

**AGENDA
CITY OF ST. CHARLES, IL
GOVERNMENT SERVICES COMMITTEE MEETING
WILLIAM TURNER, CHAIRMAN**

**MONDAY, SEPTEMBER 28, 2015, 7:00 P.M
CITY COUNCIL CHAMBERS
2 E. MAIN STREET, ST. CHARLES, IL 60174**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. ADMINISTRATIVE**
 - a. Electric Reliability Report – Information only.
 - b. Tree Commission – Information only.
- 4. PUBLIC WORKS DEPARTMENT**
 - a. Recommendation to Waive the Formal Bid Procedure and approve a Purchase Order with Rush Truck/Chicago International for Non-Stocked Heavy Duty Vehicle Parts and Repairs.
 - b. Recommendation to approve Design Engineering Agreement with Wills Burke Kelsey Associates for the Illinois Bridge Repair Project.
 - c. Recommendation to approve Right of Way Agreement for 1336 Geneva Road with Warren and Sandra Drewes.
 - d. Recommendation to approve Permanent Utility Easement for 911 N. Fourth Avenue with John and Sherri Breckenfelder.
 - e. Recommendation to Waive the Formal Bid Procedure and approve a Contract for the Resurfacing of the Public Works Facility Parking Lot.
 - f. Recommendation to approve Surveying and Preliminary Design Analysis with H.R. Green for the Fairview Drive Reconstruction and Utility Project.

5. 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 the Movement of the Fire Department Monument to Volunteer Plaza.

6. ADDITIONAL BUSINESS

7. EXECUTIVE SESSION

- Personnel
- Pending Litigation
- Probable or Imminent Litigation
- Property Acquisition
- Collective Bargaining

8. ADJOURNMENT



AGENDA ITEM EXECUTIVE SUMMARY

Title: Electric Reliability Report – Information Only

Presenter: Tom Bruhl

Please check appropriate box:

<input type="checkbox"/>	Government Operations	<input checked="" type="checkbox"/>	Government Services 09.28.15
<input type="checkbox"/>	Planning & Development	<input type="checkbox"/>	City Council
<input type="checkbox"/>	Public Hearing	<input type="checkbox"/>	

Estimated Cost:	\$	Budgeted:	<input type="checkbox"/> YES	<input type="checkbox"/> NO
-----------------	----	-----------	------------------------------	-----------------------------

If NO, please explain how item will be funded:

Executive Summary:

For information only.

Attachments: *(please list)*

*August 2015 Outage Report

Recommendation / Suggested Action *(briefly explain):*

For information only.

For office use only: Agenda Item Number: 3.a

**City of St. Charles
August 2015 Outages**

OUTAGE No.	DATE	TIME OFF	TIME ON (Min)	AREA AFFECTED	CIRCUIT No.	CAUSE/RESPONSE	NO. OF CUST.	OUTAGE MINUTES	MAJOR CATEGORY	SUB CATEGORY
1	8/2/2015	5:46 AM	0	Prairie St. From S. 14th St. to Randall Rd.	622	Momentary outage on circuit due to underground primary cable fault. No outage calls reported.	520	0	Equipment	Cable failure
1	8/2/2015	8:17 AM	0	Prairie St. From S. 14th St. to Randall Rd., 18th & 19th St. from Oak To Walnut St.	622	Second momentary outage on circuit due to underground primary cable fault.	520	0	Equipment	Cable failure
1	8/2/2015	5:46 AM	221	Between Prairie & Rt. 38 from S. 14th St. to Randall Rd.	622	Underground primary cable fault.	30	6,630	Equipment	Cable failure
1	8/2/2015	5:46 AM	403	Businesses on the NW corner of Lincoln Hwy and 14th Street	622	Underground primary cable fault.	10	4,030	Equipment	Cable failure
2	8/2/2015	12:22 PM	0	NE quadrant	L13167	Confirmed lightning strike during storm event. Strike zone patrolled by ComEd but no damage found.	1381	0	ComEd	L13167
3	8-2 & 8-3/2015	11:30 PM	232	Washington Ave. between S. 7th Ave. & 9th Ave.	311	Tree branches fell on wires.	7	1,624	Weather	Wind
4	8/4/2015	10:00 PM	390	2535 E. Main St.; Nissan of St. Charles	534	Scheduled outage for Nissan to replace 400 A service to address Code Violations.	1	390	Scheduled	Customer
5	8/7/2015	9:00 AM	135	Antoine Pl.	216	Scheduled outage for transformer raise.	10	1,350	Scheduled	SCMEU
6	8/8/2015	7:05 PM	0	S.W. side of town; Oak St., Prairie St. Randall Rd., 14th St., Old Mall on Rt. 38	622	Cable fault to Kinder Care.	482	0	Equipment	Cable failure
7	8/10/2015	6:20 AM	150	Kinder Care; 1875 Prairie St.	622	Single phase primary fault.	1	150	Equipment	Cable failure
8	8/10/2015	7:18 AM	0	Ohio Ave.	533	Bird caused blown transformer & cap bank fuses on capacitor bank by Ark Technologies	39	0	Animal	Bird
9	8/10/2015	6:30 PM	45	1018 Dean St.	222	Large tree limb broke & laid on 3 phase primary & secondary.	10	450	Tree	Large branch
10	8/13/2015	2:00 PM	40	Antoine Pl. & Provence area	811	Fuse burned out during single phase switching.	20	800	Utility Error	

**City of St. Charles
August 2015 Outages**

OUTAGE No.	DATE	TIME OFF	TIME ON (Min)	AREA AFFECTED	CIRCUIT No.	CAUSE/RESPONSE	NO. OF CUST.	OUTAGE MINUTES	MAJOR CATEGORY	SUB CATEGORY
11	8/17/2015	12:00 PM	60	Otter Cove; 3615 Campton Hills Rd.	811	Vehicle hit transformer. Park District employee, summer help.	2	120	Others	Vehicle accident
12	8/23/2015	7:45 AM	300	20 N. 17th St.; Fox River Tire.	222	Replaced transformer due to age/condition.	1	300	Scheduled	SCMEU
13	8/25/2015	5:25 PM	90	175 N. 11th Ave.	514	Tree branch downed service cable, pulled secondary main from dead end.	1	90	Tree	Large branch
14	8/31/2015	1:31 PM	0	NE quadrant	733/734	Momentary outage related to primary cable fault on Royal Fox Court.	1081	0	Equipment	Cable failure
14	8/31/2015	1:31 PM	61	Royal Fox Court and Royal Fox Drive west of Kirk	734	Primary cable fault on Royal Fox Court. Cable was injected in 2013, under investigation.	18	1,098	Equipment	Cable failure
						Total of Interrupted Minutes			17,032	
						Total SAIDI*		1.104		
						Total of ComEd Interrupted Minutes	0.000			
						Total SAIDI without ComEd		1.104		
							0.000			
						*System Average Interruption Duration Index (SAIDI)				



AGENDA ITEM EXECUTIVE SUMMARY

Title: Tree Commission Minutes – Information only

Presenter: AJ Reineking

Please check appropriate box:

<input type="checkbox"/>	Government Operations	<input checked="" type="checkbox"/>	Government Services 09.28.15
<input type="checkbox"/>	Planning & Development	<input type="checkbox"/>	City Council
<input type="checkbox"/>	Public Hearing	<input type="checkbox"/>	

Estimated Cost:	N/A	Budgeted:	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
-----------------	-----	-----------	-----	--------------------------	----	-------------------------------------

If NO, please explain how item will be funded:

Executive Summary:

A duty of the Tree Commission is to advise and consult with the Government Services Committee. July 2015 Tree Commission meeting minutes are attached.

