

Agenda
Glen Ellyn Village Board of Trustees
Monday, February 28, 2011
8:00 p.m. – Galligan Board Room

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Village Recognition:
 - A. The Village accepts the resignation of Brad Rosley from the Recreation Commission and thanks him for his service to the Village.
 - B. The Village received many notes of appreciation from seventh-grade students at Glen Crest Middle School. The notes expressed gratitude to employees in various Village departments that make daily living less complicated for these student residents.
 - C. A Derby Glen resident wrote complimenting Assistant Public Works Director Dave Buckley for his professionalism and prompt response to a mailbox issue.
 - D. East Road residents wrote to Public Works thanking the Blizzard 2011 snow crew whose snow-removal efforts made running errands in the Central Business District trouble free.
 - E. An Elm Street resident wrote to Public Works complimenting Customer Service Representative Joe Rein for the work he performed on frozen pipes at their home. Mr. Rein also explained how to prevent the problem in the future.
 - F. A local elementary school Den Leader sent an email thanking Community Service Officer Jeffrey Priest for the Glen Ellyn Police Department tour he gave ten Tiger Cubs and several parents. He thanked CSO Priest for keeping the boys engaged and explaining the importance of the Police Department to our community.
 - G. Police Officer Tom Staples received a note from two scout leaders thanking him for the Police Department tour he gave their Cub Scouts in December.
 - H. Police Department Records Clerk Nadine Giagnorio received two letters from grateful residents. One, thanking her for her kindness, and a second letter thanking her for the concern she showed the residents' daughter during the blizzard.

- I. A Glen Ellyn resident sent a letter complimenting Police Officer Kyle Duffie for the professional manner in which he handled a minor traffic accident that involved a visiting relative.

5. Audience Participation

- A. Wes Lujan, Union Pacific, and Demetri Skoufis, Metra, will present information regarding safety enhancements to the UP West Line in Glen Ellyn.

6. Consent Agenda (**Pages 4 – 20**)

The following items are considered routine business by the Village Board and will be approved in a single vote in the form listed below: (*Trustee Henninger*)

A. Village Board Meeting Minutes:

February 14, 2011 Workshop
February 14, 2011 Regular Meeting
February 21, 2011 Workshop

- B. Total Expenditures (Payroll and Vouchers) \$1,160,068.84.

The vouchers have been reviewed by Trustee Henninger prior to this meeting.

- C. Ordinance No. 5920-VC, an Ordinance to Amend the Liquor Control Code Chapter 19 of Title 3, Section 12 (Restriction on Number of Licenses) of the Village Code of Glen Ellyn, Illinois to Increase the Number of Permitted Class B-1 Liquor Licenses.
- D. Motion continuing consideration of a boundary line agreement with the Village of Lombard until the March 14, 2011 Village Board Meeting. (*Planning and Development Director Hulseberg*)
- E. Motion to approve the recommendation of Village President Pfefferman that Paul Temcio be appointed to the Environmental Commission through December 31, 2011.
- F. Motion to authorize payment to Water Resources, Inc., of Elgin, Illinois for material costs associated with water meter and associated water service line parts in the amount of \$11,248, to be expensed to the FY11 Water Fund.
- G. Motion to increase the value of the contract with Marcott Enterprises, Inc., of Villa Park for snow hauling services from \$20,000 to \$40,000 to accommodate additional expenses directly related to the blizzard of early February 2011, to be expensed to the FY11 General Fund (143200-521060).

7. Review of the Third Quarter Financial Report – Interim Finance Director Larry Noller
(**Pages 21 – 50**)

8. Village Attorney Diamond will present information concerning the proposed ethics resolution and ordinance. The documents, which apply to all elected officials, volunteer board and commission members and employees, ensure all have clear guidance for carrying out their roles and responsibilities. (*Trustee Cooper*) **(Pages 51 – 75)**
 - A. Second and final reading of Resolution No. 11-06, a Resolution Establishing the General Policy of the Village of Glen Ellyn Regarding the Ethics Standards Expected from its Civil Servants.
 - B. Second and final reading of Ordinance No. 5921-VC, an Ordinance Establishing Standards for Ethical Conduct by Civil Servants Providing for a Process to Review and Act Upon Alleged Violations and Adding Chapter 12 to Title 1, of the Glen Ellyn Village Code.
9. Reminders:
 - A Special Village Board Budget Workshop is scheduled for Monday, March 7, 2011 beginning at 6:00 p.m. in the Galligan Board Room.
 - The next Regular Village Board Meeting is scheduled for Monday, March 14, 2011 with a Workshop beginning at 7 p.m. and the Regular Board Meeting beginning at 8 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.
10. Other Business?
11. Adjournment
12. Press Conference

**Minutes
Regular Village Board Workshop
Glen Ellyn Village Board of Trustees
February 14, 2011**

Time of Meeting: 7:00 p.m.

Present: President Pfefferman; Trustees Henninger, Cooper, Comerford, Hartweg, Ladesic, and Thorsell; Village Attorney Diamond; Village Clerk Connors.
Staff present: Assistant to the Village Manager Schrader, Hulseberg, Noller, Perrigo, Norton.

1. Call to Order

President Pfefferman called the Board Workshop to order at 7:00 p.m. with a roll call. Trustees Cooper, Henninger, Comerford, Hartweg, Thorsell, and Ladesic responded "Here."

2. Blizzard Recap

President Pfefferman introduced Interim Public Works Director Perrigo who presented a recap and analysis of the snow storm life cycle beginning January 31, 2011. He showed the effects of the storm including the white out conditions due to the high winds, gave the plowing sequence by Public Works operations, and the number of telephone calls (262) as well as the reasons for the calls and the locations where the calls originated. Plow drivers worked 12 hours on and 12 hours off. Some office personnel worked overnight Tuesday into Wednesday while others arrived by 4:30 a.m. Wednesday. Six staff were picked up by plow and brought to work. Mr. Perrigo provided Public Work's detailed response times and the results throughout the Village including the central business district and parking facilities (all functioning within 24 hours). Secondary streets were functioning within 48 hours. He provided the reasons for the success and some suggestions for future considerations for improvements. Schools requested assistance clearing key nearby sidewalks.

The total cost of storm has not been determined as yet, but the estimated cost of labor (\$32,000), salt (\$23,500), hauling (\$22,500) and fuel (\$2,500) is \$80,500. It is possible that the Village will be eligible for reimbursement through the DuPage Office of Emergency Management for approximately \$60,000. The snow removal cost will be applied to this current fiscal year. He showed the total impact of snow removal of this blizzard on the that portion of the budget.

President Pfefferman thanked the Public Works, Police, and Administration Departments for the effort extended. Village Board members mentioned compliments they received for a job well done and made suggestion for additional clean up areas.

Planning and Development Director Hulseberg reported that there were no reports of building damage due to the weight of the snow from this storm.

Police Chief Norton reported that during the storm, they used 2-man vehicles because it took longer for back-up to show up and spent a lot of time helping push cars out of snowdrifts. John Perkins came into the station and slept on the floor at the Civic Center; Sgt. Jim King and Deputy Chief Bill Holmer helped clear the Civic Center parking lot. Sgt Baki picked up and took home employees so that they would be able to get to work. There were 80 calls for help on Tuesday and Wednesday. It was so bad Tuesday night some roads needed to be closed. There was only one reported power outage. Rick Perez stayed in town and walked to work. The Police Department worked with schools to clear cross walks around the school so children would not walk in the streets and with the Public Works Department to clear the downtown.

Diane McGinley, 293 Abbotsford, asked if the Police Department could assist Public Works Department clear sidewalks around schools. Chief Norton first mentioned the wonderful job the group hired by the Temporary Downtown Organization did clearing the downtown sidewalks. Staci Hulseberg explained that this group charges a nominal fee and is paid by donations from business and property owners. Chief Norton continued that the blizzard was an unusual event, but on a regular basis, the schools should consider taking some responsibility to go beyond their boundaries to clear snow if they think it is necessary. The Police Department received very few calls following the storm on Thursday.

Village Links Director Matt Pekarek offered what little staff he had to the snow removal effort.

President Pfefferman and the Village Board offered thanks to the Police Department for their efforts.

3. Other Items?

None.

4. Adjournment

At 7:54p.m., the Workshop meeting adjourned to reconvene at 8:00 p.m. for the Regular Village Board Meeting in the Galligan Board Room. Meeting adjourned.

Submitted by:

Suzanne R. Connors,
Village Clerk

**Minutes
Regular Meeting
Glen Ellyn Village Board of Trustees
February 14, 2011**

Call to Order

Village President Pfefferman called the meeting to order at 8:02 p.m.

Roll Call

Upon roll call by Village Clerk Connors, Village President Pfefferman and Trustees Comerford, Cooper, Hartweg, Henninger, Ladesic and Thorsell answered, "Present."

Pledge of Allegiance

President Pfefferman led the Pledge of Allegiance.

Village Recognition

- a. Police Officer Tom Staples received a note of thanks from a student who enjoyed the recent DARE class.
- b. Police Chief Phil Norton and Deputy Police Chief Bill Holmer received an email message from Superintendent Ann Riebock, thanking them for participating in a meeting, and recognizing the efforts of the Police Department and Public Works in clearing the snow to ensure a safe arrival of the students.
- c. A letter was received from the Bloomingdale Chief of Police expressing his thanks and appreciation to Sergeant Stephen Smith and Police Officer James Monson for their assistance during a recent investigation.
- d. The Village accepted the resignation of Robert Marcott, effective February 16, 2011, from the Environmental Commission and thanked him for his service to the Village. President Pfefferman extended a special thanks to Mr. Marcott for serving on the Commission for so many years including leading it. In his resignation letter Mr. Marcott mentioned Assistant to the Village Manager-Administration, Kristen Schrader, for her assistance. President Pfefferman thanked Ms. Schrader for her efforts.
- e. The Village Board and Management Team congratulated John Perkins who recently celebrated his five-year anniversary as a Village employee in the Police Department.

Audience Participation

- a. Public Works Director Jeff Perrigo presented an update on the progress of Manor Woods. A full report should be available by March 14. He mentioned that he received word that the Park District is lowering the elevation of the lake today in preparation for a possible rain event. The Park District is investigating a warning system for residents in the vicinity of Lake Ellyn in the form of an auto-dialer instead of depending on the Village of Glen Ellyn Police Department to make the calls.

Consent Agenda

Assistant to the Village Manager Schrader presented the Consent Agenda; Village President Pfefferman called for questions and/or discussion on the items on the Consent Agenda.

Trustee Hartweg moved and Trustee Henninger seconded the motion that the following items included on the Consent Agenda be approved:

- a. **Minutes** of the following Village Board Meetings:
Workshop Meetings
November 15, 2010
January 17, 2011
January 24, 2011

Regular Meeting
January 24, 2011
- b. Total **Expenditures** (Payroll and Vouchers) - \$1,782,842.17.
The vouchers were reviewed by Trustee Hartweg prior to the meeting.
- c. **Ordinance No. 5919-VC**, an Ordinance Amending Title Two of the Village Code Regarding Membership Requirements for Boards and Commissions in Glen Ellyn, Illinois. A question was asked about section 2-14-3 (d) concerning removal of a commission member of the Zoning Board of Appeals. It was explained that this is a restatement of the current requirement needed to determine how a commission member would be removed.
- d. Independent Contractor's Agreement with Carol White to serve as the **Temporary Executive Director of the Transitional Downtown Organization** through April 30, 2011.
- e. Waive competitive bidding and accept the lowest quote for the demolition of the building on the former Marathon Gas Station property located at **825 N. Main Street**. In response to the question regarding utility disconnect, curb removal and permits, funding can be determined at a later date.

- f. Waive competitive bidding requirements and award a contract extension to Kramer Tree Specialists, Inc. in the not-to-exceed amount of \$135,000 for the **Branch and Brush Pickup Service** work for FY 11-12.
- g. Declare as **surplus a Village vehicle** and authorize its sale or disposal.
- h. Recommendation of Village President Pfefferman that the following **appointments be made for Boards and Commissions:**
 - Environmental Commission
Leonore Neary - appoint as Chairman effective February 17, 2011 through December 31, 2011
 - Recreation Commission
Jeffrey Jourdan – appoint for a term ending December 31, 2013
Michael Cavanagh – reappoint for a term ending December 31, 2013
- i. Continue consideration of a **boundary line agreement with the Village of Lombard** until the February 28, 2011 Village Board Meeting.

Upon roll call on the Consent Agenda, Trustees Hartweg, Henninger, Comerford, Cooper, Ladesic and Thorsell voted “Aye”. Motion carried.

Ordinance – Ethics Ordinance and Ethics Resolution – First Reading

Attorney Stewart Diamond gave a general overview of the ethics ordinance and ethics resolution that the Village Board will be considering. He reviewed the various choices regarding ethics rules and regulations the Village Board could have considered, i.e. an ordinance, a resolution and an ordinance, or a policy. He explained that the resolution is the general philosophy of the community and the ordinance is the enforcement of the rules. Much of the ordinance reflects State law. He explained that resolution morally binds, but ordinance binds legally. He discussed fines and those who were subject to the ordinance (elected officials, commissioners, employees, and appointed volunteers). Appointed volunteers are not subject to fines. The Ethics Officer is a new part-time position. Attorney Diamond explained the responsibility of the position. Section 1-12-11 applies to vendors only. He discussed other items in the ordinance including the Village Board’s ability to review the ordinance. He concluded by explaining that the purpose of the ordinance was to primarily educate people in various positions regarding what they can do or not do. Attorney Diamond answered questions from the Village Board.

Diane McGinley, 293 Abbotsford, asked about releasing information from a closed session.

Celia Rodee, 393 Hill, asked about current ability to remove commissioners, Trustees or officers without an ethics ordinance. The response was that there was nothing the Village

could do for unethical behavior for anyone except employees. State law partially covers some behaviors, but not many.

Jean Kaczmarek, 78 Forest, spoke in favor of the ethics ordinance.

Celia Rodee, 393 Hill, spoke in favor of the ethics ordinance.

Kathy Cornell, 678 Forest, spoke in favor of the ethics ordinance.

Attorney Diamond recommended the ordinance be modified to indicate that complaints be transmitted directly to the Ethics Officer and eliminate transmitting complaints to the Village Clerk.

These first readings of the proposed ethics resolution and ordinance are non-binding “straw votes” of the Village Board for the purpose of providing additional opportunities for the public to raise questions or comments prior to their passage. The documents, which apply to all elected officials, volunteer board and commission members and employees, ensure all have clear guidance for carrying out their roles and responsibilities.

A. Trustee Henninger moved and Trustee Hartweg seconded the motion that a Resolution Establishing the General Policy of the Village of Glen Ellyn Regarding the Ethics Standards Expected from its Civil Servants be passed in a two-reading process, with the second reading scheduled for the February 28 Village Board Meeting. Upon roll call, Trustees Henninger, Hartweg, Comerford, Cooper, Ladesic and Thorsell voted “Aye.” Motion carried.

Trustee Hartweg moved and Trustee Ladesic seconded a motion to adopt the amendment to the Resolution Establishing the General Policy of the Village of Glen Ellyn Regarding the Ethics Standards Expected from its Civil Servants as written in Item N. Upon roll call, Trustees Hartweg, Ladesic, Thorsell, Cooper, Comerford, and Henninger voted “Aye.” Motion carried.

B. Trustee Henninger moved and Trustee Thorsell seconded the motion that an Ordinance Establishing Standards for Ethical Conduct by Civil Servants Providing for a Process to Review and Act Upon Alleged Violations and Adding Chapter 12 to Title 1, of the Glen Ellyn Village Code be passed, with amendments, in a two-reading process, with the second reading scheduled for the February 28 Village Board Meeting.

President Pfefferman began by thanking the Village for their careful deliberations noting that this is an important document that took a long time, but it was worth it. All employees, volunteers and public were given an opportunity to review and comment. Everyone recognizes the importance of the ordinance. It will be reviewed in the future to determine how well it is working. Village staff will continue to concentrate on serving the residents of Glen Ellyn. Other Village Board members also commented on the ordinance.

