (Vehicle 1768)
2005 Ford Crown Victoria (Vehicle 1967)

Items may be sold via on-line bids, PublicSurplus.com.

Attachments (*please list*)**:**

Ordinance

Recommendation/Suggested Action (*briefly explain*)**:**

Recommendation to Approve an Ordinance Authorizing the Sale of Items of Personal Property Owned by the City of St. Charles

City of St. Charles, Illinois
Ordinance No._____

An Ordinance Authorizing the Sale of Items of Personal Property Owned by the City of St. Charles

WHEREAS, in the opinion of at least three-fourths of the Corporate authorities of the City of St. Charles, it is no longer necessary or useful to or for the best interest of the City of St. Charles to retain the personal property now owned by the City of St. Charles and hereinafter;

NOW, THEREFORE, BE IT RESOLVED 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 the following personal property now owned by the City of St. Charles is 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 sale:

Four skids of pvc. tees
One skid of reels
One skid of tires
One skid of oil dry
Two concrete poles
One box hydraulic hose
One lot of hand tools
One lot of bikes.
One lot of chairs
One lot of cabinets
Air hose system
Canon copier
Vending machine
Addco DOT sign
Gold bracelet
Flex bracelet
Silver ring with diamond
Silver ring with large diamond/four small diamonds
Ladies silver ring with large diamond/two small diamonds
Gold ring with large diamond
Ladies gold ring with green stone
Men’s wedding band
Men’s titanium ring

Six earrings
Small silver necklace
Camera necklace
EQ3B equalizer
Philips DVD player
2001 Sauber reel trailer (Vehicle 2019)
2009 Ford Escape (Vehicle 1768)
2005 Ford Crown Victoria (Vehicle 1967)

2. Pursuant to said Section 65ILCS 5/11-76-4, the Purchasing and Inventory Control Division Manager be, and he is hereby authorized and directed to sell the foregoing described personal property now owned by the City of St. Charles to: the highest respective bidder.

Presented to the City Council of the City of St. Charles, Illinois, this _____ day of July, 2017.

Passed by the City Council of the City of St. Charles, Illinois, this _____ day of July, 2017.

Approved by the Mayor of the City of St. Charles, Illinois, this _____ day of July, 2017.

_____
Raymond P. Rogina, Mayor

Attest:

_____
Chuck Amenta, City Clerk

Council Vote:
Ayes: _____
Nays: _____
Absent: ____
Abstain:____

MWS:cjb

ordinances\Sale ordinanc7-1717
6/29/17