Attachments: *(please list)*

* Tree Commission Minutes – July 2015 meeting minutes.

Recommendation / Suggested Action *(briefly explain):*

For information only.

For office use only: *Agenda Item Number: 3.b*

**MINUTES
CITY OF ST. CHARLES
TREE COMMISSION MEETING
RALPH GRATHOFF, CHAIRMAN
JULY 9, 2015**

Members Present: Valerie Blaine, Jon Duerr, Ralph Grathoff, Raymond Hauser, Suzi Myers, Carol Riordan, Caroline Wilfong

Members Absent: Pam Otto, Ron Ziegler

Others Present: Chris Adesso, AJ Reineking, Isabel Soderlind

Visitors Present: Michael and Jonathan Dufresne, Vanessa and Makayla Stack

1. Call to Order & Pledge of Allegiance

The meeting was convened by Chair. Ralph Grathoff at 7:03 p.m.

2. Roll Call

3. Introductions of Visitors

Jonathan Dufresne was attending the meeting to qualify for a Communications badge. It was also a pre-requisite for a camp that he would be attending this coming week. His father Michael accompanied Jonathan to the meeting.

Makayla Stack, a student at Richmond School, was attending the meeting with her mother, Vanessa. This year, Makayla's teacher challenged her students to make a difference in the community. Makayla explained her interest in deforestation, which led to her establishing an arbor club. Her goal was to educate others on the importance of trees. She has held several Arbor Club meetings this summer at Discovery Knolls; her last meeting was held earlier today.

The Commissioners introduced themselves to the visitors.

4. Minutes Review and Approval

- A. Motion to accept and place on file the minutes of the May 14, 2015 Tree Commission meeting.
Motion by Comm. Duerr, second Comm. Hauser to accept and place the minutes on file.

Voice vote: unanimous; Nays – None; Absent: Comm. Otto, Comm. Ziegler

- Motion carried at 7:06 p.m.

5. Old Business

A. Urban Forest Management Plan Update

AJ Reineking, Public Works Manager, has received a draft of the Urban Forest Management Plan (hereinafter referred to as the "UFMP") late last week. Tony Bellafiore and AJ have been reviewing the draft and would prefer to have it at a "semi-final" stage before presenting it to the Tree Commissioners. Mr. Reineking explained he would prefer to review the operational components of the plan before sharing it with the Committee. A draft of the plan will be emailed to all the Commissioners sometime before the next meeting for their review. The Commissioners will be able to ask questions and provide feedback directly to Mr. Graf at the September meeting.

Once the UFMP is approved by the Commissioners, Mr. Reineking and Mr. Adesso will present the Urban Forestry Management Plan to the Government Services Committee and then to Council for final approval. Timeline is estimated at approximately 6 to 9 months before the UFMP will be a “living breathing” document.

A purchase order has been written for Phase 3 of the Urban Forestry Management Plan; therefore further implementation of the plan will continue to move forward in FY15/16.

B. Reorganization of the Tree Commission

The Commission continued its discussion from last month to convert the “Tree Commission” to a “Natural Resources Committee”. Mr. Adesso felt expanding to a Natural Resources Committee made sense given the City’s trend toward naturalizing areas and sustainability. The following points were made during the discussion:

Overall, the Commission’s mission would remain essentially the same, providing guidance to the City. As a Natural Resources Committee however the scope of the committee would broaden to other areas than just trees, e.g., or creating (building) bioswales. The Committee could consider expanding the number of members, but funding would remain essentially the same.

A few of the commissioners expressed an interest in broadening the scope of the commission. Comm. Blaine promoted the move towards a Natural Resources Committee. A broader focus of this committee would also include, water, herbaceous plants, soil quality, etc. Overall this would be an asset to the City.

Comm. Duerr mentioned he recently attended a park district workshop regarding the future of the Fox River. The purpose of this Task Force leading this initiative is to (1) update and modernize the River Corridor’s 2002 Master Plan; (2) leverage the river to modify the active lifestyle in St. Charles; and (3) promote the economic development of the city by constructing rapids, pedestrian walkways and bike paths that extends from Ferson Creek to the Geneva property line. The plan presented at the meeting was to turn the Fox River to worldwide water recreational area. This plan is just at the concept stage, but this type of an initiative could be an area the Natural Resource Commission could engage in.

Comm. Wilfong also mentioned Natural Resources Committee could also be involved in other City initiatives, e.g., America in Bloom, which will be taking place this coming week.

Creating a Natural Resources Committee may bring a substantial change to the structure of the Tree Commission. If there was a genuine interest from the commissioners, Mr. Adesso suggested the members start to brainstorm and write their ideas during the next two months. The ideas can then be discussed at the next meeting and compiled into a short document or charter that he could present to the mayor and the city administrator.

The committee considered Mr. Adesso’s suggestion and deferred further discussion of this agenda item until the September’s meeting.

C. Proper Mulching Public Relations Campaign

Comm. Blaine mentioned she wrote an article for the Daily Herald regarding property mulching, but felt the timing would be more effective for March or April of next year.

6. New Business

A. News and Concerns from Public Works

- i. **Tree Trimming Update:** AJ Reineking summarized the Public Services division tree activity reports for the last two months. Public Works trimmed approximately 600 trees in May while

June focused mostly on service requests from residents. In addition, a total of 198 trees were planted this past Spring/Summer; 172 were replacement ash trees and 26 trees were warranty trees that had failed to thrive this past year.

Remaining Ash Inventory Update: Tony Bellafiore gave an update on the remaining ash tree inventory. Phil Graf inspected the remaining 245 standing ash trees and it was determined 54 trees would need to be removed this year. Residents living adjacent to the 54 trees will receive tree removal letters. The remainder of the ash trees appear to be healthy and but not necessarily tagged; therefore a questionnaire will be mailed to the remaining 191 residents living adjacent to these sites to see if they are treating the trees.

Tony Bellafiore distributed samples of Mr. Graf's report for the committee to view. The replacement of ash trees are now funded by the City's general forestry fund. Considering the forestry budget, the 54 trees slated to be removed will most likely be replanted next spring.

Residents may call the City at anytime and request an inspection of a parkway tree whose health may look suspicious. If the tree is determined to be dead, a work order is created to remove the tree. Once the tree is removed, a work order is created for replacing the tree.

- ii. **Fall Planting Update:** Public Works anticipates planting approximately 200 trees this fall. A new species list has been established, which will assist in determining a firm cost. A planting bid package will be going out soon for both the fall and spring planting. Taking diversity into consideration, there will be some unique species being planted this fall. This tree species list will be shared with the committee at the next meeting.
- iii. **Other:** Overall the arborist team is currently focusing on work orders generated by the residents instead of zone trimming. With the assistance of the Urban Forestry Management Plan (UFMP), the division is currently determining the proper maintenance trimming schedule throughout the city over the next several years.

Tony Bellafiore also mentioned Jeremy Craft, who is also an arborist, has been promoted to crew leader within the division. He has continued to educate himself and is very close in completing his Municipal Arborist Certification. He is currently supervising the arborist team and conducting the majority of the tree inspections.

Comm. Duerr mentioned he was very impressed by the tree trimming crew that came through his neighborhood recently.

7. Committee Reports

A. Education Committee:

Comm. Myers passed around a "teacher's nature kit" she had recently received in the mail. She was wondering if any of the Commissioners had any experience with the materials and if they would be worth ordering in the future. Comm. Blaine mentioned she had the exact same materials but did not use them often. The materials contained mostly non-native species and not very representative of our area.

Ms. Soderlind gave an update on the delivery of the books ordered last February, "Why Would Anyone Cut a Tree Down?" by Roberta Burzynski. Per the U.S. Government Bookstore, the books were to be shipped out the week of July 20. She will continue to monitor the delivery of the books.