Section 1-12-4 of the ordinance will be amended to allow complaints to be sent directly to the Ethics Officer and not to the Village Clerk.

Trustee Henninger moved and Trustee Hartweg seconded that Section 1-12-4, after “from time to time” (from sentence 5 and continue through the bottom of the page) be amended to read:

Should an ethics complaint be filed, the Ethics Officer will

- Determine whether or not the complaint presents a basis for investigation
- If the complaint is determined to not present a basis for investigation, no further action will be taken
- If the complaint is determined to present a basis for investigation, the Ethics Officer will conduct an investigation
- Upon the completion of the investigation, based on its findings, the Ethics Officer’s will either
 - Take no further action
 - Make a recommendation to the Village President and Village Board for consideration on one of the following courses of action
 - *Referral of the matter to the Village Prosecutor for prosecution of violation(s) of local ordinances
 - *Some lesser action deemed appropriate

The Village Board shall determine whether the matter should be referred to the Village Prosecutor, or whether some lesser action is appropriate. The Ethics Officer shall also reply to requests seeking an opinion as to whether a matter may represent a potential conflict of interest, or an actual conflict. The Ethics Officer shall also carry out such other duties within the scope of this chapter as shall be specifically directed in writing by the Village President or action of the Village Board.

Upon roll call, Trustees Henninger, Hartweg, Thorsell, Comerford, Cooper and Ladesic voted "Aye." Motion carried.

Trustee Henninger moved and Trustee Ladesic seconded to strike Sub-Section D of 1-12-9; re-sequence Section E to Section D; and instruct the Village Attorney to bring Sub-Section d of 1-12-9, as read by Trustee Cooper, to the Village Board in the form of a Resolution at the next Village Board Meeting.

Upon roll call, Trustees Henninger, Ladesic, Comerford, Cooper and Hartweg voted "Aye." Trustee Thorsell voted “No.” Motion carried.

Trustee Henninger moved to replace the minimum fine for violation of the ethics ordinance from \$250.00 to \$5.00. The motion was withdrawn by Trustee Henninger.

Trustee Ladesic moved and Trustee Hartweg seconded to amend 1-12-10 to read to set a fine of not more than \$750.00. Upon roll call, Trustees Ladesic, Hartweg, Henninger, and President Pfefferman voted “Aye.” Trustees Thorsell, Comerford, and Cooper voted "No." Motion carried.

Trustee Hartweg inquired about that portion of Section 1-12-2. The Personnel Manual applies only to Village employees and not Trustees or commissioners. The phrase “to the extent applicable” is what limits who is covered by the Personnel Manual. A

discussion followed regarding the definitions in Section 1-12-3, specifically “transactions” as it applies to recusal. Attorney Diamond will have a final answer prior to the next meeting.

There is no definition for prohibited political activity. 1-12-7 gives some guidelines, but needs further clarification.

Discussion occurred regarding when the ordinance should take effect.

Trustee Comerford moved and Trustee Henninger seconded to amend Section 2 that the ordinance should take effect within 90 days after its passage and publication or 30 days after the appointment and confirmation of an Ethics Officers whichever event occurs sooner. Upon roll call, Trustees Comerford, Henninger, Ladesic, and Hartweg voted "Aye." Trustees Thorsell and Cooper voted “No.” Motion carried.

The non-binding first reading on an amended Ordinance Establishing Standards for Ethical Conduct by Civil Servants Providing for a Process to Review and Act Upon Alleged Violations, the motion which was made and seconded earlier in the meeting was called for at this time and the results were as follows:

Upon roll call, Trustees Henninger, Thorsell, Comerford, Cooper and Hartweg voted "Aye." Trustee Ladesic voted “Present.” Motion carried.

Reminders

- The Regular Workshop meeting of the Glen Ellyn Village Board is scheduled for Monday, February 21, 2011. The only item on the agenda at this time is an adjournment to an executive session of the Village Board adjourning without returning to open session.
- The next Regular Village Board Meeting is scheduled for Monday, February 28, 2011 with the Workshop beginning at 7 p.m. and the Regular Board Meeting beginning at 8 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.

Other Business

None

Adjournment

At 10:43 p.m., Trustee Hartweg moved and Trustee Cooper seconded the motion that the Regular Meeting of the Village Board be adjourned. All Trustees present voted “Aye.” Motion carried.

Respectfully Submitted,

Suzanne R. Connors,
Village Clerk

**Minutes
Regular Village Board Workshop
Glen Ellyn Village Board of Trustees
February 21, 2011**

Time of Meeting: 7:00 p.m.

Present: President Pfefferman; Trustees Comerford, Hartweg, Ladesic, and Thorsell; Village Clerk Connors. Trustees Henninger and Cooper were excused.
Staff present: Interim Village Manager Burghard, Schrader, Hulseberg, Noller, Perrigo.

1. Call to Order

President Pfefferman called the Board Workshop to order at 7:00 p.m. with a roll call. Trustees Comerford, Hartweg, Thorsell, Cooper, Henninger, and Ladesic responded "Here."

2. Adjournment

At 7:03 p.m., Trustee Thorsell moved and Trustee Cooper seconded a motion to adjourn to executive session for purposes of discussing pending litigation, the review and approval of Executive Session minutes, and the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, adjourning thereafter without returning to open session. All voted "Aye."
Meeting adjourned.

Submitted by:

Suzanne R. Connors,
Village Clerk

A-6C



To: Danamarie Izzo, Assistant Village Manager-HR

From: Patti Underhill, Administrative Services Coordinator

Date: February 11, 2011

Re: New Restaurant – Asian Pearl – Liquor License Application

Background

We received a Liquor License Application from a new business, a restaurant, scheduled to open mid- April. The name of the restaurant is Asian Pearl. This new restaurant will serve a combination of Chinese, Japanese and Thai cuisines. They would also like to be able to serve alcohol at the restaurant to their customers; such as, beer, wine and cocktails. They have signed a lease agreement through September 2017. The restaurant will be located at 466 N. Main Street, space formerly occupied by US Bank. They have requested a Class B-1 License (all types of liquor).

Issues

PRO – new restaurant will occupy vacant space
Improve appearance in CBD

Action Requested

Approve the Ordinance

Recommendation

Approve the Ordinance

Attachments

Ordinance increasing Class B-1 licenses

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Ordinance No. _____ - VC

**An Ordinance to Amend the Liquor Control Code
Chapter 19 of Title 3, Section 12
(Restriction on Number of Licenses)
of the Village Code of Glen Ellyn, Illinois,
to Increase the Number of Permitted
Class B-1 Liquor Licenses**

Whereas, the Village of Glen Ellyn is an Illinois home rule municipal corporation; and

Whereas, pursuant to the Illinois Liquor Control Act, 235 ILCS 5/1-1 et seq., the Village of Glen Ellyn has the statutory authority by general ordinance to determine the kinds and classifications of liquor licenses to be issued for the sale of alcoholic liquor at retail in the Village as well as the number of permitted licenses within each classification, as set forth in Chapter 19 of Title 3 (Liquor Control Code) of the Village Code of the Village of Glen Ellyn; and

Whereas, the President and Board of Trustees of the Village of Glen Ellyn deem it to be in the best interest of the Village to periodically review and update the liquor control ordinance of the Village as well as to, when appropriate, change the number of permitted liquor licenses in various classifications; and

Whereas, the President and Board of Trustees have determined that it is in the best interest of the Village to increase by one the number of permitted Class B-1 liquor licenses, which allows the sale of all types of alcoholic beverages in a restaurant, so that a license can be issued to Asian Pearl, which will be located at 466 N. Main Street, Glen Ellyn, Illinois, and;

Now, therefore be it ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in the exercise of its home rule powers, as follows:

Section One: The findings of fact and conclusions set forth hereinabove are hereby adopted by the President and Board of Trustees as the findings of fact and conclusions of the corporate authorities of the Village of Glen Ellyn.

Section Two: Chapter 19 of Title 3, Section 12 of the Glen Ellyn Village Code (Liquor Control Code) is hereby amended so that reference to Class B-1 within this Section shall henceforth read as follows:

Class B-1 no more than 19

Section Three: This Ordinance shall be in full force and effect following its passage, approval, and publication in pamphlet form.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 2011

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this _____ day of _____, 2011.

Village President of the Village
of Glen Ellyn, Illinois

Attest:

Village Clerk of the Village
of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the _____ day of _____ 2011)

Village of Glen

Ordinance No. _____ - VC

**An Ordinance to Amend the Liquor Control Code
Chapter 19 of Title 3, Section 12
(Restriction on Number of Licenses)
of the Village Code of Glen Ellyn, Illinois,
to Increase the Number of Permitted
Class B-1 Liquor Licenses**

**Adopted by the
President and the Board of Trustees
Of the Village of Glen Ellyn
DuPage County, Illinois
this _____ day of _____, 2011**

**Published in pamphlet form by the
authority of the President and Board of
Trustees of the Village of Glen Ellyn,
DuPage County, Illinois, this _____ day
of _____, 2011**

VILLAGE OF GLEN ELLYN

A-6E

PERSONAL PROFILE OF APPLICANT
FOR SERVICE ON VOLUNTEER ADVISORY BOARD OR COMMISSION

Name Temcio P Today's Date 2/16/11
 (Last) (First) (Initial)

Home Address 669 Marston Ave, Glen Ellyn, IL 60137

Phone No.(s) (H) 630-474-9723 (C) 630-849-5796 E-mail ptemcio@hotmail.com

Business Address (including name of company) Gaia Tech, 135 South LaSalle Street, Suite 3500, Chicago, IL 60603

Business Phone 312-541-4200 Number of Years Glen Ellyn Resident 6

EDUCATIONAL BACKGROUND AND OTHER PERTINENT EXPERIENCE

Name, Location, Etc.	From	To
Arizona State University, Tempe, AZ	1992	1994
Ohio State University, Columbus, OH	1990	1992

CIVIC AND FRATERNAL ORGANIZATIONS AND ACTIVITIES

BUSINESS OR PROFESSIONAL ACTIVITIES

(including type of present employment)

Environmental Consultant
LEED AP, Registered Environmental Manager

PLEASE INDICATE VILLAGE BOARD/COMMISSION INTERESTS

Environmental Commission

Thank you for your interest! Please return this completed form to:
 Glen Ellyn Village Clerk, 535 Duane Street, Glen Ellyn, IL 60137
 (630) 547-5201 (630) 469-8849 Fax

A-6F

Interoffice Memorandum

to: Terry Burghard, Interim Village Manager
from: Jeffrey D. Perrigo, Interim Public Works Director
for: February 28, 2011 - Village Board Meeting
subject: Water Resources Inc. Invoice Greater than \$10,000
date: February 17, 2011

The Village's policy requires that invoices greater than \$10,000 be brought to the Village Board's attention for their approval and concurrence. We have at this time, an invoice from our water meter supplier, Water Resources, Inc., an invoice that totals \$11,247.76. The order was placed with Water Resources to replenish both our stock of water meters as well as some of the more commonly used water service line items that Operations uses on a regular basis. Typically our invoicing does not exceed the \$10,000 threshold for Water Resources, Inc and is therefore not brought before the Village Board. However, due to the length of time since our last order, we have the need to replenish more parts than usual, increasing the invoice past the \$10,000 mark. Please see me with any questions.

We are seeking formal approval of the Board to pay the invoice.

A-6G

Interoffice Memorandum

to: Terry Burghard, Interim Village Manager
from: Jeffrey D. Perrigo, Interim Public Works Director
for: February 28, 2011 - Village Board Meeting
subject: Change Order for Snow Hauling Contract
date: February 21, 2011

We have received all of the trucking invoices from Marcott Enterprises, Inc. (Marcott) for the snow hauling associated with the blizzard that affected our area in early February and the total cost for the trucking is just under \$28,000. Coupled with previous invoices of about \$2,000, we have a total snow hauling expense of just under \$30,000. Our original budget amount for this season's snow hauling was \$20,000 based on historical data. To accommodate the current over-budget expense and a certain amount of possible trucking to close out the season, we are requesting that the Board increase the appropriations for the Marcott purchase order from \$20,000 to \$40,000.



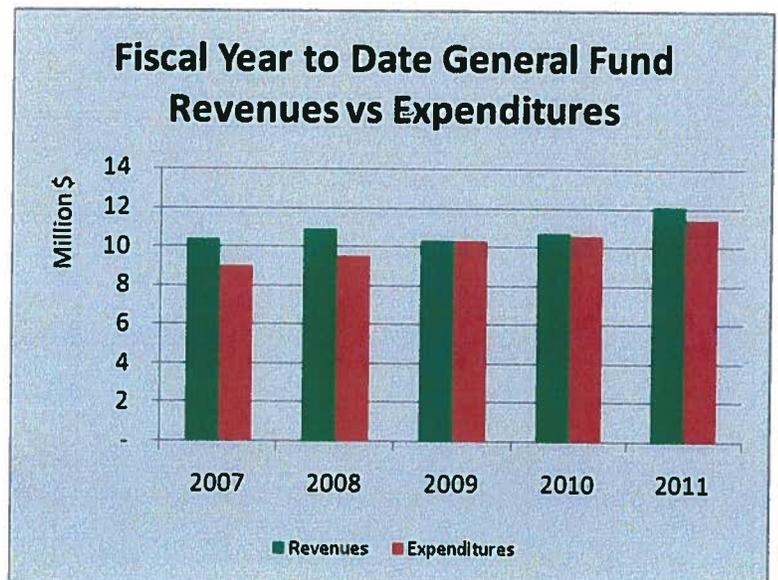
Fiscal Year 2010/11 Third Quarter Budget Report

This report highlights the financial performance and position of the Village for the period starting May 1, 2010 and ending January 31, 2011 with a focus on actual revenues and expenditures compared to our 2010/11 approved budget as well as actual revenues and expenditures compared to the previous 2009/10 fiscal year. More detailed information on the fiscal year to date performance of each of the Village's 14 funds may be found immediately following this overview.

GENERAL FUND

The Village concluded the third quarter of our 2010/11 fiscal year with General Fund revenues in excess of expenditures by \$625,675. This is a significant improvement over last year's third quarter surplus of \$161,664. However, it is still below our mid-decade historical norm of over a \$1 million surplus at this point in the year. Without the additional revenue from the Home Rule sale tax implemented in 2009, the General Fund would have a current deficit of nearly \$620,000.

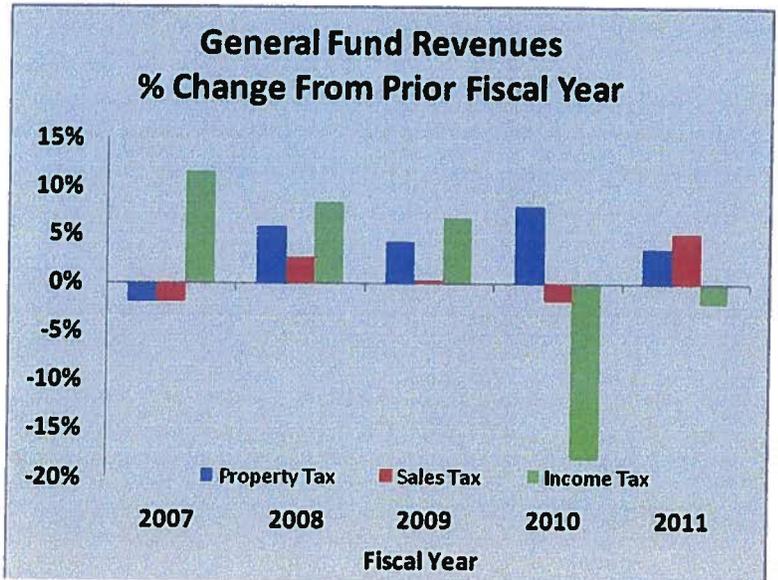
The good news is that we are beginning to see improvements in our primary revenue sources including sales tax, income tax and building permits. Unfortunately, the revenue recovery is still not enough to match the growth in our expenditures without the addition of the Home Rule sales tax.