Comm. Blaine mentioned the hazards of "volcano" mulching may be a good initiative for the Educational Committee. Utilizing social media may be more effective educating the public. She added that the committee should consider focusing on this initiative in the spring, when everyone has the mind set to plant trees.

Ms. Vanessa Stack asked if residents could volunteer in planting city trees? It was explained that contactors were hired to plant the trees, but there were many other volunteer opportunities through the Tree Commission: Langum Park Clean Up program which is typically conducted in the spring and fall and also Arbor Day. These were typically advertised through press releases from the City.

B. Publicity Committee: None

C. Arbor Day: None

8. Communications

A. Electric Division Tree Activity Reports

Motion to accept and place on file the Public Services and Electric Services Tree Activity Reports for May and June of 2015. Motion by Comm. Myers, second by Comm. Duerr to accept and place on file the reports as presented.

Voice vote: unanimous; Nays – None; Absent: Pam Otto, Ron Ziegler

- Motion carried at 7:50 p.m.

9. Additional Items – Comments

A. Commissioners:
Comm. Riordan: None

Comm. Hauser: None

Comm. Myers: Complimented the City's arborist team. A stop sign on the southeast quadrant of town was blocked by a tree branch and she meant to call the City to report the safety hazard. As she drove by the next day, the crews were already trimming the tree!

Comm. Blaine: Mentioned the forest preserve was almost ready with the Kane County Big Tree Program. She passed around a draft of the program and proceeded to discuss the program and its purpose. Its intention is to get people aware and involved with trees making this a fun, competitive and educational experience for everyone of all ages.

Comm. Wilfong: Comm. Wilfong shared her idea to create a list of favorite trees or natural areas brochure here in St. Charles. It would be an opportunity for residents to view and experience the beauty of local trees and naturalized areas. Comm. Blaine mentioned to look at the Kane County Forest Preserve website which had some similar information.

Comm. Duerr: Complimented the St. Charles Public Services arborist crews again. He was very pleased with the proper trimming that was conducted in his neighborhood. In addition, he mentioned a beautiful Sugar Maple located on the corner of 3rd and Oak Street, on the north edge of the dentist's parking lot. The tree is actually located on private property, but explained trees were typically planted on the inside of the tree bank back at the turn of the century. He added there were quite a few Sugar Maples along 3rd, 4th and 5th Street, but the one on the 3rd and Oak is just a beautiful Sugar Maple.

Chair. Grathoff: Mentioned that the improper "volcano" mulching message had started to spread. Apparently a customer called to make sure Comm. Grathoff's crews would not "volcano" mulch the trees.

B. City Staff:

Chris Adesso: Mr. Adesso mentioned he had the Active River Committee concept plan on his computer if anyone was interested in viewing it after the meeting.

Tony Bellafiore: Mentioned there was also a beautiful oak tree at the St. Mary's Park. Comm. Myers mentioned that it is her favorite tree!

AJ Reineking: None

10. Adjournment

Motion by Comm. Myers to adjourn meeting, second by Comm. Blaine.

Voice vote: unanimous; Nays – None; Absent: Comm. Ziegler, Comm. Otto
- Motion carried at 7:59 p.m.

/ims



AGENDA ITEM EXECUTIVE SUMMARY

Title:	Recommendation to Waive the Formal Bid Procedure and approve a Purchase Order with Rush Truck/Chicago International for Non-Stocked Heavy Duty Vehicle Parts and Repairs
Presenter:	AJ Reineking

Please check appropriate box:

	Government Operations	X	Government Services 9.28.2015
	Planning & Development		City Council
	Public Hearing		

Estimated Cost:	\$40,000	Budgeted:	YES	X	NO	
-----------------	----------	-----------	-----	---	----	--

If NO, please explain how item will be funded:

Executive Summary:

We are asking for approval to issue an open/blanket purchase order with our local International dealer, Rush Truck, for non-stocked genuine International heavy duty trucks parts for vehicle maintenance and repairs. All parts would be purchased on an as needed basis to repair our International fleet and for select vehicle repairs and diagnostic troubleshooting. We are estimating the overall cost of parts and repairs from Rush Truck to be about \$40,000, with the unit costs of the parts varying depending on the part itself.

Attachments: *(please list)*

* Bid Waiver

Recommendation / Suggested Action *(briefly explain):*

Recommendation to waive the formal bid procedure and approve an open purchase order with Rush Truck/Chicago International for Non-Stocked Heavy Duty Vehicle Parts and Repairs.

<i>For office use only:</i>	<i>Agenda Item Number: 4.a</i>
-----------------------------	--------------------------------

REQUEST FOR WAIVING BID PROCEDURE

We request the City Council to waive the bid procedure and accept the quotation (requiring two-thirds City Council vote) submitted by:

Rush Truck/Chicago International.
575 St. Paul Blvd.
Carol Stream, IL 60188

For the purchase of: Genuine International Truck Parts & Repairs

At a cost of: \$ 40,000

Reason for the request to waive the bid procedure: Rush Truck is a local heavy duty truck dealer and shop that has been providing parts and services to the City of St. Charles for many years. Rush Truck has always provided excellent service and provides us with non-stock Genuine International Parts at the most competitive rates. Their close proximity to our Fleet Department allows for quick and easy parts pick-up and service to the various International Trucks we own.

Other Quotations Received: None

Date: 9/28/2015


Requested by: _____

Department Director: _____

Purchasing Manager: _____

Committee Chairman: _____

THIS REQUEST FORM MUST BE SIGNED BY ALL PARTIES PRIOR TO REQUESTING COMMITTEE APPROVAL FOR WAIVING OF THE BID PROCEDURE. REQUESTS FORWARDED DIRECTLY TO THE CITY COUNCIL (AND BYPASSING COMMITTEE) MUST BE SIGNED BY ALL PARTIES PRIOR TO REQUESTING CITY COUNCIL APPROVAL. SUCH REQUESTS ARE TO BE OF AN EMERGENCY NATURE WHERE TIME IS OF THE ESSENCE.

	AGENDA ITEM EXECUTIVE SUMMARY					
	Title:	Recommendation to Approve Design Engineering Agreement with Wills Burke Kelsey Associates for the Illinois Bridge Repair Project				
	Presenter:	Karen Young				
<i>Please check appropriate box:</i>						
	Government Operations		X	Government Services 09.28.2015		
	Planning & Development			City Council		
Estimated Cost:	\$27,150	Budgeted:	YES	X	NO	
Executive Summary:						
<p>The Illinois Street bridge over the Fox River is currently inspected every two years according to National Bridge Inspection Standards (NBIS) to check for deficiencies. Wills Burke Kelsey Associates (WBK) currently is the City's bridge inspector for the Illinois Street bridge and the last bridge inspection was completed in 2014. As part of this inspection WBK made recommendations for repairs to the structure including replacement of the expansion devices, repair to the abutment backwalls, curbs and railings. This approval is for the design engineering services needed to prepare the plans, specifications and other appropriate information to prepare for future bidding and construction. Staff selected WBK to submit a request for proposal for the design engineering services and negotiated a fee for this work in the amount of \$27,150. WBK was selected based on their knowledge and experience working with this bridge.</p>						
Attachments: <i>(please list)</i>						
None						
Recommendation / Suggested Action <i>(briefly explain):</i>						
Recommendation to approve Design Engineering Agreement with Wills Burke Kelsey Associates for the Illinois Bridge Repair Project in the amount of \$27,150.						
<i>For office use only:</i>		<i>Agenda Item Number: 4.b</i>				



AGENDA ITEM EXECUTIVE SUMMARY

Title: Recommendation to Approve Right-of-Way Agreement for 1336 Geneva Road with Warren and Sandra Drewes

Presenter: Karen Young

Please check appropriate box:

Government Operations	X	Government Services 09.28.2015
Planning & Development		City Council

Estimated Cost:	n/a	Budgeted:	YES		NO	
-----------------	-----	-----------	-----	--	----	--

Executive Summary:

City Staff has been working with the property owners at 1336 Geneva Road (IL Route 31) to acquire a dedication of right-of-way for potential future sidewalk and culvert improvements along the frontage of this property. The property owners, Warren and Sandra Drewes, have agreed to donate to the City a portion of their property as right-of-way as shown on the attached exhibit. This dedication is necessary in order to complete the possible future extension of the roadway culvert, which will allow for a sidewalk connection on the east side of Geneva Road along this property. This will fill in the sidewalk gap location between the City of St. Charles and the City of Geneva.