General Fund Revenues

Third quarter General Fund revenues were up by \$1,343,211 or about 12.6% compared to the same period last year. The increase is almost entirely due to new revenue from the Home Rule sales tax, ambulance service fees and the unincorporated fire special service areas. Without these new revenues, income would be up only \$220,000 compared to last year.

Sales tax, the General Fund's single largest revenue source has recovered significantly in FY11. Sales tax is up over 5% through the third quarter and FY11 receipts are on track to be the highest ever. (See page 7 for 10-year history).



Our new **1% home rule sales tax** went in to effect July 1, 2009 and FY11 is the first full fiscal year of receipts. Actual collections are currently slightly below budget. Home Rule sales tax revenue is trending at approximately 54% of our general sales tax. This is because the Home Rule sales tax does not apply to some items such as food and autos.

Our share of the **State income tax** continued its precipitous decline in early FY11, but has since started to recover and we may end FY11 very close to our budget projection of \$2.1 million. Unfortunately, this is still well below the FY08 peak of nearly \$2.5 million (See page 9 for 10-year history).

In 2009, the Village, with the consent of DuPage County, established two **fire special service areas** in unincorporated areas north and south of the Village limits which are served by the Glen Ellyn Volunteer Fire Company. These SSAs were created to ensure that residents in the unincorporated areas served by the Fire Company paid a proportionate share of total fire and related emergency services costs. For FY11, the first year of collection, approximately \$190,000 has been received.

The Village expanded its **ambulance service** in FY10 by adding another 12 hour shift, resulting in two 24 hour per day units. Under the new vendor contract, the Village assumed responsibility for billing services provided by its contract paramedics. Previously, the service provider handled the billing and collection of accounts and charged the Village service fees net of collections. Our FY11 collections are currently at \$510,000, about 10% below budget.

Building permit revenue has started to recover in FY11 and is up over 35% from last year. However, we are still well below the FY08 peak for this revenue source by about \$250,000.

Interest earnings continue to decline as the Federal Funds rates remains near zero. The extended period of historically low interest rates has decimated this revenue source. In FY07, interest income generated over \$740,000, or nearly 6% of total General Fund revenue. In FY11, we expect less than \$15,000.

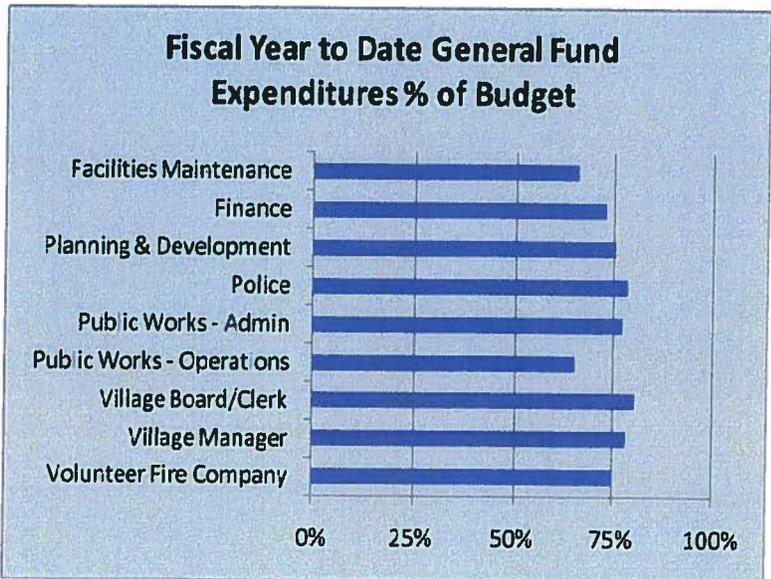
General Fund Expenditures

General Fund expenditures ended the third quarter \$879,200 or 8.4% above last year, and within budget at 75%. Over \$200,000 of the increase is associated with changes in the Fire Company budget. FY11 was the first full year of the new ambulance service. With the change implemented in FY10, the Village is paying the full cost of providing two 24 hour ambulances. This expense is offset with new revenue from billing for the service. We are also transferring over \$140,000 out of the Fire Company budget for future equipment replacement. Another \$230,000 is due to increased pension costs for the Village's contribution to the Police

Pension fund and the Illinois Municipal Retirement Fund. These costs have increased significantly over the past couple years due in part to poor investment returns experienced during the economic downturn.

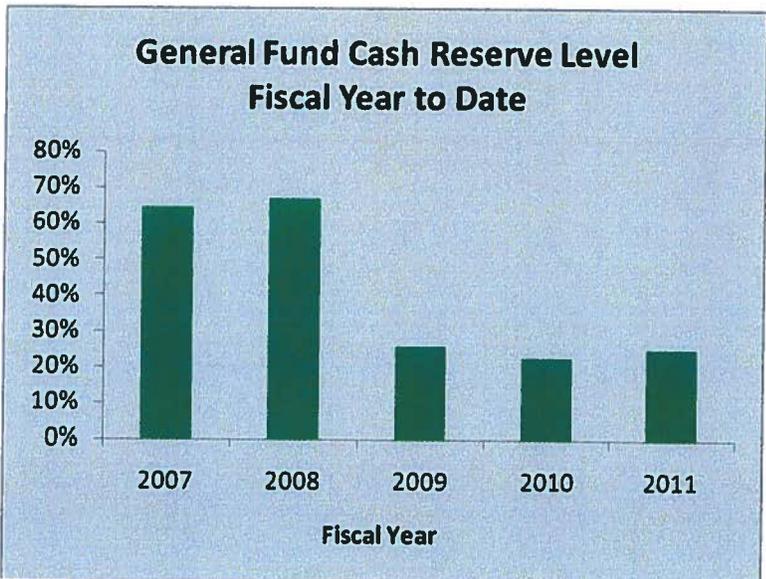
Cash Reserves

As of January 31, 2011, our General Fund cash reserves of \$3.73 million are equivalent to 24.7% of current annual budgeted operating expenses of \$15.05 million, slightly below our minimum 25% cash reserve requirement. The Village transferred \$3 million of General Fund reserves to the Capital Projects Fund in FY09 to support the Village’s 20 year street improvement program. Our current cash reserves are appropriate and sufficient for cash flow purposes to support general operations through out the year and for potential emergencies, but requires that we maintain our focus on balancing current expenses with current revenues and work to restore reserves in the near future.



CAPITAL PROJECTS FUND

The Capital Projects fund has received property tax revenue of approximately \$988,000. This revenue source is reallocated property tax that was previously dedicated to debt service on bonds issued to support the Village’s infrastructure replacement programs. As our existing debt is paid off, additional property tax revenue will be reallocated to create an ongoing funding source for our 20 year street program. Transitioning to a “pay as we go” basis will allow the Village to be debt free by 2014.



Other revenue sources which support our Capital Projects Fund have had mixed performances in FY11. Electricity taxes are up over 11% while natural gas taxes are down over 12%. Real Estate transfer taxes are up over 18%. Telecommunication taxes are down 7%, continuing a long term trend of flat or declining receipts.

Other revenue sources which support our Capital Projects Fund have had mixed performances in FY11. Electricity taxes are up over 11% while natural gas taxes are down over 12%. Real Estate transfer taxes are up over 18%. Telecommunication taxes are down 7%, continuing a long term trend of flat or declining receipts.

Capital Projects Fund cash reserves have been utilized in FY11 to continue with the Village’s infrastructure replacement projects. We are carefully monitoring this fund and will adjust projects as necessary to stay near our goal of ending the year with \$500,000 in cash reserves.

WATER AND SEWER FUND

Beginning May 1, the Village's cost of purchasing water from the DuPage Water Commission increased by over 22%. The Commission is passing through to its members a three year, 50% City of Chicago rate increase for the sale of Lake Michigan water to the Water Commission plus an additional increase to cover an unexpected shortfall in operating cash reserves. The Village raised water and sewer rates to customers by 10% in June 2010.

RESIDENTIAL SOLID WASTE FUND

Revenue in the Solid Waste Fund is up due to a 5% increase implemented in August 2010 and a resumption of our recycling rebates. Recycling rebates reached \$200,000 in FY08, but ended in late FY09 after a collapse in the recycling market. There appears to be some recovery in the market and we began receiving rebates again in late FY10. For FY11 year to date, rebates were approximately \$50,600. Our FY11 budget for the Solid Waste Fund required \$110,000 in cash reserves even after the 5% rate increase this August. We are cautiously optimistic that the return of recycling rebates will continue and reduce the need to use reserves.

RECREATION FUND

The Village Links experienced a 2.6% decrease in the number of green fee rounds played from May through the end of January compared to the same period last year with revenue from play down about 5.2%.

PENSION FUND

As of January 31, 2011, the Police Pension Fund cash and investment balances were \$20.9 million, up approximately \$1.5 million since this time last year. The increase includes \$943,000 from the Village General Fund for the FY11 required annual pension contribution.

Village of Glen Ellyn
Budget to Actual Summary Report
For the Quarter Ended January 31, 2011

100 - General Fund

	Prior FY 09/10 YTD	FY10/11 Revised Budget	Current FY 10/11 Actual	% of Budget	Greater (Less) Than FY 09/10	
Revenues						
State Sales Tax	\$ 2,178,196	\$ 3,000,000	\$ 2,289,963	76%	\$ 111,767	1
1% Home Rule Sales Tax	560,554	1,750,000	1,242,877	71%	682,323	2
Property Tax	2,647,245	2,740,000	2,743,270	100%	96,025	3
State Income Tax	1,598,449	2,100,000	1,565,036	75%	(33,413)	4
Other Sales Taxes	254,393	318,000	281,570	89%	27,177	
Other Misc Taxes	498,460	520,000	511,504	98%	13,044	
Fire Special Service Areas	-	190,000	190,302	100%	190,302	5
Ambulance Service Fees	258,845	750,000	510,300	68%	251,455	6
Building Permits	298,557	460,000	409,389	89%	110,832	7
Other Fees	271,862	602,000	317,171	53%	45,309	
Police/Court Fines	336,786	640,000	336,768	53%	(18)	8
Reimbursements from Other Funds/Agencies	1,525,784	1,705,000	1,382,210	81%	(143,574)	9
Federal and State Grants	7,090	-	21,527	0%	14,437	
Interest Income	16,634	19,000	10,850	57%	(5,784)	10
Miscellaneous Income	225,691	206,000	209,020	101%	(16,671)	
Total Revenues	\$ 10,678,546	\$ 15,000,000	\$ 12,021,757	80%	\$ 1,343,211	
Expenditures						
Village Board/Clerk	\$ 66,832	\$ 53,000	\$ 42,578	80%	\$ (24,254)	11
Village Manager	688,378	880,599	688,577	78%	199	
Facilities Maintenance	286,929	400,700	265,081	66%	(21,848)	
Finance	731,526	1,071,500	782,240	73%	50,714	
Public Works - Admin	544,943	813,729	630,392	77%	85,449	
Public Works - Operations	1,323,452	2,178,192	1,418,082	65%	94,630	
Police	5,083,223	6,940,300	5,464,400	79%	381,177	12
Volunteer Fire Company	1,030,040	1,666,880	1,249,361	75%	219,321	13
Planning & Development	761,559	1,135,100	855,371	75%	93,812	
Total Expenditures	\$ 10,516,882	\$ 15,140,000	\$ 11,396,082	75%	\$ 879,200	
Budgeted Gain/(Loss)		\$ (140,000)				
Net Income (Loss)	\$ 161,664		\$ 625,675			
Outstanding Encumbrances	(184,816)		(214,767)			
Net Income (Loss) after Encumbrances	\$ (23,152)		\$ 410,908			

	<u>1/31/2010</u>	<u>1/31/2011</u>	
Cash Reserves (in \$1,000's)	\$ 3,126	\$ 3,725	14
25% Minimum Reserve Policy	(3,512)	(3,763)	
Unobligated Cash Reserves	\$ (386)	\$ (38)	

Village of Glen Ellyn
Budget to Actual Summary Report
For the Quarter Ended January 31, 2011

100 - General Fund

FOOTNOTES

1. **State Sales Tax:** Sales tax receipts increased by 5% over the same quarter last fiscal year. See page 7 for a 10 year history.
2. **1% Home Rule Sales Tax:** The home rule sales tax began in July 2009, with initial receipts in October 2009. Actual receipts are running slightly below our first full year budgeted projection. See page 8 for detailed history.
3. **Property Tax:** The Village receives about 50% of its budgeted property taxes in June of each year and the remaining 50% in September.
4. **State Income Tax:** Income tax revenue is down about 2% compared to FY10. Our budget is based on IML projections of a 2.5% decrease in FY11. Recent months have seen increases over the prior year and we are optimistic that we will end the fiscal year very close to budget. See page 9 for a 10 year history.
5. **Fire Special Service Areas:** This new revenue source helps support the Volunteer Fire Company's service to unincorporated areas.
6. **Ambulance Fees:** The Village's new ambulance service began in June 2009, however collections did not begin until October 2009. Collections are about 10% below budget for fiscal year to date.
7. **Building Permits:** Building permits are up over 35% compared to last year.
8. **Police/Court Fines:** Revenues are about 30% below budget due to lower collections from the Circuit Court and a delay in implementing the new adjudication process.
9. **Reimbursements:** The Village is reimbursed for services provided to other agencies. In FY11, the amount charged to the Glenbard Wastewater Authority was reduced by \$119,000.
10. **Interest Income:** Interest income, once a major revenue source for the General Fund, has been essentially eliminated due to historically low interest rates.
11. **Village Board & Clerk:** This Department is at 80% of budget in the third quarter due to payment of dues to various organizations including the DuPage Mayors and Managers Conference.
12. **Police Department:** A significant component of the increased cost is due to the \$130,000 rise in the Village's required Police Pension contribution in FY11.
13. **Volunteer Fire Company:** Increased costs include the additional ambulance coverage as well as new contributions for equipment replacement. These costs are partially offset by new revenue from ambulance billing and the fire special service areas.
14. **Cash Reserves:** General Fund cash reserves have recovered in the last year and are near the Village's 25% minimum reserve policy. The recovery is due in part to a surplus at the end of FY10 as well as a general strengthening in our revenues in FY11.

Village of Glen Ellyn
General Fund
Sales Tax - 10 Year History

Month Received by Village	FY01/02	FY02/03	FY03/04	FY04/05	FY05/06	FY06/07	FY07/08	FY08/09	FY09/10	FY10/11	\$ Change From Prior Year Gain/(Loss)	% Change From Prior Year Gain/(Loss)
May	209,339	245,669	210,214	210,135	237,117	223,492	219,626	227,039	199,934	230,931	30,997	15.5%
Jun	208,850	207,070	220,704	226,302	254,043	222,303	243,546	225,651	238,645	231,267	(7,378)	(3.1%)
Jul	239,005	252,075	246,270	229,772	237,826	247,526	223,624	240,130	242,671	272,791	30,120	12.4%
Aug	225,773	247,313	218,852	231,022	219,122	245,798	259,975	246,141	251,180	263,827	12,647	5.0%
Sep	244,622	253,987	237,037	236,483	255,413	234,778	251,937	255,210	250,496	273,893	23,397	9.3%
Oct	235,104	238,244	223,721	228,010	225,688	228,002	240,209	249,699	234,060	243,749	9,689	4.1%
Nov	209,953	222,642	187,987	237,293	238,140	250,565	270,617	277,470	268,810	274,209	5,399	2.0%
Dec	238,242	244,317	254,070	248,645	249,229	221,387	249,109	242,329	243,398	250,668	7,270	3.0%
Jan	252,588	199,369	199,880	218,535	205,120	222,929	246,659	237,604	249,002	248,628	(374)	(0.2%)
3rd Q. Total	2,063,476	2,110,686	1,998,735	2,066,197	2,121,698	2,096,780	2,205,302	2,201,273	2,178,196	2,289,963	111,767	5.1%

Feb	257,542	222,486	224,960	242,384	223,168	252,740	238,984	270,094	245,921			
Mar	257,994	251,252	282,412	263,665	298,263	280,122	283,239	281,229	289,304			
Apr	211,149	228,888	229,510	260,778	272,110	250,552	267,846	257,380	272,753			
Total	2,790,161	2,813,312	2,735,617	2,833,024	2,915,239	2,880,194	2,995,371	3,009,976	2,986,174	2,289,963		
Budget	2,730,000	2,730,000	2,790,000	2,735,000	2,925,000	2,900,000	3,000,000	3,136,000	3,000,000	3,000,000		
% of Budget	102%	103%	98%	104%	100%	99%	100%	96%	100%	76%		
% Increase/ (Decrease) from Prior Year	2.2%	0.8%	(2.8%)	3.6%	2.9%	(1.2%)	4.0%	0.5%	(0.8%)			

Note: There is a three month lag between the month retailers collect sales taxes and when the Village receives payment from the Illinois Department of Revenue. For example, the Village receives taxes which were collected in January in April.

Village of Glen Ellyn
General Fund
HR Sales Tax - 2 Year History

Month Received by Village			% of State Sales Tax	\$ Change From Prior Year Gain/(Loss)	% Change From Prior Year Gain/(Loss)
	FY09/10	FY10/11			
May	-	109,541	47.43%	109,541	NA
Jun	-	137,957	59.65%	137,957	NA
Jul	-	133,493	48.94%	133,493	NA
Aug	-	141,563	53.66%	141,563	NA
Sep	42	146,323	53.42%	146,281	NA
Oct	122,144	132,611	54.40%	10,467	8.6%
Nov	156,497	161,725	58.98%	5,228	3.3%
Dec	141,476	143,851	57.39%	2,375	1.7%
Jan	140,395	135,813	54.62%	(4,582)	(3.3%)
3rd Q. Total	560,554	1,242,877	54.27%	682,323	121.7%
Feb	133,821	-			
Mar	167,827	-			
Apr	151,258	-			
Total	1,013,460	1,242,877			
Budget	875,000	1,750,000			
% of Budget	116%	71%			
% Increase/ (Decrease) from Prior Year	NA				

Village of Glen Ellyn
General Fund
State Income Tax - 10 Year History

Month Received by Village	FY01/02	FY02/03	FY03/04	FY04/05	FY05/06	FY06/07	FY07/08	FY08/09	FY09/10	FY10/11	\$ Change From Prior Year Gain/(Loss)	% Change From Prior Year Gain/(Loss)
May	281,633	232,259	224,357	221,346	274,837	300,200	353,307	411,166	328,839	266,823	(62,016)	(18.9%)
Jun	188,800	138,656	142,797	121,480	170,637	214,514	225,351	219,791	175,582	142,274	(33,308)	(19.0%)
Jul	178,314	165,280	147,431	161,156	190,719	203,511	223,133	243,312	191,171	199,951	8,780	4.6%
Aug	110,578	112,875	96,853	107,316	118,897	126,311	133,935	141,873	130,133	131,089	956	0.7%
Sep	118,756	114,110	97,273	123,321	125,576	133,651	137,387	136,400	124,255	134,436	10,181	8.2%
Oct	170,212	165,341	139,309	173,756	201,133	228,600	234,067	242,598	191,473	195,387	3,914	2.0%
Nov	124,071	115,412	93,208	120,763	131,787	138,242	150,446	151,515	144,264	147,046	2,782	1.9%
Dec	121,032	109,021	120,723	116,957	119,468	135,568	137,102	118,018	113,400	162,625	49,225	43.4%
Jan	153,581	165,526	151,341	163,585	180,245	181,769	202,289	199,292	199,333	185,405	(13,928)	(7.0%)
3rd Q. Total	1,446,977	1,318,480	1,213,292	1,309,680	1,513,299	1,662,366	1,797,017	1,863,965	1,598,449	1,565,036	(33,413)	(2.1%)
Feb	189,821	124,069	166,092	199,174	222,181	252,099	298,927	250,579	211,259			
Mar	119,419	176,366	109,384	129,901	125,763	133,586	159,593	135,806	130,720			
Apr	155,275	145,201	142,942	189,068	201,808	227,518	230,351	209,659	203,935			
Total	1,911,492	1,764,116	1,631,710	1,827,823	2,063,051	2,275,569	2,485,888	2,460,009	2,144,363	1,565,036		
Budget	2,110,000	2,000,000	1,725,000	1,740,000	1,850,000	2,140,000	2,349,000	2,503,000	2,440,000	2,100,000		
% of Budget	91%	88%	95%	105%	112%	106%	106%	98%	88%	75%		
% Increase/ (Decrease) from Prior Year	(4.6%)	(7.7%)	(7.5%)	12.0%	12.9%	10.3%	9.2%	(1.0%)	(5.8%)			

Village of Glen Ellyn
Budget to Actual Summary Report
For the Quarter Ended January 31, 2011

200 - Corporate Reserve Fund

	Prior FY 09/10 YTD	FY10/11 Revised Budget	Current FY 10/11 Actual	% of Budget	Greater (Less) Than FY 09/10
Revenues					
DMMC Loan Repayment	\$ 3,576	\$ 4,000	\$ 3,923	98%	\$ 347 1
GE Park Dist Loan Repayment	100,000	100,000	100,000	100%	- 2
GEHS Loan - 810-816 N Main	-	60,000	-	0%	-
GEHS Loan - 820 N Main	-	40,000	430,000	1075%	430,000 3
Rent - GEHS Properties	30,626	40,000	16,026	40%	(14,600)
Interest Income	-	5,000	2,107	42%	2,107
Fire Company Reimbursement	-	46,000	34,500	75%	34,500 4
Total Revenues	\$ 134,202	\$ 295,000	\$ 586,556	199%	\$ 452,354
Expenditures					
Real Estate Purchases	-	-	591,928	0%	591,928 5
Total Expenditures	\$ -	\$ -	\$ 591,928	0%	\$ 591,928
Budgeted Gain/(Loss)		\$ 295,000			
Net Income (Loss)	\$ 134,202		\$ (5,372)		
Outstanding Encumbrances	-		-		
Net Income (Loss) after Encumbrances	\$ 134,202		\$ (5,372)		

	<u>10/31/2009</u>	<u>1/31/2011</u>
Cash Reserves (in \$1,000's)	\$ 892	\$ 905
100% Reserve Policy	(892)	(905)
Unobligated Cash Reserves	\$ -	\$ -

FOOTNOTES

- DMMC Loan Repayment:** Payment on a \$125,000, 20-year loan the Village made in FY01 to assist in the acquisition and renovation of their facility in Oak Brook.
- GE Park District Loan Repayment:** The Village made a \$1,000,000 interest free loan to the Park District to assist with the demolition of the Maryknoll Seminary in 2000.
- GEHS Loan - 820 N Main:** The Village purchased the property at 820 N Main in 2008 at a final cost of \$463,100 for use by the Historical Society. The Historical Society was scheduled to begin reimbursing the Village in FY10. The Village received \$230,000 from the Historical Society in July 2010 after the Village Board agreed to eliminate the remaining reimbursement following an anonymous donation of \$200,000.
- Fire Company Reimbursement:** In FY09 The Village made a one time transfer of cash reserves to purchase two new ambulances. The General Fund is reimbursing the cost of this purchase over five years.
- Real Estate Purchases:** The Village purchased the property at 825 N. Main.

Village of Glen Ellyn
Budget to Actual Summary Report
For the Quarter Ended January 31, 2011

210 - Motor Fuel Tax Fund

	Prior FY 09/10 YTD	FY10/11 Revised Budget	Current FY 10/11 Actual	% of Budget	Greater (Less) Than FY 09/10
Revenues					
State Allotments	\$ 505,961	\$ 691,000	\$ 514,786	74%	\$ 8,825
Interest Income	594	1,000	219	22%	(375)
Miscellaneous Income	13,187	13,000	132,267	0%	119,080 1
Total Revenues	\$ 519,742	\$ 705,000	\$ 647,272	92%	\$ 127,530
Expenditures					
Street Maintenance	\$ 400,000	\$ 400,000	\$ 400,000	100%	\$ - 2
Street Lighting	115,106	155,000	101,122	65%	(13,984)
Road Salt	138,970	255,000	132,633	52%	(6,337)
Capital Projects	500,000	-	-	0%	(500,000)
Total Expenditures	\$ 1,154,076	\$ 810,000	\$ 633,755	78%	\$ (520,321)
Budgeted Gain/(Loss)		\$ (105,000)			
Net Income (Loss)	\$ (634,334)		\$ 13,517		
Outstanding Encumbrances	(105,000)		-		
Net Income (Loss) after Encumbrances	\$ (739,334)		\$ 13,517		

	<u>1/31/2010</u>	<u>1/31/2011</u>
Cash Reserves (in \$1,000's)	\$ (60)	\$ 135
100% Reserve Policy	60	(135)
Unobligated Cash Reserves	\$ -	\$ -

FOOTNOTES

1. **Miscellaneous Income:** The Village received an additional \$117,000 in transportation funding from the State as part of the Jobs Now! program.

2. **Street Maintenance:** This amount represents transfers to the General Fund (\$400,000) to reimburse labor and equipment costs associated with street maintenance activities.

Village of Glen Ellyn
Budget to Actual Summary Report
For the Quarter Ended January 31, 2011

220 - Special Programs Fund

	Prior FY 09/10 YTD	FY10/11 Revised Budget	Current FY 10/11 Actual	% of Budget	Greater (Less) Than FY 09/10
Revenues					
Property Taxes (SSAs)	\$ 176,521	\$ 183,000	\$ 182,887	100%	\$ 6,366 1
Cable Franchise Fees	315,386	430,000	348,138	81%	32,752
Hotel / Motel Tax	68,874	80,000	88,017	110%	19,143 2
Interest Income	507	500	573	115%	66
Demolition Tax	4,090	11,000	8,250	75%	4,160
Grants	14,000	39,000	14,000	0%	-
Miscellaneous Income	1,906	500	2,258	452%	352
Total Revenues	\$ 581,284	\$ 744,000	\$ 644,123	87%	\$ 62,839
Expenditures					
Public Information	\$ 101,369	\$ 96,800	\$ 73,178	76%	\$ (28,191)
Historic Preservation	58,491	123,133	55,388	45%	(3,103)
Senior Services	65,623	121,000	54,250	45%	(11,373)
Economic Development	277,932	401,500	290,472	72%	12,540
Other Activities	23,500	37,000	28,500	77%	5,000
Total Expenditures	\$ 526,915	\$ 779,433	\$ 501,788	64%	\$ (25,127)
Budgeted Gain/(Loss)		\$ (35,433)			
Net Income (Loss)	\$ 54,369		\$ 142,335		
Outstanding Encumbrances	(54,559)		(61,771)		
Net Income (Loss) after Encumbrances	\$ (190)		\$ 80,564		

	<u>1/31/2010</u>	<u>1/31/2011</u>
Cash Reserves (in \$1,000's)	\$ 115	\$ 257
25% Minimum Reserve Policy	(172)	(189)
Unobligated Cash Reserves	<u>\$ (57)</u>	<u>\$ 68</u>

FOOTNOTES

- Property Taxes (SSAs):** The Village transfers all the Special Service Area property taxes from properties located in our commercial areas to the Glen Ellyn Economic Development Corporation as they are received.
- Hotel / Motel Tax:** Receipts from this revenue source have increased since the reopening of the newly renovated Crowne Plaza.

Village of Glen Ellyn
 Budget to Actual Summary Report
 For the Quarter Ended January 31, 2011

300 - Debt Service Fund

	Prior FY 09/10 YTD	FY10/11 Revised Budget	Current FY 10/11 Actual	% of Budget	Greater (Less) Than FY 09/10
Revenues					
Property Taxes	\$ 2,208,925	\$ 2,180,000	\$ 2,188,636	100%	\$ (20,289)
Interest Income	2,921	2,000	1,865	93%	(1,056)
Total Revenues	<u>\$ 2,211,846</u>	<u>\$ 2,182,000</u>	<u>\$ 2,190,501</u>	100%	<u>\$ (21,345)</u>
Expenditures					
Bond Principal Payments	\$ 2,185,000	\$ 1,965,000	\$ 1,965,000	100%	\$ (220,000)
Bond Interest Payments	277,101	203,649	203,649	100%	(73,452)
Other Debt Costs	1,723	2,500	800	32%	(923)
Total Expenditures	<u>\$ 2,463,824</u>	<u>\$ 2,171,149</u>	<u>\$ 2,169,449</u>	100%	<u>\$ (294,375)</u>
Budgeted Gain/(Loss)		<u>\$ 10,851</u>			
Net Income (Loss)	<u>\$ (251,978)</u>		<u>\$ 21,052</u>		
Outstanding Encumbrances	-		-		
Net Income (Loss) after Encumbrances	<u>\$ (251,978)</u>		<u>\$ 21,052</u>		

	<u>1/31/2010</u>	<u>1/31/2011</u>
Cash Reserves (in \$1,000's)	\$ 2	\$ 24
100% Reserve Policy	(2)	(24)
Unobligated Cash Reserves	<u>\$ -</u>	<u>\$ -</u>

Village of Glen Ellyn
Budget to Actual Summary Report
For the Quarter Ended January 31, 2011

400 - Capital Projects Fund

	Prior FY 09/10 YTD	FY10/11 Revised Budget	Current FY 10/11 Actual	% of Budget	Greater (Less) Than FY 09/10																	
Revenues																						
Property Tax	\$ 932,839	\$ 985,000	\$ 988,102	100%	\$ 55,263	1																
Telecommunications Tax	1,000,243	1,350,000	929,354	69%	(70,889)																	
Electricity Use Tax	692,774	975,000	773,419	79%	80,645																	
Natural Gas Use Tax	223,486	350,000	194,743	56%	(28,743)																	
Real Estate Transfer Tax	282,545	400,000	333,569	83%	51,024																	
Community Develop Grant	60,829	300,000	11,452	4%	(49,377)	2																
Interest Income	7,626	12,000	5,701	48%	(1,925)																	
Miscellaneous Income	173,229	430,000	225,152	52%	51,923	3																
Total Revenues	\$ 3,373,571	\$ 4,802,000	\$ 3,461,492	72%	\$ 87,921																	
Expenditures																						
Infrastructure Improvements	\$ 3,662,207	\$ 7,431,104	\$ 3,964,808	53%	\$ 302,601	4																
General Fund Engineering	82,500	112,500	84,375	75%	1,875																	
Miscellaneous	2,599	15,000	8,169	54%	5,570																	
Total Expenditures	\$ 3,747,306	\$ 7,558,604	\$ 4,057,352	54%	\$ 310,046																	
Budgeted Gain/(Loss)		\$ (2,756,604)																				
Net Income (Loss)	\$ (373,735)		\$ (595,860)																			
Outstanding Encumbrances	(733,854)		(1,728,595)																			
Net Income (Loss) after Encumbrances	\$ (1,107,589)		\$ (2,324,455)																			
<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;"><u>1/31/2010</u></th> <th style="text-align: center;"><u>1/31/2011</u></th> <th></th> </tr> </thead> <tbody> <tr> <td>Cash Reserves (in \$1,000's)</td> <td style="text-align: right;">\$ 1,855</td> <td style="text-align: right;">\$ 433</td> <td style="text-align: center;">5</td> </tr> <tr> <td>100% Reserve Policy</td> <td style="text-align: right;">(1,855)</td> <td style="text-align: right;">(433)</td> <td></td> </tr> <tr> <td>Unobligated Cash Reserves</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> <td></td> </tr> </tbody> </table>								<u>1/31/2010</u>	<u>1/31/2011</u>		Cash Reserves (in \$1,000's)	\$ 1,855	\$ 433	5	100% Reserve Policy	(1,855)	(433)		Unobligated Cash Reserves	\$ -	\$ -	
	<u>1/31/2010</u>	<u>1/31/2011</u>																				
Cash Reserves (in \$1,000's)	\$ 1,855	\$ 433	5																			
100% Reserve Policy	(1,855)	(433)																				
Unobligated Cash Reserves	\$ -	\$ -																				

FOOTNOTES

- Property Tax:** Beginning in FY10, a portion of the Village's property tax levy previously dedicated to debt service was reallocated towards maintaining the 20 year street program.
- Community Development Grant:** The Braeside lighting project has been deferred to FY12, therefore none of the \$300,000 in grant funding will be received in FY11. The amount received in FY11 was final reimbursement associated with the Braeside street and sewer improvements.