Attachments: *(please list)*

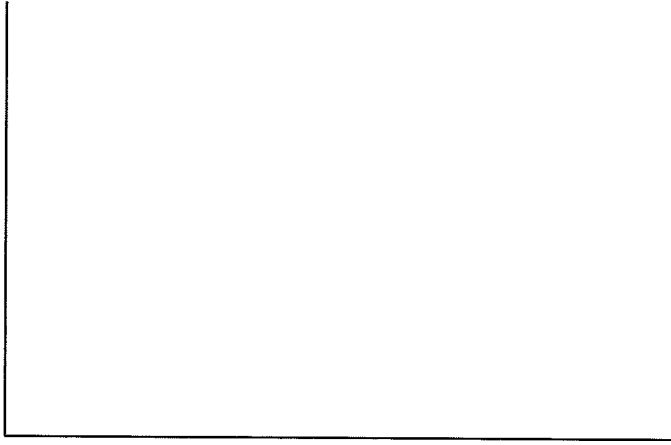
* Right-of-Way Agreement * Map

Recommendation / Suggested Action *(briefly explain):*

Recommendation to approve Right-of-Way Agreement for 1336 Geneva Road with Warren and Sandra Drewes.

<i>For office use only:</i>	<i>Agenda Item Number: 4.c</i>
-----------------------------	--------------------------------

PREPARED BY AND
WHEN RECORDED MAIL TO:
City of St. Charles
2 East Main Street
St. Charles, Illinois 60174



_____ SPACE ABOVE THIS LINE FOR RECORDER'S USE _____

AGREEMENT FOR RIGHT OF WAY

THIS AGREEMENT FOR RIGHT OF WAY (hereinafter the “**Agreement**”) is made and entered into this ___ day of _____, 2015 by and between WARREN J. DREWES and SANDRA S. DREWES (hereinafter referred to as (“**Grantor**”)) and the CITY OF ST. CHARLES, a MUNICIPAL CORPORATION, organized and existing under the laws of the State of Illinois, of Kane and DuPage Counties, Illinois, (hereinafter referred to as (“**Grantee**”)).

WHEREAS, WARREN J. DREWES and SANDRA S. DREWES are the owners of real property legally described in Exhibit A;

WHEREAS, the CITY OF ST. CHARLES wishes to obtain a right of way from WARREN J. DREWES and SANDRA S. DREWES across the right of way area described in Exhibit B attached hereto for the purpose of construction, re-construction, maintenance, review, access and repair various public utilities and related facilities and equipment including but not limited to buried water and sewer lines, sidewalks, public roadway purposes and such other additions hereto as **Grantee** may deem necessary.

NOW THEREFORE, in consideration of Ten Dollars (\$10.00), and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. The **Grantor** hereby does grant and convey to **Grantee**, its successor and assigns, all interest in the following described real estate situated in County of Kane, State of Illinois, to wit:

THAT PART OF THE SOUTHEAST ¼ OF FRACTIONAL SECTION 34, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE FORMER CENTER LINE OF GENEVA ROAD WITH THE SOUTH LINE OF SAID SOUTHEAST ¼ BEING ALSO THE NORTHWEST CORNER OR MOORE'S 3RD SUBDIVISION, GENEVA, KANE COUNTY, ILLINOIS; THENCE NORTH 19 DEGREES 20 MINUTES WEST ALONG SAID FORMER CENTER LINE 97.70 FEET; THENCE NORTH 81 DEGREES, 13 MINUTES EAST 5.25 FEET TO THE PRESENT CENTER LINE OF GENEVA ROAD ILLINOIS STATE ROUTE NO. 31) FOR A POINT BEGINNING; THENCE NORTHWESTERLY ALONG SAID PRESENT CENTER LINE 214.79 FEET TO THE SOUTHWEST CORNER OF WILLOWGATE PUD, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 92K18679; THENCE NORTH 81 DEGREES 15 MINUTES 21 SECONDS EAST ALONG THE SOUTHERLY LINE OF SAID WILLOWGATE 404 FEET TO THE WESTERLY BANK OF THE FOX RIVER; THENCE SOUTHERLY ALONG SAID WESTERLY BANK 217 FEET TO A LINE DRAWN NORTH 81 DEGREES 13 MINUTES EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 81 DEGREES 13 MINUTES WEST 344 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

Address commonly known as:
1336 Geneva Road
Saint Charles, IL 60174

PIN#: 09-34-477-003 (includes other property)

and as depicted on the plat of survey (Right of Way Dedication) attached hereto as Exhibit B;

2. The City shall record the Dedication, and from an after the recording of the dedication, the City shall have the exclusive use of the Dedication for the purposed stated herein.
3. This Agreement is entered into, and shall be interpreted in accordance with, the laws of the State of Illinois.
4. This Agreement shall run with the land and be binding upon, and shall inure to the benefit of, the parties hereto and their respective heirs, successors, and assigns.
5. This Agreement sets forth the entire understanding of the parties with respect to the matters addressed herein, and may only be modified by a written amendment signed by all of the parties.

WITNESS our hands and seals this ___ day of _____, 2015.

Grantee:

CITY OF ST. CHARLES,
a Municipal Corporation

By: _____

Name: Raymond Rogina

Title: Mayor

Attest: _____

Name: Nancy Garrison

Title: City Clerk

Grantor:

Warren J. Drewes 8-27-15
Warren J. Drewes

Sandra S. Drewes 8-27-15
Sandra S. Drewes

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that WARREN J. DREWES and SANDRA S. DREWES, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal this 27th day of August, 2015.



Kristi L. Dobbs
NOTARY PUBLIC

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

I the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that RAYMOND ROGINA, personally known to me to be the Mayor of the City of St. Charles, a municipal corporation and NANCY GARRISON, personally known to me to be the City Clerk of the city of St. Charles, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Mayor and City Clerk of said corporation they caused their signatures to be affixed thereto, and caused the corporate seal of said corporation to be affixed thereto, pursuant to the authority given by the Council of the City of St. Charles as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and seal this ____ day of _____, 2015.

NOTARY PUBLIC

EXHIBIT A
LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST $\frac{1}{4}$ OF FRACTIONAL SECTION 34, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE FORMER CENTER LINE OF GENEVA ROAD WITH THE SOUTH LINE OF SAID SOUTHEAST $\frac{1}{4}$ BEING ALSO THE NORTHWEST CORNER OR MOORE'S 3RD SUBDIVISION, GENEVA, KANE COUNTY, ILLINOIS; THENCE NORTH 19 DEGREES 20 MINUTES WEST ALONG SAID FORMER CENTER LINE 97.70 FEET; THENCE NORTH 81 DEGREES, 13 MINUTES EAST 5.25 FEET TO THE PRESENT CENTER LINE OF GENEVA ROAD ILLINOIS STATE ROUTE NO. 31) FOR A POINT BEGINNING; THENCE NORTHWESTERLY ALONG SAID PRESENT CENTER LINE 214.79 FEET TO THE SOUTHWEST CORNER OF WILLOWGATE PUD, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 92K18679; THENCE NORTH 81 DEGREES 15 MINUTES 21 SECONDS EAST ALONG THE SOUTHERLY LINE OF SAID WILLOWGATE 404 FEET TO THE WESTERLY BANK OF THE FOX RIVER; THENCE SOUTHERLY ALONG SAID WESTERLY BANK 217 FEET TO A LINE DRAWN NORTH 81 DEGREES 13 MINUTES EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 81 DEGREES 13 MINUTES WEST 344 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

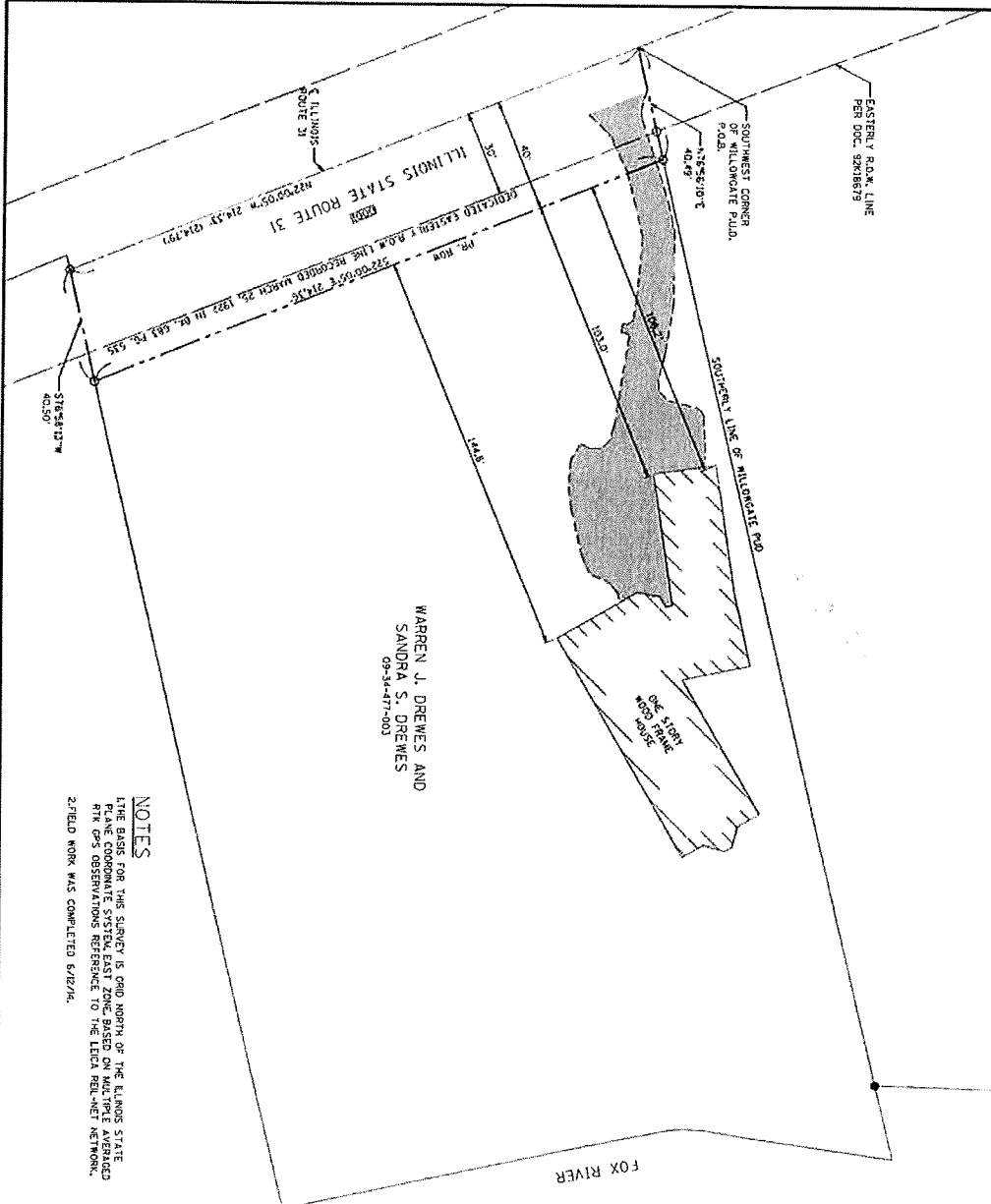
Address commonly known as:
1336 Geneva Road
Saint Charles, IL 60174

PIN#: 09-34-477-003

EXHIBIT B
DESCRIPTION/DEPICTION OF RIGHT OF WAY
PART OF PIN 09-34-477-003

THAT PART OF THE SOUTHEAST QUARTER OF FRACTIONAL SECTION 34, TOWNSHIP
 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, KANE COUNTY, ILLINOIS

PARCEL	OWNER	TOTAL HOLDING ACRES	R.O.W. REQUIRED ACRES	PREVIOUSLY DEDICATED ACRES	REMAINING ACRES	EASEMENT AREA SQ FT	PURPOSE OF EASEMENT	PERMANENT TAX NUMBER	PROPERTY ACQUIRED BY
0001	WARREN J. DREWES AND SANDRA S. DREWES, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETY	1.712	0.197	0.146	1.515	N/A	N/A	09-34-477-003	



WARREN J. DREWES AND
 SANDRA S. DREWES
 09-34-477-003

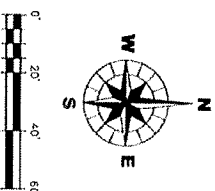
NOTES
 THE BASIS FOR THIS SURVEY IS GRID NORTH OF THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, BASED ON MULTIPLE AVERAGED RTN GPS OBSERVATIONS REFERENCED TO THE ILLINOIS REFLECT NETWORK.
 2 FIELD WORK WAS COMPLETED 6/12/14.

LEGAL DESCRIPTION 0001

THAT PART OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 34, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, KANE COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SOUTHWEST CORNER OF WILLOWDALE P.L.D. RECORDED MARCH 19, 1982 AS DOCUMENT 9241833, SAID CORNER BEING CONSIDERED WITH THE INTERSECTION OF THE CENTERLINE OF ILLINOIS STATE ROUTE 31 WITH THE SOUTHERLY LINE OF WILLOWDALE P.L.D.; THENCE NORTH 78°58'13" EAST ALONG SAID CENTERLINE OF ILLINOIS STATE ROUTE 31 TO THE POINT OF BEGINNING; THENCE SOUTH 78°58'13" EAST ALONG SAID PARALLEL LINE, 214.38 FEET; THENCE SOUTH 22°00'05" WEST ALONG SAID CENTERLINE, 214.33 FEET TO THE POINT OF BEGINNING.
 SAID PARCEL, CONTAINING 0.1974 SQUARE FEET, MORE OR LESS, OR 0.197 ACRES, MORE OR LESS.