Village of Glen Ellyn
Budget to Actual Summary Report
For the Quarter Ended January 31, 2011

400 - Capital Projects Fund

3. **Miscellaneous Income:** Includes \$220,000 from DuPage County for reimbursement of their portion of the Riford Road project.
4. **Infrastructure Improvements:** Expenditures in this category to date for FY11 include payments on the following projects and include construction and/or engineering expenses:

Bryant/Thain	\$ 3,168,460
Riford Road	363,903
Park/Glen Ellyn Place	124,005
Street Maintenance/Improvements	89,495
South Park LAPP ARRA Stimulus Project	45,762
Crescent Corridor	40,820
Miscellaneous	37,238
2009 Street Improvements	36,399
Sunset/Turner	20,779
Braeside Lighting	17,340
Essex Court Drainage	15,631
Sidewalk Improvements	4,976
	<u>\$ 3,964,808</u>

5. **Cash Reserves:** Cash reserves have decreased due to budgeted spend down on capital projects. The Capital Projects Fund cash flow is currently sufficient and we are closely monitoring this fund to ensure adequate funding is available for current projects.

Village of Glen Ellyn
Budget to Actual Summary Report
For the Quarter Ended January 31, 2011

450 - Facilities Maintenance Reserve Fund

	Prior FY 09/10 YTD	FY10/11 Revised Budget	Current FY 10/11 Actual	% of Budget	Greater (Less) Than FY 09/10
Revenues					
Transfers from Departments	\$ -	\$ -		0%	\$ - 1
Interest Income	3,944	6,000	2,098	35%	(1,846)
Total Revenues	\$ 3,944	\$ 6,000	\$ 2,098	35%	\$ (1,846)
Expenditures					
Facility Repairs / Renovations	\$ 340,835	\$ 1,076	\$ 7,490	696%	\$ (333,345) 2
	\$ 340,835	\$ 1,076	\$ 7,490	696%	\$ (333,345)
Budgeted Gain/(Loss)		\$ 4,924			
Net Income (Loss)	\$ (336,891)		\$ (5,392)		
Outstanding Encumbrances	(19,000)		(1,076)		
Net Income (Loss) after Encumbrances	\$ (355,891)		\$ (6,468)		

	<u>1/31/2010</u>	<u>1/31/2011</u>
Cash Reserves (in \$1,000's)	\$ 1,044	\$ 1,039
100% Reserve Policy	(1,044)	(1,039)
Unobligated Cash Reserves	<u>\$ -</u>	<u>\$ -</u>

FOOTNOTES

1. Transfers From Departments: Due to budget constraints, no transfers from other funds were budgeted in FY10 or FY11.

2. Facility Repairs / Renovations:

Reno Center Renovation	-
Civic Center Renovation	7,490
History Society Properties	-
Fire Stations	-
Miscellaneous	-
	<u>\$ 7,490</u>

Village of Glen Ellyn
Budget to Actual Summary Report
For the Quarter Ended January 31, 2011

500 - Water & Sanitary Sewer Fund

	Prior FY 09/10 YTD	FY10/11 Revised Budget	Current FY 10/11 Actual	% of Budget	Greater (Less) Than FY 09/10
Water Division					
Revenues					
Metered Revenue	\$ 3,573,732	\$ 5,280,000	\$ 3,933,530	74%	\$ 359,798 1
Com Develop Block Grant	212,902	-	98	100%	(212,804) 2
Interest Income	3,297	4,000	2,813	70%	(484)
Other Revenue	54,985	119,000	109,253	92%	54,268 3
Total Revenues	\$ 3,844,916	\$ 5,403,000	\$ 4,045,694	75%	\$ 200,778
Expenditures					
Personnel Services	\$ 392,032	\$ 546,300	\$ 424,020	78%	\$ 31,988
Contractual Services	601,006	941,175	633,858	67%	32,852
Commodities	1,170,334	1,993,100	1,422,825	71%	252,491 4
Capital Outlay	1,513,579	1,962,636	1,369,767	70%	(143,812) 5
Total Expenditures	\$ 3,676,951	\$ 5,443,211	\$ 3,850,470	71%	\$ 173,519
Budgeted Gain/(Loss)		\$ (40,211)			
Net Income (Loss)	\$ 167,965		\$ 195,224		
Outstanding Encumbrances	(313,388)		(623,754)		
Net Income (Loss) after Encumbrances	\$ (145,423)		\$ (428,530)		
Sanitary Sewer Division					
Revenues					
Metered Revenue	\$ 2,700,856	\$ 3,890,000	\$ 2,962,089	76%	\$ 261,233 6
Property Tax - Lambert Farms	96,929	97,000	96,784	100%	(145)
Com Develop Block Grant	334,561	-	24,116	100%	(310,445) 2
Interest Income	3,297	4,000	2,813	70%	(484)
Other Revenue	870,948	1,271,500	854,328	67%	(16,620)
Total Revenues	\$ 4,006,591	\$ 5,262,500	\$ 3,940,130	75%	\$ (66,461)
Expenditures					
Personnel Services	\$ 372,069	\$ 517,600	\$ 404,365	78%	\$ 32,296
Contractual Services	2,572,050	3,874,836	2,776,921	72%	204,871 7
Commodities	7,859	15,100	7,011	46%	(848)
Debt Service	53,972	108,000	53,973	50%	1
Capital Outlay	1,710,518	2,207,022	1,204,182	55%	(506,336) 5
Total Expenditures	\$ 4,716,468	\$ 6,722,558	\$ 4,446,452	66%	\$ (270,016)
Budgeted Gain/(Loss)		\$ (1,460,058)			
Net Income (Loss)	\$ (709,877)		\$ (506,322)		
Outstanding Encumbrances	(635,813)		(855,893)		
Net Income (Loss) after Encumbrances	\$ (1,345,690)		\$ (1,362,215)		

	<u>1/31/2010</u>	<u>1/31/2011</u>
Cash Reserves (in \$1,000's)	\$ 1,587	\$ 893
25% Minimum Reserve Policy	(1,772)	(1,999)
Unobligated Cash Reserves	\$ (185)	\$ (1,106)

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Village of Glen Ellyn
Budget to Actual Summary Report
For the Quarter Ended January 31, 2011

500 - Water & Sanitary Sewer Fund

FOOTNOTES

1. **Metered Water Revenue:** Water rates were increased 10% in June from \$5.49 to \$6.04 per 1,000 gallons.
2. **Community Development Block Grant:** The Village received a grant for infrastructure improvements in the Braeside area during FY10.
3. **Other Revenue:** FY11 revenue includes over \$59,000 in connection fees from various construction projects.
4. **Commodities:** This item primarily represents the cost of water purchased from the DuPage Water Commission which increased its rates by 22% this year.
5. **Capital Outlay Water and Sanitary Sewer Divisions:** Capital outlays to date were for system improvements related to the following projects:

	Water	Sanitary Sewer	Total
Bryant/Thain	\$ 869,591	\$ 795,070	\$ 1,664,661
Riford Road	291,962	167,803	459,765
Clearwater Reduction Program	-	155,799	155,799
Equipment	109,646	243	109,889
Park/Glen Ellyn Place	31,764	53,063	84,827
Tank Maintenance	51,317	-	51,317
2009 Street Improvements	9,987	7,489	17,476
Roslyn and Scott Sewer Extension	-	16,696	16,696
Sunset/Turner	3,000	3,000	6,000
Hill Avenue Water Main	1,000	3,519	4,519
Essex Court Drainage	1,500	1,500	3,000
	\$ 1,369,767	\$ 1,204,182	\$ 2,573,949

6. **Metered Sewer Revenue:** Sewer rates were increased 10% in June from \$4.45 to \$4.90 per 1,000 gallons.
7. **Contractual Services:** Includes payments to the Glenbard Wastewater Authority for sewage treatment which increased by \$420,000 this year.
8. **Cash Reserves:** Unobligated cash reserves are below our 25% minimum level after deducting encumbrances and utility deposits. This is due to capital project commitments early in the fiscal year which will be funded with water sales over the course of the entire fiscal year.

Village of Glen Ellyn
Water/Sanitary Sewer Fund
Water/Sanitary Sewer Metered Revenue - 10 Year History

Month Collected by Village	FY01/02	FY02/03	FY03/04	FY04/05	FY05/06	FY06/07	FY07/08	FY08/09	FY09/10	FY10/11	\$ Change From Prior Year	% Change From Prior Year
May	506,517	482,489	512,738	651,286	617,293	580,979	522,440	588,152	632,740	680,593	47,853	7.6%
Jun	588,899	564,656	594,414	654,287	680,998	658,088	732,857	697,835	637,766	775,487	137,721	21.6%
Jul	629,127	577,425	712,693	639,330	885,620	803,451	828,735	644,209	756,612	741,780	(14,832)	-2.0%
Aug	785,220	799,154	810,485	790,522	1,016,107	812,768	843,911	796,373	771,195	852,176	80,981	10.5%
Sep	691,712	676,417	807,468	774,946	930,300	797,200	774,309	889,729	794,394	915,070	120,676	15.2%
Oct	544,573	594,079	679,395	747,394	821,336	636,195	732,709	696,173	772,366	778,383	6,017	0.8%
Nov	532,295	526,812	532,903	653,500	703,014	578,071	626,348	624,462	620,836	777,946	157,110	25.3%
Dec	526,319	513,143	507,704	599,372	564,710	638,902	656,690	618,494	617,748	695,979	78,231	12.7%
Jan	515,450	472,135	602,265	638,247	601,908	565,871	599,244	681,105	670,931	678,203	7,272	1.1%
3rd Q. Totals	5,320,112	5,206,310	5,760,065	6,148,884	6,821,286	6,071,525	6,317,242	6,236,532	6,274,588	6,895,617	621,029	9.9%
% of Budget	77%	74%	83%	73%	81%	74%	77%	76%	72%	73%		
% of Actual	78%	78%	78%	78%	80%	78%	78%	78%	78%	78%		
% Change from Prior Year	2.4%	-2.1%	10.6%	6.8%	10.9%	-11.0%	4.0%	2.7%	0.6%	9.9%		

Feb	536,369	550,400	569,288	595,301	616,354	586,925	592,578	666,574	610,443			
Mar	473,290	508,432	554,519	576,347	604,298	598,016	617,558	547,239	565,124			
Apr	481,991	441,794	548,284	556,710	489,785	531,574	540,771	535,180	570,506			
Total	6,811,762	6,706,935	7,432,156	7,877,242	8,531,723	7,788,040	8,068,149	7,985,525	8,020,661	6,895,617		
Budget	6,950,000	7,065,000	6,950,000	8,450,000	8,450,000	8,260,000	8,175,000	8,175,000	8,740,000	9,465,000		
% of Budget	98%	95%	107%	93%	101%	94%	99%	98%	92%	73%		
% Change from Prior Year	2.5%	-1.5%	10.8%	6.0%	8.3%	-8.7%	3.6%	2.5%	0.4%			

Water Rate*	eff 7-1-03	eff 5-1-04	eff 6-1-08	eff 7-1-09	eff 6-1-10
\$	4.72	\$ 4.92	\$ 5.10	\$ 5.49	\$ 6.04
Sewer Rate*	3.49	3.91	4.45	4.45	4.90
\$	8.21	\$ 8.83	\$ 9.55	\$ 9.94	\$ 10.94

* Per 1,000 gallons of water metered.

Village of Glen Ellyn
 Budget to Actual Summary Report
 For the Quarter Ended January 31, 2011

530 - Parking Fund

	Prior FY 09/10 YTD	FY10/11 Revised Budget	Current FY 10/11 Actual	% of Budget	Greater (Less) Than FY 09/10
Revenues					
Parking Income	\$ 284,156	\$ 331,800	\$ 295,871	89%	\$ 11,715
Interest Income	3,153	5,200	1,824	35%	(1,329)
Total Revenues	\$ 287,309	\$ 337,000	\$ 297,695	88%	\$ 10,386
Expenditures					
Contractual Services	\$ 286,655	\$ 357,040	\$ 241,388	68%	\$ (45,267)
Commodities	3,628	4,500	3,193	71%	(435)
Capital Outlay	19,069	-	56,331	0%	37,262
Total Expenditures	\$ 309,352	\$ 361,540	\$ 300,912	83%	\$ (8,440)
Budgeted Gain/(Loss)		\$ (24,540)			
Net Income (Loss)	\$ (22,043)		\$ (3,217)		
Outstanding Encumbrances	(199,017)		(2,585)		
Net Income (Loss) after Encumbrances	\$ (221,060)		\$ (5,802)		

	<u>1/31/2010</u>	<u>1/31/2011</u>
Cash Reserves (in \$1,000's)	\$ 792	\$ 984
25% Minimum Reserve Policy	(123)	(90)
Unobligated Cash Reserves	\$ 669	\$ 894

Village of Glen Ellyn
Budget to Actual Summary Report
For the Quarter Ended January 31, 2011

540 - Residential Solid Waste Fund

	Prior FY 09/10 YTD	FY10/11 Revised Budget	Current FY 10/11 Actual	% of Budget	Greater (Less) Than FY 09/10
Revenues					
Billings to Customers	\$ 893,739	\$ 1,250,000	\$ 942,183	75%	\$ 48,444
State Grant Revenue	54,000	-	-	0%	(54,000) 1
Interest Income	2,510	5,000	799	16%	(1,711)
Miscellaneous Income	3,808	20,000	50,679	253%	46,871 2
Total Revenues	\$ 954,057	\$ 1,275,000	\$ 993,661	78%	\$ 39,604
Expenditures					
Weekly Pick-Up Service	\$ 757,119	\$ 1,095,000	\$ 767,125	70%	\$ 10,006
Brush Pick-Up Service	148,450	150,000	132,000	88%	(16,450)
Capital Outlay	295,695	-	7,520	0%	(288,175)
Miscellaneous	105,536	140,000	100,805	72%	(4,731)
Total Expenditures	\$ 1,306,800	\$ 1,385,000	\$ 1,007,450	73%	\$ (299,350)
Budgeted Gain/(Loss)		\$ (110,000)			
Net Income (Loss)	\$ (352,743)		\$ (13,789)		
Outstanding Encumbrances	(4,781)		-		
Net Income (Loss) after Encumbrances	\$ (357,524)		\$ (13,789)		

	<u>1/31/2010</u>	<u>1/31/2011</u>
Cash Reserves (in \$1,000's)	\$ 500	\$ 401
25% Minimum Reserve Policy	(330)	(346)
Unobligated Cash Reserves	<u>\$ 170</u>	<u>\$ 55</u>

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FOOTNOTES

1. **State Grant Revenue:** The Village received a grant to assist with the purchase of recycling carts in FY10.
2. **Miscellaneous Revenue:** Late in FY09, the recycling market collapsed and we were notified by Allied Waste that recycling rebates would end indefinitely. Rebates resumed in late FY10 and have recovered somewhat in FY11.
3. **Cash Reserves:** Cash reserves are lower due primarily to the purchase of recycling carts in FY10.