STATE OF ILLINOIS 1333
 COUNTY OF KANE)
 I, WILLIS BURKE KELSEY ASSOCIATES, ILLINOIS PROFESSIONAL DESIGN FIRM NUMBER 06-002097, DO HEREBY DECLARE THAT WE HAVE SUPERVISED PART OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 34, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, KANE COUNTY, ILLINOIS, AND THAT THE ATTACHED PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.
 GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF JANUARY, 2015 AT ST. CHARLES, ILLINOIS.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS BOARD STANDARDS FOR A SURVEYOR.
 I, WILLIS BURKE KELSEY ASSOCIATES, ILLINOIS PROFESSIONAL DESIGN FIRM NUMBER 06-002097, DO HEREBY DECLARE THAT WE HAVE SUPERVISED PART OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 34, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, KANE COUNTY, ILLINOIS, AND THAT THE ATTACHED PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.
 DESIGN FIRM LICENSE EXPIRES APRIL 30, 2016



- LEGEND**
- POINT OF BEGINNING
 - SURVEYED PROPERTY
 - EX. ROW LINE
 - R.O.W. LINE
 - MEASURED OR CALC'D SURVEY DATA
 - RECORD OR PRIOR SURVEY DATA
 - FOUND FROM PIPE
 - SET 1/2" x 24" IRON PIPE
 - SET 1/2" x 24" IRON PIPE
 - EX. BUILDING
 - EX. EASEMENT

	WILLIS BURKE KELSEY ASSOCIATES LTD. 116 West Main Street, Suite 201 St. Charles, Illinois 60174 (630) 443-7755	CLIENT CITY OF ST. CHARLES 2 EAST MAIN STREET ST. CHARLES, IL 60174	TITLE: RIGHT OF WAY DEDICATION
			SCALE: 1" = 20'
PROJECT NO. 140311 SHEET 1 OF 1 DRAWING NO. PS1	DATE: 1/15/15	DATE:	DATE:



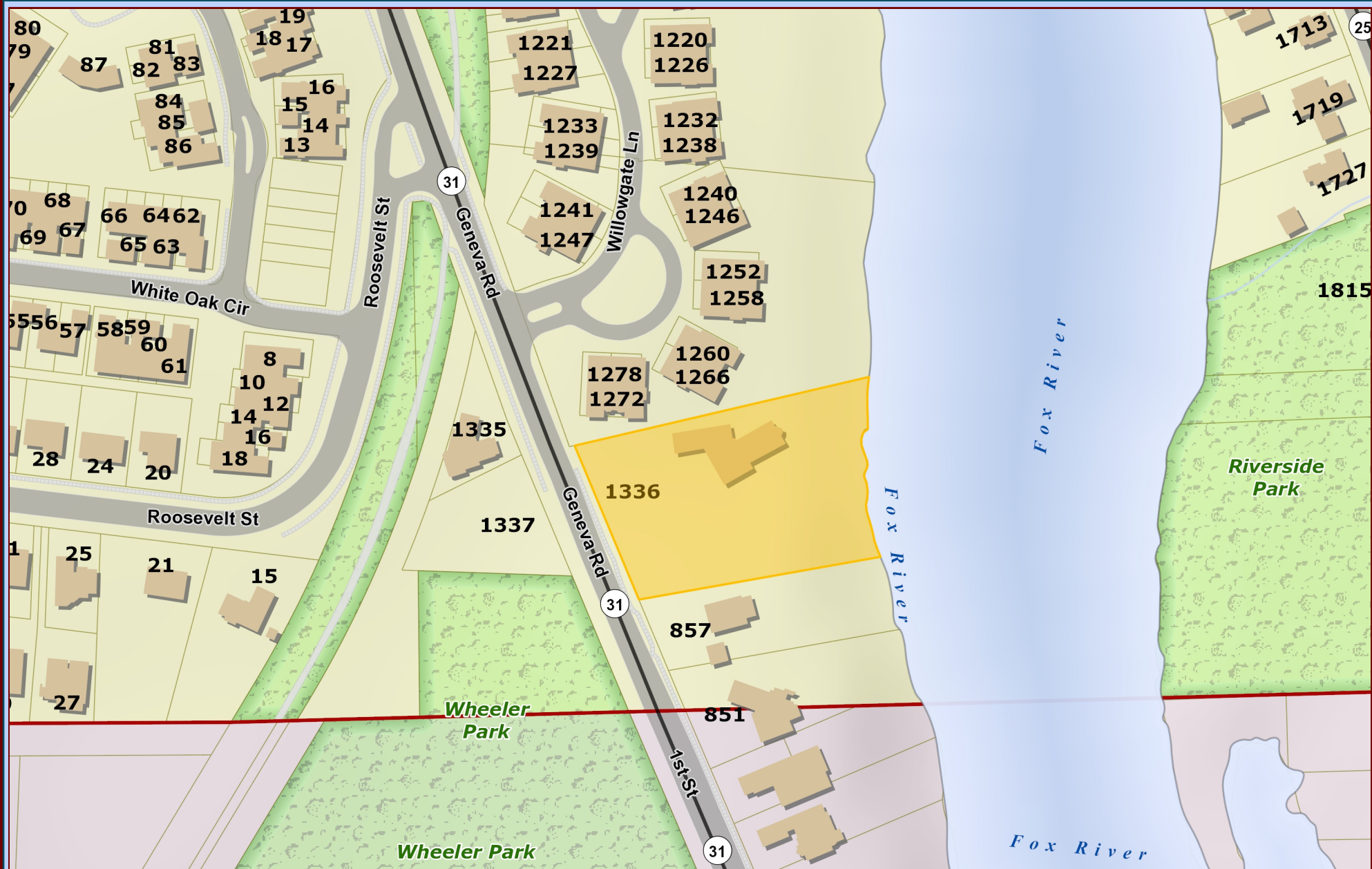
City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

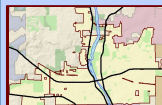
Drewes Property

RAYMOND ROGINA Mayor

MARK KOENEN City Administrator



Address: 1336 Geneva Road



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: September 22, 2015 08:59 AM



This work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois. Under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174.
Powered by Precision GIS



AGENDA ITEM EXECUTIVE SUMMARY

Title: Recommendation to Approve Permanent Utility Easement for 911 N. 4th Avenue with John and Sherri Breckenfelder

Presenter: Karen Young

Please check appropriate box:

Government Operations	X	Government Services 09.28.2015
Planning & Development		City Council

Estimated Cost:	n/a	Budgeted:	YES		NO	
-----------------	-----	-----------	-----	--	----	--

Executive Summary:

As part of the N. 5th Avenue Watermain Project new water services are being installed to the homes in the project area. As part of the field investigation it was determined that due to the existing mature landscaping at 911 N. 4th Avenue it would not be possible to install the new water service connection without damaging the existing landscaping. Staff met with the property owner and it was determined that moving the water service just outside of the existing right-of-way would avoid conflict with the mature landscaping. This proposed permanent easement is necessary to allow the water service connection to be located in this area and will also allow the City access to this area in the future.

Attachments: *(please list)*

* Permanent Easement

Recommendation / Suggested Action *(briefly explain):*

Recommendation to approve Permanent Utility Easement for 911 N. 4th Street with John and Sherri Breckenfelder.

For office use only: Agenda Item Number: 4.d

GRANT OF EASEMENT

This Grant of Easement ("Agreement") made this _____ day of _____, 2015, by and between **SHERRI & JOHN BRECKENFELDER** (hereinafter referred to as "Grantor") and the **CITY OF ST. CHARLES**, an Illinois Municipal Corporation (hereinafter referred to as "City").

WHEREAS, Grantor is the owner of a certain real property situated in the City of St. Charles, Kane County, Illinois, shown on Exhibit A attached hereto and forming a part hereof ("Easement Parcel"), and is desirous of granting to the City an easement for watermain purposes, hereof ("Improvements").

NOW, THEREFORE, in consideration of the acceptance of this grant by the City and for other good and valuable consideration, the Grantor grants to the City a right in, over, along and under the Easement Parcel for the purposes of constructing, replacing, removing, maintaining and using such Parcel for construction and maintenance of the Improvements.