Village of Glen Ellyn
 Budget to Actual Summary Report
 For the Quarter Ended January 31, 2011

550 - Recreation Fund

	Prior FY 09/10 YTD	FY10/11 Revised Budget	Current FY 10/11 Actual	% of Budget	Greater (Less) Than FY 09/10
Revenues					
Green Fees	\$ 1,621,003	\$ 1,930,000	\$ 1,526,014	79%	\$ (94,989) 1
Range, Pro-Shop, Carts, Food	1,128,183	1,400,000	1,081,427	77%	(46,756) 1
Interest Income	7,587	8,000	5,019	63%	(2,568)
Miscellaneous Income	120,183	164,000	125,952	77%	5,769
Total Revenues	\$ 2,876,956	\$ 3,502,000	\$ 2,738,412	78%	\$ (138,544)
Expenditures					
Administration	\$ 961,172	\$ 1,036,300	\$ 715,328	69%	\$ (245,844) 2
Golf Course Maintenance	753,334	946,100	782,967	83%	29,633
Golf Service	542,238	672,500	520,026	77%	(22,212)
Food Services	447,332	600,300	477,944	80%	30,612
Parks Maintenance	5,928	7,800	18,688	240%	12,760 3
Pro Shop	89,753	184,000	98,689	54%	8,936
Motor Carts	35,726	51,400	41,143	80%	5,417
Total Expenditures	\$ 2,835,483	\$ 3,498,400	\$ 2,654,785	76%	\$ (180,698)
Budgeted Gain/(Loss)		\$ 3,600			
Net Income (Loss)	\$ 41,473		\$ 83,627		
Outstanding Encumbrances	-		-		
Net Income (Loss) after Encumbrances	\$ 41,473		\$ 83,627		

	<u>1/31/2010</u>	<u>1/31/2011</u>
Cash Reserves (in \$1,000's)	\$ 2,113	\$ 2,126
25% Minimum Reserve Policy	(858)	(830)
Unobligated Cash Reserves	\$ 1,255	\$ 1,296

Village of Glen Ellyn
 Budget to Actual Summary Report
 For the Quarter Ended January 31, 2011

550 - Recreation Fund

FOOTNOTES

1. **Recreation Fund Revenue:** Excluding interest and miscellaneous income, Recreation Fund revenue has decreased by 5.2% compared to last year. This decrease is related to the number of rounds played as shown below:

Green Fee Rounds

	FY 07/08	FY 08/09	FY 09/10	FY 10/11	% Change From Prior Year
May	11,908	10,074	10,122	9,412	-7.0%
June	14,183	12,851	10,827	10,571	-2.4%
July	14,858	14,012	13,398	11,169	-16.6%
August	12,055	13,431	11,622	11,883	2.2%
September	11,533	9,033	10,489	9,589	-8.6%
October	7,130	5,460	3,588	5,877	63.8%
November	1,618	1,634	2,383	2,409	1.1%
December	40	22	108	15	-86.1%
January	104	7	3	12	300.0%
	73,429	66,524	62,540	60,937	-2.6%
February	-	86	-	-	
March	385	1,816	1,832	-	
April	4,762	4,207	6,728	-	
Total	78,576	72,633	71,100	60,937	

2. **Administration Budget:** The Administration budget includes all capital expenses (\$180,000), insurance (\$211,000), and bond payments (\$340,500) for the Recreation Fund. FY10 actual included budgeted equipment purchases.
3. **Parks Maintenance:** Includes storm water engineering for Lambert Lake.

Village of Glen Ellyn
Recreation Fund
Greens Fee Revenue - 10 Year History

Month Received by Village	FY01/02	FY02/03	FY03/04 ¹	FY04/05	FY05/06	FY06/07	FY07/08	FY08/09	FY09/10	FY10/11	\$ Change From Prior Year Gain/(Loss)	% Change From Prior Year Gain/(Loss)
May	259,727	219,075	70,406	73,297	259,385	236,888	295,117	269,068	270,981	250,437	(20,544)	-7.6%
Jun	339,920	307,448	95,192	161,599	320,663	312,763	345,137	318,730	281,641	250,384	(31,257)	-11.1%
Jul	370,451	342,082	100,516	401,690	365,632	335,203	375,857	364,228	346,388	284,613	(61,775)	-17.8%
Aug	323,719	342,098	101,398	358,577	322,785	336,839	299,099	352,602	299,210	295,170	(4,040)	-1.4%
Sep	256,690	246,658	64,742	311,656	263,730	231,667	308,175	235,115	264,164	226,227	(37,937)	-14.4%
Oct	114,792	114,697	41,992	170,505	173,243	119,932	147,973	135,272	77,778	136,880	59,102	76.0%
Nov	51,074	23,582	11,441	36,671	46,920	37,379	30,205	27,710	41,340	42,227	887	2.1%
Dec	3,412	505	2,400	1,952	111	1,281	176	39,099	39,487	40,020	533	1.3%
Jan	2,965	301	687	69	1,445	919	464	31	14	56	42	300.0%
3rd Q. Total	1,722,750	1,596,446	488,774	1,516,016	1,753,914	1,612,871	1,802,202	1,741,855	1,621,003	1,526,014	(94,989)	-5.9%
% of Budget	86%	85%	75%	89%	78%	81%	92%	88%	85%	79%		
% of Actual	93%	97%	88%	90%	91%	92%	94%	93%	89%	89%		
e from Previous Year	0.5%	-7.3%	-69.4%	210.2%	15.7%	-8.0%	11.7%	-3.3%	-6.9%	-5.9%		

Feb	1,567	473	1,437	718	994	10	-	389	-			
Mar	14,360	6,835	11,959	13,340	16,531	19,049	3,214	32,319	27,827			
Apr	117,501	41,577	50,152	155,979	162,056	117,819	113,035	105,193	163,584			
Total	1,856,178	1,645,331	552,322	1,686,053	1,933,495	1,749,749	1,918,451	1,879,756	1,812,414	1,526,014		

% Change From Prior Year	-2.2%	-11.4%	-66.4%	205.3%	14.7%	-9.5%	9.6%	-2.0%	-3.6%			
Budget	2,000,000	1,885,000	650,000	1,700,000	2,250,000	1,990,000	1,950,000	1,980,000	1,900,000	1,930,000		
% of Budget	93%	87%	85%	99%	88%	88%	98%	95%	95%	79%		

1. The 18 hole course at the Village Links was closed for renovation in November, 2002. The course reopened in late-June 2004.

Village of Glen Ellyn
Budget to Actual Summary Report
For the Quarter Ended January 31, 2011

600 - Insurance Fund

	Prior FY 09/10 YTD	FY10/11 Revised Budget	Current FY 10/11 Actual	% of Budget	Greater (Less) Than FY 09/10
Revenues					
Transfers from Departments	\$ 992,625	\$ 1,880,200	\$ 1,410,150	75%	\$ 417,525
Payments by Other Agencies	237,975	426,000	319,500	75%	81,525
Participant Contributions	330,912	538,700	370,026	69%	39,114
Interest Income	3,641	5,000	1,892	38%	(1,749)
Miscellaneous Income	12,438	-	29,712	100%	17,274
Total Revenues	\$ 1,577,591	\$ 2,849,900	\$ 2,131,280	75%	\$ 553,689
Expenditures					
Health Benefits Plan	\$ 1,418,105	\$ 2,096,000	\$ 1,493,595	71%	\$ 75,490
Liability Insurance	690,487	730,000	601,588	82%	(88,899) ¹
Miscellaneous	6,019	17,000	6,933	41%	914
	\$ 2,114,611	\$ 2,843,000	\$ 2,102,116	74%	\$ (12,495)
Budgeted Gain/(Loss)		\$ 6,900			
Net Income (Loss)	\$ (537,020)		\$ 29,164		
Outstanding Encumbrances	-		-		
Net Income (Loss) after Encumbrances	\$ (537,020)		\$ 29,164		

	<u>1/31/2010</u>	<u>1/31/2011</u>
Cash Reserves (in \$1,000's)	\$ 1,017	\$ 1,228
100% Reserve Policy	(1,017)	(1,228)
Unobligated Cash Reserves	\$ -	\$ -

FOOTNOTES

- Liability Insurance:** The premium for the MICA insurance pool for property, liability, and workers compensation is paid early in the fiscal year. This year's premium decreased 13% due to favorable claims experience.

Village of Glen Ellyn
Budget to Actual Summary Report
For the Quarter Ended January 31, 2011

650 - Equipment Services Fund

	Prior FY 09/10 YTD	FY10/11 Revised Budget	Current FY 10/11 Actual	% of Budget	Greater (Less) Than FY 09/10
Revenues					
Transfers from Departments	\$ 967,350	\$ 1,494,000	\$ 1,120,500	75%	\$ 153,150
Payments by Other Agencies	56,614	71,500	57,325	80%	711
Interest Income	7,587	12,000	4,528	38%	(3,059)
Miscellaneous Income	56,536	58,000	53,316	92%	(3,220)
Total Revenues	<u>\$ 1,088,087</u>	<u>\$ 1,635,500</u>	<u>\$ 1,235,669</u>	76%	<u>\$ 147,582</u>
Expenditures					
Personnel Services	\$ 226,141	\$ 305,200	\$ 233,811	77%	\$ 7,670
Contractual Services	71,757	121,200	85,974	71%	14,217
Commodities	85,723	114,300	78,710	69%	(7,013)
Vehicle Operating	201,445	351,000	243,659	69%	42,214
Vehicles and Equipment	595,086	651,600	473,815	73%	(121,271)
Total Expenditures	<u>\$ 1,180,152</u>	<u>\$ 1,543,300</u>	<u>\$ 1,115,969</u>	72%	<u>\$ (64,183)</u>
Budgeted Gain/(Loss)		<u>\$ 92,200</u>			
Net Income (Loss)	<u>\$ (92,065)</u>		<u>\$ 119,700</u>		
Outstanding Encumbrances	-		(135,747)		
Net Income (Loss) after Encumbrances	<u>\$ (92,065)</u>		<u>\$ (16,047)</u>		

	<u>1/31/2010</u>	<u>1/31/2011</u>
Cash Reserves (in \$1,000's)	\$ 2,237	\$ 2,293
100% Reserve Policy	<u>(2,237)</u>	<u>(2,293)</u>
Unobligated Cash Reserves	<u>\$ -</u>	<u>\$ -</u>

Village of Glen Ellyn
 Budget to Actual Summary Report
 For the Quarter Ended January 31, 2011

900 - Police Pension Fund

	Prior FY 09/10 YTD	FY10/11 Revised Budget	Current FY 10/11 Actual	% of Budget	Greater (Less) Than FY 09/10
Revenues					
Employee Contributions	\$ 215,915	\$ 302,000	\$ 225,651	75%	\$ 9,736
Village Contribution	813,000	943,000	943,000	100%	130,000
Investment Income	<u>150,559</u>	<u>950,000</u>	<u>560,185</u>	<u>59%</u>	<u>409,626</u>
Total Revenues	<u>\$ 1,179,474</u>	<u>\$ 2,195,000</u>	<u>\$ 1,728,836</u>	<u>79%</u>	<u>\$ 549,362</u>
Expenditures					
Pensions	\$ 990,483	\$ 1,344,000	\$ 1,049,238	78%	\$ 58,755
Administrative Costs	<u>43,718</u>	<u>61,000</u>	<u>44,570</u>	<u>73%</u>	<u>852</u>
	<u>\$ 1,034,201</u>	<u>\$ 1,405,000</u>	<u>\$ 1,093,808</u>	<u>78%</u>	<u>\$ 59,607</u>
Budgeted Gain/(Loss)		<u>\$ 790,000</u>			
Net Income (Loss)	\$ 145,273		\$ 635,028		
Outstanding Encumbrances	<u>-</u>		<u>-</u>		
Net Income (Loss) after Encumbrances	<u>\$ 145,273</u>		<u>\$ 635,028</u>		

	<u>1/31/2010</u>	<u>1/31/2011</u>
Cash Reserves (in \$1,000's)	\$ 19,328	\$ 20,891
100% Reserve Policy	<u>(19,328)</u>	<u>(20,891)</u>
Unobligated Cash Reserves	<u>\$ -</u>	<u>\$ -</u>

Village of Glen Ellyn
 Schedule of Cash and Investment Balances
 For the Quarter Ended January 31, 2011

	Cash/		Illinois		IMET	Investments	Total	Investment Income						
	Checking		Funds					FY09/10	FY10/11	\$ Change	% Change			
General Fund	\$ (207,141)	\$	704,358	\$	4,279,490	\$	4,776,707	\$	16,634	\$	10,850	\$	-5,784	-34.8%
Corporate Reserve Fund	129,732		96,129		701,685		927,546		-		2,107		2,107	100.0%
Motor Fuel Tax Fund	-		134,889		-		134,889		594		219		-375	-63.1%
Special Programs Fund	95,828		172,012		51,036		318,876		507		573		66	13.0%
Debt Service Fund	3,405		20,141		2		23,548		2,921		1,865		-1,056	-36.2%
Capital Projects Fund	8,727		241,477		1,912,031		2,162,235		7,626		5,701		-1,925	-25.2%
Facilities Maint Reserve Fund	18,839		255,785		765,918		1,040,542		3,944		2,098		-1,846	-46.8%
Water and Sanitary Sewer Fund	23,447		182,584		2,411,345		2,617,376		6,594		5,626		-968	-14.7%
Parking Fund	54,012		149,499		782,710		986,221		3,153		1,824		-1,329	-42.2%
Residential Solid Waste Fund	69,814		60,860		270,305		400,979		2,510		799		-1,711	-68.2%
Recreation Fund	29,521		14,389		2,082,023		2,125,933		7,587		5,019		-2,568	-33.8%
Insurance Fund	56,670		599,565		571,499		1,227,734		3,641		1,892		-1,749	-48.0%
Equipment Services Fund	53,081		96,604		2,279,236		2,428,921		7,587		4,528		-3,059	-40.3%
	\$ 335,935	\$	2,728,292	\$	16,107,280	\$	19,171,507	\$	63,298	\$	43,101	\$	(20,197)	-31.9%

Police Pension Fund	-		413,256		-		21,304,713		150,559		560,185		409,626	272.1%
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Average Yields FY2010/11 YTD
 Average Yields FY2009/10 YTD

0.24%
 0.46%

0.16%
 0.15%

0.30%
 0.59%

Village of Glen Ellyn
 Analysis of Available Cash Reserves
 For the Quarter Ended January 31, 2011
 (in thousands)

Fund	Prior Year Cash & Investment Balances	Current Year Cash & Investment Balances	(a)		Less Deposits/ Other	Balance Subject to Reserve Policy	(b) Reserve Policy	Less Minimum Reserve Policy	Available Unobligated Cash
			Less Encumbrances	Less Reserve Policy					
1 General	\$ 4,335	\$ 4,777	\$ (215)	\$ (837)	\$ 3,725	25%	\$ (3,763)	\$ (38)	
2 Corporate Reserve	896	928	-	(23)	905	100%	(905)	-	
3 Motor Fuel Tax	45	135	-	-	135	100%	(135)	-	
4 Special Programs	170	319	(62)	-	257	25%	(189)	68	
5 Debt Service	2	24	-	-	24	100%	(24)	-	
6 Capital Projects	2,590	2,162	(1,729)	(1)	433	100%	(433)	-	
7 Facilities Maint Reserve	1,063	1,041	(1)	-	1,039	100%	(1,039)	-	
8 Water and Sanitary Sewer Fund	2,784	2,617	(1,480)	(245)	893	25%	(1,999)	(1,106)	
9 Parking	991	986	(3)	-	984	25%	(90)	894	
10 Residential Solid Waste	505	401	-	-	401	25%	(346)	55	
11 Recreation	2,113	2,126	-	-	2,126	25%	(830)	1,296	
12 Insurance	1,017	1,228	-	-	1,228	100%	(1,228)	-	
13 Equipment Services	2,237	2,429	(136)	-	2,293	100%	(2,293)	-	
	<u>\$ 18,748</u>	<u>\$ 19,172</u>	<u>\$ (3,624)</u>	<u>\$ (1,106)</u>	<u>\$ 14,441</u>		<u>\$ (13,273)</u>	<u>\$ 1,168</u>	
14 Police Pension	19,242	20,891	-	-	20,891	100%	(20,891)	-	

(a) Encumbrances represent the unexpended portion of approved contracts for goods and services as of the end of the quarter. While encumbrances are not expenditures, they do represent a reduction in the level of available spendable cash at the close of the quarter.