This grant is made on the following terms:

1. The Improvements, or any portion thereof to be constructed, replaced, removed, maintained and used in, over, along and under the Easement Parcel shall be constructed and maintained in a workmanlike manner.
2. City shall, immediately following construction or maintenance of the Improvements and appurtenances, remove or cause to be removed from the Easement Parcel all debris, surplus material, and construction equipment, leaving such Parcel in a neat and presentable condition. The City shall further have a continuing obligation to promptly restore to a level surface any portion of the Easement Parcel that settles.
3. That upon reasonable notice to Grantor (except in case of emergency), the City shall have the right of ingress to and egress from the Easement Parcel for purposes of construction, repair and maintenance, and shall restore any property used for such ingress and egress to its prior condition.
4. The City shall have the right from time to time to trim and cut down and clear away any and all trees and brush now or hereafter on the Easement Parcel or overhanging the Easement Parcel that in the opinion of the City may interfere with the use of the Improvements.

5. The grant of this easement shall not be construed as an agreement by Grantor to alter the location of the building set back line along the westerly boundary of Grantor's Property on which the Easement Parcel is located as it existed immediately prior to the granting of this easement.

6. Grantor reserves the right to use the Easement Parcel for all purposes that will not interfere with the City's full enjoyment of the rights granted by this instrument; provided, however, that Grantor shall not erect or construct any building on the Easement Parcel without the prior written consent of the City.

7. The easement described in this instrument is to and shall run with the land and shall be for the benefit and use of and shall be binding upon the Grantor and the City and their respective heirs, administrators, assigns and successors.

8. City agrees to indemnify and save harmless Grantor and beneficiaries from and against any and all claims and demands of third persons (including, but not limited to those for death, for personal injuries or for loss or damage to property) occurring in or arising, directly or indirectly out of or in connection with the use and occupancy of the premises, for the location of the Improvements, including but not limited to work or alterations performed by the City in or to the premises, the activities conducted on the Easement Parcel or temporary construction easement located adjacent thereto, premises or as a result of any acts, omissions, or negligence of the City or their respective contractors, licensees, invitees, agents, servants, employees or other persons on or about the premises and from and against all costs, expenses and liability occurring in or in connection with any such claim or proceeding brought thereon, excepting those related or arising from acts of the Grantor.

CITY OF ST. CHARLES

By _____
Mayor

ATTEST:

City Clerk

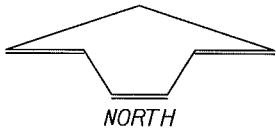
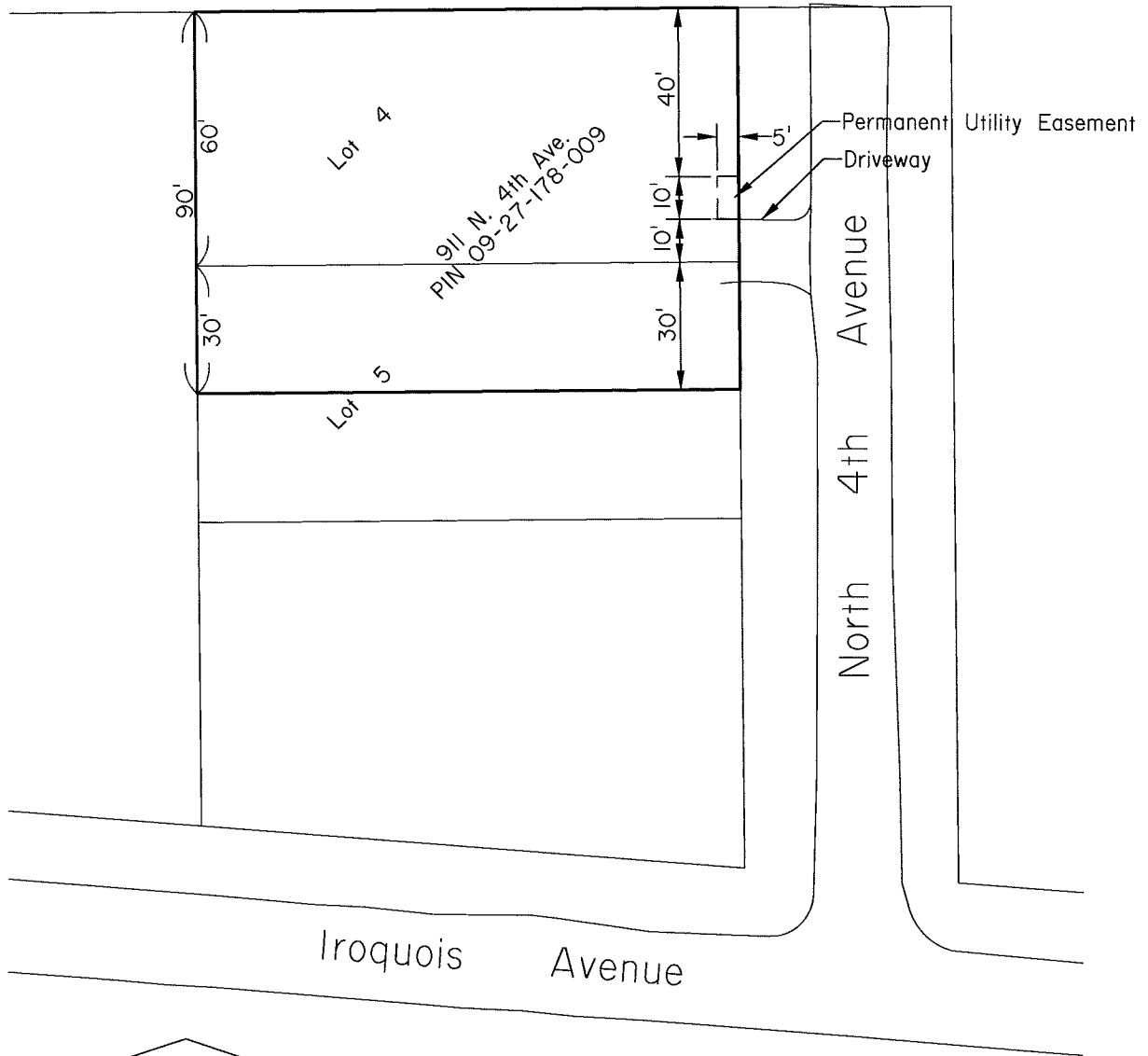
OWNERS: SHERRI & JOHN BRECKENFELDER

By 
John Breckenfelder

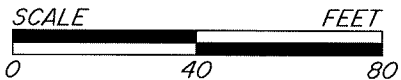
By 
Sherri Breckenfelder

EXHIBIT "B"

The easterly 5 feet of Lot 4, except the southerly 10 feet and northerly 40 feet thereof, in Block 2 of Clark and Meyers Addition to St. Charles, in the City of St. Charles, Kane County, Illinois.



NORTH



DATE: SEPT 2, 2015



AGENDA ITEM EXECUTIVE SUMMARY

Title: Recommendation to Waive the Formal Bid Procedure and Approve Contract for the Resurfacing of the Public Works Facility Parking Lot

Presenter: Karen Young

Please check appropriate box:

Government Operations	X	Government Services 09.28.2015
Planning & Development		City Council

Estimated Cost:	\$45,000	Budgeted:	YES	X	NO
-----------------	----------	-----------	-----	---	----

Executive Summary:

The Public Works Parking Lot is currently being programmed over a several year period to complete the resurfacing work. The first phase of the project was completed in July 2014 and there are several other phases planned over the next several years. This project is funded by utility funds: Electric, Sanitary and Water. The City is currently under contract with Schroeder Asphalt Services for the 2015 MFT Street Program. Since the 2015 Street Program was competitively bid this year, staff felt there would be a time and cost savings by negotiating a contract with Schroeder Asphalt Services directly for this project and use the appropriate unit prices as bid with the 2015 Street Program.