(b) Operating funds are subject to the Village's 25% minimum cash reserve policy. This policy requires that at least 25% of the operating budget (excluding capital outlay and debt service) be retained as reserves. Other funds are 100% reserved for specific programs or functions. These are explained in the footnotes on the next page.

The following footnotes correspond to the numbers on the left of the schedule on the previous page.

1. **General Fund** - Amount subject to reserve is 25% of budget minus capital expenditures ($\$15,052,500 \times 25\% = \$3,763,125$).
2. **Corporate Reserve Fund** - All Corporate Reserve Fund cash is reserved for emergency needs or for assisting other Village funds via loans.
3. **Motor Fuel Fund** - All Motor Fuel Tax revenue from the State is reserved by law for street maintenance.
4. **Special Programs Fund** - Amount subject to reserve is 25% of budget minus capital expenditures ($\$754,433 \times 25\% = \$188,608$).
5. **Debt Service Fund** - The cash in the Debt Service Fund represents funds accumulated from various sources to pay for principal and interest costs on the Village's outstanding debt obligations. These dollars are not available for reallocation.
6. **Capital Projects Fund** - Essentially all of the Capital Projects Fund cash is reserved. Real estate transfer taxes and utility tax revenues are reserved for street and storm sewer capital projects as part of our 20-year street and storm sewer improvement plan.
7. **Facilities Maintenance Reserve Fund** - This reserve is established for future replacement of major Village building components in the Civic Center, Reno Public Works Building, Fire Stations 1 and 2, Stacy Tavern Museum and the History Center. These funds are not available for reallocation.
8. **Water and Sanitary Sewer Fund** - Amount subject to reserve is 25% of budget minus capital expenditures ($\$7,996,111 \times 25\% = \$1,999,028$).
9. **Parking Fund** - Amount subject to reserve is 25% of budget minus capital expenditures ($\$361,540 \times 25\% = \$90,385$).
10. **Residential Solid Waste Fund** - Amount subject to reserve is 25% of budget minus capital expenditures ($\$1,385,000 \times 25\% = \$346,250$).
11. **Recreation Fund** - Amount subject to reserve is 25% of budget minus capital expenditures ($\$3,318,400 \times 25\% = \$829,600$).
12. **Insurance Fund** - All funds transferred to the Insurance Fund are budgeted to pay premiums and associated costs and are not available for reallocation.
13. **Equipment Services Fund** - This reserve is established for the scheduled replacement of Village vehicles and is not available for reallocation.
14. **Police Pension Fund** - All Police Pension funds are reserved for paying pensions of retired police officers.

A-8

RESOLUTION NO. _____

**A RESOLUTION ESTABLISHING THE GENERAL
POLICY OF THE VILLAGE OF GLEN ELLYN
REGARDING THE ETHICS STANDARDS EXPECTED
FROM ITS CIVIL SERVANTS.**

WHEREAS, the Village of Glen Ellyn (“Village”) has benefited from the recognition of is civil servants that the citizens of the Village require the local governmental body and its offices, employees, members of committees and commissions and appointed volunteers to carry out their operations using the highest ethical standards; and

WHEREAS, there have been many statements made at Village Board meetings and on other occasions outlining the general principles which have allowed the municipality to operate in this way; and

WHEREAS, the Corporate Authorities wish to memorialize these concepts in a resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GLEN ELLYN, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: The Village of Glen Ellyn is a special place, and desires to uphold and promote standards of ethical behavior from all hired, appointed or elected holders of a government position in the Village, including all Village elected and appointed officers, employees commissioners, appointed volunteers and vendors representing the Village when they are in direct contact with the Village’s customers or in the performance of the duties of their position. These groups will be referred to collectively as civil servants in this resolution.

The Village embraces the following characteristics in its operations and functions:

- Trustworthiness

- Respect
- Responsibility
- Fairness
- Caring
- Citizenship
- Leading by example.

SECTION 2: THE Village believes that promoting an ethical culture helps Glen Ellyn by enhancing its reputation as a respected and superior employer, and enhancing its ability to execute, innovate and deliver high quality service. The Village believes an ethical culture attracts and retains valuable civic servants in all positions and ultimately leads to better financial results and morale. Accordingly, all civil servants shall maintain honorable standards of ethical behavior.

SECTION 3: The Village of Glen Ellyn has a commitment to provide ethical conduct in the service to the community. The purpose of his resolution is to require that all civil servants associated with the Village have clear guidelines for carrying out their roles and responsibilities. Guidelines for ethical behavior include:

- Maintain personal integrity, truthfulness, honesty, sincerity, and fairness in carrying out public duties.
- Hold oneself and others accountable for ethical behavior.
- Do not condone, justify or ignore inappropriate business behavior or illegal acts by others.
- Be a role model in using words and actions that align with ethical behavior.
- Use a clear and effective communication style when delivering the intended message and be respectful of others in the process.
- Listen carefully and be open to other ideas and opinions.
- Follow-up on commitments made.
- Keep the customer and the Village's reputation in mind in all matters.
- Avoid the spreading of rumor, innuendo and gossip.
- Accept responsibility for failures as well as successes.
- Maintain an environment of trust and openness at all times.
- Evaluate one's own ethical work practices as they relate to the Village regularly and looking for opportunities to improve.

SECTION 4: The Village of Glen Ellyn recognizes that civil servants operate in a fast-paced, customer service based environment that consistently challenges them to make effective and timely decisions. The pressure to perform can lead to situations where doing the right thing may not be expedient or easy. When making decisions in their work for the Village, civil servants should consider the following:

- The facts and issues.
- The needs of the Village of Glen Ellyn and the individuals involved.
- Others who could be affected by the decision and their input.
- Village of Glen Ellyn ordinances, policies, legal obligations and regulations that apply.
- Input from experts on the subject matter being considered.

SECTION 5: In addition, Glen Ellyn civil servants shall:

- Perform their duties and responsibilities in compliance with this resolution, the Village ethics ordinance and any personnel manual or handbook that governs their assignments.
- Identify all conflicts of interest to the Village that may arise in performing the duties.
- Keep confidential information as such.
- File statements of economic interest annually if required by Village ordinance or policy.
- Report concerns of ethical behavior or violations to the Village Ethics Officer.
- Commit to ethical conduct in service to the community.
- Avoid any improprieties in their roles as public servants.
- Not accept any gifts, favors or any other service/item from an individual or company in order to influence the civil servant in their duties to the Village.

SECTION 6: This Resolution shall be in full force and effect from and after its passage and approval, as provided by law.

PASSED by the Village President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20 ____.

AYES:

NAYS:

ABSENT:

APPROVED by the Village President and Board of Trustees of the Village of Glen Ellyn,
Illinois, this _____ day of _____, 20_____.

Village President of the
Village of Glen Ellyn, Illinois

ATTEST:

Village Clerk of the
Village of Glen Ellyn, Illinois

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ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING STANDARDS
FOR ETHICAL CONDUCT BY CIVIL SERVANTS
PROVIDING FOR A PROCESS TO REVIEW
AND ACT UPON ALLEGED VIOLATIONS AND ADDING
CHAPTER 12 TO TITLE 1, OF THE GLEN ELLYN VILLAGE CODE.**

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE
VILLAGE OF GLEN ELLYN, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS
HOME RULE POWERS, as follows:

SECTION 1: That there shall be added to the Village Code of the Village of Glen Ellyn,
in Title I, Administrative, a new Section 12, to be entitled "Ethics."

CHAPTER 12

ETHICS

SECTION:

- 1-12-1: Purpose of the Glen Ellyn Ethics Policy
 - 1-12-2: Application of Laws and Policies
 - 1-12-3: Definitions
 - 1-12-4: Ethics Officer
 - 1-12-5: Conflicts of Interest
 - 1-12-6: Gift Ban
 - 1-12-7: Political Activity
 - 1-12-8: Treatment of Confidential and Sensitive Information
 - 1-12-9: Use of Authority/Influence
 - 1-12-10: Statement of Economic Interest
 - 1-12-11: Vendors
 - 1-12-12: General Penalty
-
- 1-12-1: Purpose of the Glen Ellyn Ethics Policy

It is the policy of the Village of Glen Ellyn to uphold, promote, and demand the highest standards of ethical behavior from all elected and appointed civil servants. Accordingly, all

~~elected officials members of the Village Board~~, advisory ~~commissioner~~ ~~commissions~~ and boards ~~members~~, appointed volunteers, ~~and employees~~, ~~and others regulated in this Chapter~~, shall maintain the utmost standards of personal integrity, truthfulness, honesty and fairness in carrying out their public duties. All shall comply with all applicable laws, ordinances and policies, and never use their Village position or powers improperly, or for personal or private gain. Undisclosed and unmanaged conflicts of interest are undesirable because they may lead to the appearance that a civil servant is placing his or her interests above the public interest.

The Village of Glen Ellyn and its civil servants share a commitment to ethical conduct in service to the community. The purpose of this ethics policy is to ensure that all persons associated with the Village as civil servants or others regulated in this Chapter, ~~as defined herein~~, have clear guidance for carrying out their roles and responsibilities.

1-12-2: Application of Laws and Policies

All civil servants of the Village of Glen Ellyn, as defined herein, are subject to the provisions of this ethics policy and applicable state law addressing ethics. In addition, the actions of civil servants, to the extent applicable, shall be subject to the provisions of the Village of Glen Ellyn Personnel Manual and any other rules of operation and performance, including written contracts, applicable to the performance of their duties.

1-12-3: Definitions

For purposes of this policy, the following definitions shall apply:

CIVIL SERVANT: Any individual who serves the Village of Glen Ellyn in an official capacity as an elected or appointed official, member of advisory commissions and boards, appointed volunteer or employee.

FAMILY RELATIONSHIP or FAMILY MEMBER: Any relationship defined as follows: spouse, domestic partner, parents, parents of spouse or domestic partner, siblings, siblings of spouse or domestic partner, children (including adopted), and children of spouse or domestic partner, (including adopted).

FINANCIAL INTEREST: Any economic interest or relationship, whether by ownership, trust, purchase, sale, lease, contract, option, investment, employment, gift, fee or otherwise; whether present, promised or reasonably expected; whether direct or indirect, including interests as consultant, representative or other person receiving (or who may be receiving) remuneration, either directly or indirectly, as a result of a transaction; whether in the person itself or in a parent or subsidiary corporation, or in another subsidiary of the same parent; whether such interest is held directly or indirectly by the civil servant, the spouse or minor child of such civil servant, or any other person with a family relationship with such civil servant owning or sharing the same household as the civil servant. Interest shall not include: 1) interest in a mutual fund or managed account; 2) an ownership interest of less than five percent (5%) in any business entity; or 3) an interest of general applicability affecting others in similar situations.

GIFT: Any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government civil servants or the official position of a civil servant.

NON-FINANCIAL INTEREST: Any non-financial consideration that is substantial enough to affect a civil servant's judgment or that could lead to the appearance that the civil servant's judgment has been affected. Such interests may be direct or indirect, through business, investments, family or personal relationships.

PERSONAL RELATIONSHIP: Any personal relationship that would prevent an individual from acting with impartiality.

RECUSE: To refrain from participation in any official discussion, meeting or deliberation regarding a transaction and, where permitted to vote, to cast a vote of recusal when any vote is taken on such transaction.

TRANSACTION: Any matter, including, without limitation, contracts, work or business with the village, the sale or purchase of real estate by the village and any requests for zoning, development or subdivision approvals, including, without limitation, rezonings, variations and special use permits, licenses or other requests, pending before the village, with respect to which an civil servant performs an official act or action.

1-12-4: Ethics Officer

~~aA. The position of Ethics Officer is hereby established for the Village. The Ethics Officer shall be appointed by the Village President subject to the confirmation by the Village Board. The Ethics Officer must have training in the establishment and performance of ethical standards. The Ethics Officer shall receive the salary that is established by motion at the time of appointment or set from time-to-time. The Ethics Officer shall be responsible to conduct an investigation regarding any complaints received against any elected civil servant, civil servant serving on a volunteer board or commission, or the Village Manager. The Ethics Officer shall initially determine whether the complaint presents a basis for an investigation. The Ethics Officer shall also respond to requests seeking an opinion as to whether a matter may represent a potential conflict of interest, or an actual conflict. The Ethics Officer shall also carry out such other duties within the scope of this chapter as shall be specifically directed in writing by the Village President or action of the Village Board.~~

~~The Ethics Officer shall make a recommendation to the President & Village Board as to whether any complaint should be referred to the Village Prosecutor for violation of a local ordinance. The Village Board shall determine whether the matter should be referred to the Village Prosecutor, or whether some lesser action is appropriate. If an ethics complaint is received against an employee (with the exception of the Village Manager), the Village Manager may conduct the necessary investigation and resolve the complaint as a disciplinary matter utilizing the provisions of the Personnel Manual. The Village Manager may also refer the matter to the Village Prosecutor.~~

Should an ethics complaint be filed, the Ethics Officer will...

- Determine whether or not the complaint presents a basis for investigation
- If the complaint is determined to not present a basis for investigation, no further action will be taken
- If the complaint is determined to present a basis for investigation, the Ethics Officer will conduct an investigation
- Upon the completion of the investigation, based on its findings, the Ethics Officer will either...
 - Take no further action
 - Make a recommendation to the Village President and Village Board for consideration of one of the following courses of action...
 - Referral of the matter to the Village Prosecutor for prosecution of violation(s) of local ordinances
 - some lesser action deemed appropriate

The Village Board shall determine whether the matter should be referred to the Village Prosecutor, or whether some lesser action is appropriate.

The Ethics Officer shall also reply to requests seeking an opinion as to whether a matter may represent a potential conflict of interest, or an actual conflict or other questions regarding this Chapter. The Ethics Officer shall also carry out such other duties within the scope of this Chapter as shall be specifically directed in writing by the Village President or action of the Village Board.

~~bB. The Village Clerk is authorized to receive and maintain any ethics complaint made against any civil servant. If the complaint is against an elected civil servant, a member of a volunteer board or commission or the Village Manager, the complaint shall be referred to the Ethics Officer for disposition. If the complaint is against an employee, the complaint shall be referred to the Village Manager. Any complaint that a violation of Chapter 12 has taken place shall be in writing, shall be signed and shall be filed with the Ethics Officer. If any other civil servant should receive a written and signed complaint, which has been mistakenly given or sent, it shall be promptly filed with the Ethics Officer.~~

1-12-5: Conflicts of Interest.

All civil servants shall avoid situations that present a conflict of interest, or a potential conflict of interest. It is the responsibility of all civil servants to solely serve the public interest of the Village of Glen Ellyn. To achieve that requirement it is necessary to avoid situations that present dual interests that can compromise, or appear to compromise the objectivity of decisions.

- a. ***Prohibited Transactions:*** No civil servant shall participate in any transaction in which: 1) a financial interest as defined in this Chapter policy would present a conflict of interest or a potential conflict of interest, 2) a non-financial interest as

defined in this ~~Chapter policy~~ would present a conflict of interest or a potential conflict of interest, 3) participation would constitute a conflict of interest under the statutes or common law of the state of Illinois.