Attachments: *(please list)*

* Bid Waiver

Recommendation / Suggested Action *(briefly explain):*

Recommendation to Waive the Formal Bid Procedure and Approve Contract for the Resurfacing of the Public Works Facility Parking Lot with Schroeder Asphalt Services in the amount of \$45,000.

<i>For office use only:</i>	<i>Agenda Item Number: 4.e</i>
-----------------------------	--------------------------------

REQUEST FOR WAIVING BID PROCEDURE

We request the City Council to waive the bid procedure and accept the quotation (requiring two-thirds City Council vote) submitted by:

Schroeder Asphalt Services
11022 S. Grant Hwy
Marengo, IL 60152

For the purchase of: Schroeder Asphalt Services

At a combined total cost not to exceed: \$45,000

Schroeder Asphalt was the low bidder for the 2015 MFT Street Rehabilitation Program and has agreed to hold their pricing for this project.

Other Quotations Received: None

Date: 09/28/15


Requested by: _____

Department Director: _____

Purchasing Manager: _____

Committee Chairman: _____

THIS REQUEST FORM MUST BE SIGNED BY ALL PARTIES PRIOR TO REQUESTING COMMITTEE APPROVAL FOR WAIVING OF THE BID PROCEDURE. REQUESTS FORWARDED DIRECTLY TO THE CITY COUNCIL (AND BYPASSING COMMITTEE) MUST BE SIGNED BY ALL PARTIES PRIOR TO REQUESTING CITY COUNCIL APPROVAL. SUCH REQUESTS ARE TO BE OF AN EMERGENCY NATURE WHERE TIME IS OF THE ESSENCE.

	AGENDA ITEM EXECUTIVE SUMMARY	
	Title:	Recommendation to Approve Surveying and Preliminary Design Analysis with H.R. Green for the Fairview Drive Reconstruction and Utility Project
	Presenter:	Karen Young

Please check appropriate box:

<input type="checkbox"/>	Government Operations	<input checked="" type="checkbox"/>	Government Services 09.28.2015
<input type="checkbox"/>	Planning & Development	<input type="checkbox"/>	City Council

Estimated Cost:	\$44,600	Budgeted:	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>
-----------------	----------	-----------	-----	-------------------------------------	----	--------------------------

Executive Summary:

Fairview Drive from Oak Street to S. 19th Street is programmed to be reconstructed along with the relocation of the rear yard utilities in the coming years. The first step in this process includes the field surveying of the existing conditions, evaluation of the internal connections in the homes and evaluation for a preliminary design. The City recently worked with H.R. Green's surveying crews for the completion of the 7th Avenue Creek Elevation Certificates that required significant interaction with the residents. Staff was pleased with their work and professional interactions working with the residents in their homes. Staff has selected H. R. Green to submit a proposal for this work and negotiated a fee in the amount of \$44,600.

Attachments: *(please list)*

None.

Recommendation / Suggested Action *(briefly explain):*

Recommendation to approve Surveying and Preliminary Design Analysis with H.R. Green for the Fairview Drive Reconstruction and Utility Project in the amount of \$44,600.

<i>For office use only:</i>	<i>Agenda Item Number: 4.f</i>
-----------------------------	--------------------------------



AGENDA ITEM EXECUTIVE SUMMARY

Title:	Recommendation to Approve Minor Changes to the Rules and Regulations of the Board of Fire and Police Commissioners
--------	--

Presenter:	Fire Chief Joseph Schelstreet
------------	-------------------------------

Please check appropriate box:

	Government Operations	X	Government Services 09.28.15
	Planning & Development		City Council

Estimated Cost:	\$0	Budgeted:	YES		NO	
-----------------	-----	-----------	-----	--	----	--

If NO, please explain how item will be funded:

Executive Summary:

The Board of Fire and Police Commissioners has made a minor change to their rules and regulations. This change clarifies the assignment of educational preference points for the initial hiring examination for Firefighter Paramedic. Preference points are to be awarded for an Associate's Degree in Fire Science or Emergency Medical Services. Page six of the Board Rules has been updated to reflect this and to agree with page 14. The Board of Fire and Police Commissioners approved the changes at their regular meeting held on August 4, 2015.

Attachments: *(please list)*

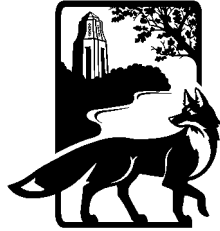
* Rules and Regulations of the Board of Fire and Police Commissioners

Recommendation / Suggested Action *(briefly explain):*

Recommendation to approve minor changes to the rules and regulations of the Board of Fire and Police Commissioners.

For office use only:

Agenda Item Number: 5.a



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: August 4, 2015

ADOPTED by City Council:

PUBLISHED:

TABLE OF CONTENTS

CHAPTER I - ADMINISTRATION3

CHAPTER II - APPLICATIONS6

CHAPTER III - EXAMINATIONS.....9

 Eligibility List-Police Officer11

 Eligibility List-Firefighter14

CHAPTER IV - PROMOTIONAL EXAMINATIONS16

CHAPTER V - ORDER OF RANK, CLASSIFICATION AND OATH OF OFFICE19

CHAPTER VI - HEARING OF CHARGES, REMOVALS, SUSPENSIONS AND DISCHARGES20

CHAPTER VII - GENERAL.....25

**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 February 23, 2015.

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 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.

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.

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 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 will notify all applicants whose applications have been accepted by the Board to be present for orientation and subsequent examination 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.

<u>Examinations</u>	<u>% of Total Grade</u>	<u>Minimum Passing</u>
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.

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;

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.

Oral examinations can be conducted using a % of applicants passing the minimum passing requirements of any written examinations (example: top 20% 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. 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, 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.
- 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.

DRAFT

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 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 departments 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:

<u>Examination</u>	<u>Weight</u>	<u>Passing Grade</u>
Written Essay,	10%	75%
<u>Written Test</u>	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 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 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

Chairman
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**

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.

SECTION 10 - 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 12th day of January 2015 by motion of the Board of Fire and Police Commissioners.

Vote:

Ayes: 4 Nays: 0

Absent: 1

DRAFT



AGENDA ITEM EXECUTIVE SUMMARY

Title: Recommendation to approve the Movement of the Fire Department Monument to Volunteer Plaza

Presenter: Fire Chief Joseph Schelstreet

Please check appropriate box:

	Government Operations	<input checked="" type="checkbox"/>	Government Services 09.28.15
	Planning & Development		City Council

Estimated Cost:	\$29, 500	Budgeted:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> X
-----------------	-----------	-----------	---	-----------------------------	---------------------------------------

If NO, please explain how item will be funded:

This project will be completed using monies allocated from the previous Paid On Call Firefighters Association and the Foreign Fire Insurance Board

Executive Summary:

In November of 1974, the Fire Department dedicated a memorial to the departed members of the department. This monument is currently located in Baker Park at Fifth Avenue and East Main Street. The Fire Department desires to move this monument to Volunteer Plaza. This movement is requested in order to facilitate the more aggressive use of the monument and plaza area for ceremonies including 9/11 remembrance, Memorial Day recognition and internal Fire Department ceremonies for promotions and retirements. In addition to the monument, the Department will facilitate the installation of two benches, an additional light bollard, a flag pole and interlocking brick pavers surrounding the monument, benches and flag pole. The bricks will closely mimic the current bricks utilized for the walkway. A budget for this project has been constructed utilizing monies that were placed in escrow after the dissolution of the previous Paid On Call Firefighters Association and a large commitment from the Foreign Fire Insurance Board.

Attachments: *(please list)* Monument photo and GIS identification of monument placement

None

Recommendation / Suggested Action *(briefly explain):*

Recommendation to approve the movement of the Fire Department Monument to Volunteer Plaza.

For office use only:

Agenda Item Number: 5.b