- b. **Recusal:** Any civil servant shall recuse himself or herself in connection with any transaction that comes before such civil servant in the course of his or her duties, whenever such civil servant has: 1) any interest in the transaction; 2) any family relationship with a person having an interest in such transaction; or 3) any interest in an applicant appearing before the civil servant in an official capacity, even if the civil servant does not have an interest in the transaction itself.
- c. **Notification:** Upon becoming aware of any conflict of interest as described in subsection “a” of this section, any civil servant shall promptly provide written notification, within forty-eight (48) hours, to the appropriate authority of such conflict and the civil servant's recusal from any official action with respect to the transaction, as follows:
 - 1. Employees, appointed officers or appointed volunteers shall notify the director of the department and the village manager;
 - 2. The village manager shall notify the village president and the board of trustees;
 - 3. Members of boards and commissions shall notify the chairperson of such board or commission;
 - 4. Chairpersons of boards and commissions shall notify the village manager, village president and the board of trustees;
 - 5. The village president shall notify the village manager and the board of trustees;
 - 6. Any person serving in an elected position shall notify the village president, village manager and the other members of the board of trustees.
- d. **Nonappearance Before Same Board or Commission:** No civil servant required to recuse himself or herself in connection with a transaction shall appear before the board or commission of which he or she is a member with respect to such transaction.
- e. **Nonparticipation and Disclosure Before Other Board or Commission:** Any civil servant who has actual knowledge that he or she, individually or through a family relationship, has an interest in a transaction pending before a board or commission on which the civil servant does not serve as a member, either: 1) shall not appear or participate personally before the other Board or Commission on which he or she does not serve relating to such transaction; or 2) shall disclose such interest on the record prior to participating in any proceeding before a village board or commission.

- f. **Potential conflict of interest.** The Glen Ellyn community has a right to expect that the public interest will be served by all individuals involved in local government. To maintain the public trust it is imperative that civil servants present an image of objectivity and fairness in all official actions. Civil servants have the continual and ongoing obligation to promptly disclose not only any known conflicts of interest but also to identify any issues that may have the potential for a conflict of interest, and if they are in doubt to seek the opinion of the Ethics Officer. When such advice is sought, the Ethics Officer will determine if the potential conflict requires the civil servant to take or refrain from taking some action.

1-12-6: Gift Ban:

No civil servant or family member shall accept any prohibited gift, favor or consideration from any ~~person or entity~~individual directly or indirectly involved in business dealings with the village. Nor shall any civil servant accept any prohibited gift, favor or consideration of value that may influence, or has the appearance of influencing a civil servant in the performance of their public duties.

- a. **Prohibited gifts.** Except as otherwise provided in this ~~Section~~Article, no civil servant shall intentionally solicit or accept any gift from any prohibited source or in violation of any federal or State statute, rule, or regulation. A prohibited source shall be any person or entity who is seeking an action or inaction from the Village, is doing business or seeks to do business with the Village, conducts activities regulated by the Village or has interests that may be substantially affected by the performance or non-performance of the civil servant. This ban applies to and includes the spouse of and immediate family living with the civil servant. No individual shall intentionally offer or make a gift that violates this Section.
- b. **Exceptions.** The restrictions do not apply to the following:
1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
 2. Anything for which the civil servant pays the market value.
 3. Any contribution that is lawfully made under the Election Code or under this ~~Chapter~~Aet or activities associated with a fundraising event in support of a political organization or candidate.
 4. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
 5. Anything provided by an individual based on a personal friendship unless the civil servant has reason to believe that, under the circumstances, the gift was provided

because of the civil servant's position and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship the civil servant shall consider the circumstances under which the gift was offered, such as:

(i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals;

(ii) whether to the actual knowledge of the civil servant the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and

(iii) whether to the actual knowledge of the civil servant the individual who gave the gift also at the same time gave the same or similar gifts to other civil servants.

6. Intra-governmental and inter-governmental gifts. For the purpose of this section, "intra-governmental gift" means any gift given to a civil servant from another civil servant of the village, and "inter-governmental gift" means any gift given to a civil servant by an official of any other governmental entity.
7. If provided for in the Village's budget, the recognition of a civil servant's life event such as birth, death, marriage, illness, or retirement such as flowers or a donation.
8. Bequests, inheritances, and other transfers at death.
9. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purpose of this section, "catered" means food or refreshments that are purchased ready to eat and delivered by any means.
10. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.
11. Each of the exceptions listed in this Section is mutually exclusive and independent of one another.

- c. **Gift ban; disposition of gifts.** A civil servant does not violate this section if the civil servant promptly takes reasonable action to return the prohibited gift to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c) (3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

1-12-7: Political Activity

a. **Prohibited ~~p~~Political activities.** Employees shall not intentionally perform any ~~prohibited~~ political activity during any compensated time (other than vacation, personal, or compensatory time off). Employees shall not intentionally misappropriate any Village property or resources by engaging in any ~~prohibited~~ political activity for the benefit of any campaign for elective office or any political organization.

b. **Coerced political activity.** At no time shall any elected civil servant or

supervisory employee intentionally misappropriate the services of any employee by requiring that employee to perform any ~~prohibited~~ political activity as part of that employee's duties, as a condition of village employment, or during any time off that is compensated by the village (such as vacation, personal, or compensatory time off).

c. **Compensated political activity.** A village employee shall not be required at any time to participate in any ~~prohibited~~ political activity in consideration for that employee being awarded any additional compensation or employee benefit, in the form of a salary adjustment, bonus, compensatory time off, continued employment, or otherwise.

d. **Rewarded political activity.** A village employee shall not be awarded any additional compensation or employee benefit, in the form of a salary adjustment, bonus, compensatory time off, continued employment, or otherwise, in consideration for the employee's participation in any ~~prohibited~~ political activity, which is prohibited under Subsections a, b or c.

e. **Exceptions.** Nothing in this Section prohibits activities that are otherwise appropriate for a village employee to engage in as a part of his or her official employment duties or activities that are undertaken by an employee on a voluntary basis as permitted by law.

1-12-8: Treatment of Confidential and Sensitive Information

No civil servant or former civil servant shall disclose or improperly utilize any confidential information learned during employment with the Village without prior authorization.

Authorization for disclosure by elected civil servants and the Village Manager shall be provided by the Village President in writing. Authorization for disclosure by employees shall be provided by the Village Manager in writing.

Confidential information shall mean any non-public information, written or otherwise, including information exempt from disclosure pursuant to the Open Meetings Act, the Freedom of Information Act, or information exempt from disclosure pursuant to written agreement.

1-12-9: Use of Authority/Influence

- a. **Use of Position to Influence Employment for Others.** No elected civil servant shall directly or indirectly communicate with staff seeking to influence the hiring or termination of an employee or contractor. Such discussions shall be conducted with the Village President or Village Manager, or in accordance with the requirements of the Open Meetings Act, with members of the village board.
- b. **Use of Position to Seek Favors for Self or Others.** No civil servant shall directly or indirectly obtain or seek to obtain preferential treatment for himself or herself or any other individual or entity. Civil servants shall follow the same rules, regulations and processes that is applicable to the general public. Village staff shall maintain a record of all written or oral communications from all elected officials and department heads in which the requester appears to be directly or indirectly seeking to obtain preferential treatment for himself or herself or any other individual or entity. The communications

from department heads should always be reported when they involve requests unrelated to that individual's duties in the Village. All such requests should be reported to the Village President and to the Village Manager, who may choose to inquire from the Ethics Officer or the Prosecutor whether the communication constitutes a violation of this ~~Chapter code~~. Village staff may also transmit communications from other Civil Servants which they believe may violate this code.

- c. **Use of Position to Misrepresent Official Policy.** No civil servant shall utilize his or her role to intentionally misrepresent the policy or position of the Village of Glen Ellyn.

~~d. **Interaction Among Civil Servants.** The employees of Village, under the supervision of Department heads, and ultimately the direction of the Village Manager are responsible for the day to day operations of the Village. All operational matters shall be directed to and carried out through the Village Manager's office.~~

~~The Village Board, with the advice and recommendations of members of Village Commissions, Committees, Advisory Boards, are responsible for shaping and setting village policy and providing direction for the village. All policy matters should be determined by the Village Board, although input and advice from other civil servants are welcome. Once established, the Village's policies should be followed by all civil servants unless determined to be in violation of the law.~~

~~The Village intends to establish and maintain a collaborative model which permits elected and appointed personnel to function within established guidelines. Acting outside of any written guidelines will not find favor, success or advancement and is a violation of his chapter.~~

- e.d. **Discrimination.** No civil servant shall engage in discriminatory behavior based upon race, age, sex, sexual orientation, gender identity, religious affiliation, marital status or any other protected status under applicable law.

1-12-10: Statement of Economic Interest.

In accordance with State statutes, the Village Clerk annually prepares a list of civil servants who are required to file a statement of economic interest. All civil servants subject to the law are required to complete and file the statement in accordance with the deadlines established by the DuPage County Clerk.

1-12-11: Vendors. To the extent that vendors such as the supplier of goods or services to the Village perform tasks as representatives or agents of the Village, they shall be subject to the provisions of this Chapter, as if they were civil servants. Their exposure as persons whose actions would subject them to violations of this ~~e~~Chapter shall be limited to the actual times when they supply goods, or perform services for the Village and interact with persons or entities who are seeking or resisting municipal actions.

1-12-12: General Penalty

Any Civil Servant, excluding appointed volunteers, convicted of a violation of any section contained within this Chapter shall be fined a sum of not ~~less than Two Hundred Fifty Dollars (\$250.00)~~ ~~nor~~ more than Seven Hundred Fifty Dollars (\$750.00) for each violation. A violation committed shall be considered a separate offense each day. In addition, violations of the provisions of this Chapter may be utilized to take disciplinary action up to and including discharge for civil servants who are employees, serve in appointed offices, or are appointed volunteers. Elected officials, who violate any provisions of this Chapter, may, upon conviction, be fined as provided for in this section, and such violations may be utilized by the corporate authorities to determine whether that person's actions should be censured.

SECTION 2: This Ordinance establishing standards for civil servants shall be approved and published in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law, but it shall only come into effect ninety(90) days after its date of passage or thirty (30) days after the date upon which an Ethics Officer shall be appointed and confirmed, whichever event should occur sooner.

PASSED by the Village President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20_____.

AYES:

NAYS:

ABSENT:

APPROVED by the Village President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20_____.

Village President of the
Village of Glen Ellyn, Illinois

ATTEST:

Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the _____ day of _____, 20____.)

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| [\\DRollins\My Documents\Glenelly\Ethics Policy - BLACKLINED - 2-18-11.doc 3146324.0000](#)

ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING STANDARDS
FOR ETHICAL CONDUCT BY CIVIL SERVANTS
PROVIDING FOR A PROCESS TO REVIEW
AND ACT UPON ALLEGED VIOLATIONS AND ADDING
CHAPTER 12 TO TITLE 1, OF THE GLEN ELLYN VILLAGE CODE.**

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE
VILLAGE OF GLEN ELLYN, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS
HOME RULE POWERS, as follows:

SECTION 1: That there shall be added to the Village Code of the Village of Glen Ellyn,
in Title I, Administrative, a new Section 12, to be entitled "Ethics."

CHAPTER 12

ETHICS

SECTION:

- 1-12-1: Purpose of the Glen Ellyn Ethics Policy
- 1-12-2: Application of Laws and Policies
- 1-12-3: Definitions
- 1-12-4: Ethics Officer
- 1-12-5: Conflicts of Interest
- 1-12-6: Gift Ban
- 1-12-7: Political Activity
- 1-12-8: Treatment of Confidential and Sensitive Information
- 1-12-9: Use of Authority/Influence
- 1-12-10: Statement of Economic Interest
- 1-12-11: Vendors
- 1-12-12: General Penalty

- 1-12-1: Purpose of the Glen Ellyn Ethics Policy

It is the policy of the Village of Glen Ellyn to uphold, promote, and demand the highest standards of ethical behavior from all elected and appointed civil servants. Accordingly, all elected officials, advisory commissioners and board members, appointed volunteers, employees, and others regulated in this Chapter, shall maintain the utmost standards of personal integrity,

truthfulness, honesty and fairness in carrying out their public duties. All shall comply with all applicable laws, ordinances and policies, and never use their Village position or powers improperly, or for personal or private gain. Undisclosed and unmanaged conflicts of interest are undesirable because they may lead to the appearance that a civil servant is placing his or her interests above the public interest.

The Village of Glen Ellyn and its civil servants share a commitment to ethical conduct in service to the community. The purpose of this ethics policy is to ensure that all persons associated with the Village as civil servants or others regulated in this Chapter, have clear guidance for carrying out their roles and responsibilities.

1-12-2: Application of Laws and Policies

All civil servants of the Village of Glen Ellyn, as defined herein, are subject to the provisions of this ethics policy and applicable state law addressing ethics. In addition, the actions of civil servants, to the extent applicable, shall be subject to the provisions of the Village of Glen Ellyn Personnel Manual and any other rules of operation and performance, including written contracts, applicable to the performance of their duties.

1-12-3: Definitions

For purposes of this policy, the following definitions shall apply:

CIVIL SERVANT: Any individual who serves the Village of Glen Ellyn in an official capacity as an elected or appointed official, member of advisory commissions and boards, appointed volunteer or employee.

FAMILY RELATIONSHIP or FAMILY MEMBER: Any relationship defined as follows: spouse, domestic partner, parents, parents of spouse or domestic partner, siblings, siblings of spouse or domestic partner, children (including adopted), and children of spouse or domestic partner, (including adopted).

FINANCIAL INTEREST: Any economic interest or relationship, whether by ownership, trust, purchase, sale, lease, contract, option, investment, employment, gift, fee or otherwise; whether present, promised or reasonably expected; whether direct or indirect, including interests as consultant, representative or other person receiving (or who may be receiving) remuneration, either directly or indirectly, as a result of a transaction; whether in the person itself or in a parent or subsidiary corporation, or in another subsidiary of the same parent; whether such interest is held directly or indirectly by the civil servant, the spouse or minor child of such civil servant, or any other person with a family relationship with such civil servant owning or sharing the same household as the civil servant. Interest shall not include: 1) interest in a mutual fund or managed account; 2) an ownership interest of less than five percent (5%) in any business entity; or 3) an interest of general applicability affecting others in similar situations.

GIFT: Any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and

honoraria for speaking engagements related to or attributable to government civil servants or the official position of a civil servant.

NON-FINANCIAL INTEREST: Any non-financial consideration that is substantial enough to affect a civil servant's judgment or that could lead to the appearance that the civil servant's judgment has been affected. Such interests may be direct or indirect, through business, investments, family or personal relationships.

PERSONAL RELATIONSHIP: Any personal relationship that would prevent an individual from acting with impartiality.

RECUSE: To refrain from participation in any official discussion, meeting or deliberation regarding a transaction and, where permitted to vote, to cast a vote of recusal when any vote is taken on such transaction.

TRANSACTION: Any matter, including, without limitation, contracts, work or business with the village, the sale or purchase of real estate by the village and any requests for zoning, development or subdivision approvals, including, without limitation, rezonings, variations and special use permits, licenses or other requests, pending before the village, with respect to which an civil servant performs an official act or action.

1-12-4: Ethics Officer

a. The position of Ethics Officer is hereby established for the Village. The Ethics Officer shall be appointed by the Village President subject to the confirmation by the Village Board. The Ethics Officer must have training in the establishment and performance of ethical standards. The Ethics Officer shall receive the salary that is established by motion at the time of appointment or set from time-to-time.

- Should an ethics complaint be filed, the Ethics Officer will...
- Determine whether or not the complaint presents a basis for investigation
- If the complaint is determined to not present a basis for investigation, no further action will be taken
- If the complaint is determined to present a basis for investigation, the Ethics Officer will conduct an investigation
- Upon the completion of the investigation, based on its findings, the Ethics Officer will either...
 - Take no further action
 - Make a recommendation to the Village President and Village Board for consideration of one of the following courses of action...
 - Referral of the matter to the Village Prosecutor for prosecution of violation(s) of local ordinances
 - some lesser action deemed appropriate

The Village Board shall determine whether the matter should be referred to the Village Prosecutor, or whether some lesser action is appropriate.

The Ethics Officer shall also reply to requests seeking an opinion as to whether a matter may represent a potential conflict of interest, or an actual conflict or other questions regarding this Chapter. The Ethics Officer shall also carry out such other duties within the scope of this Chapter as shall be specifically directed in writing by the Village President or action of the Village Board.

b. Any complaint that a violation of Chapter 12 has taken place shall be in writing, shall be signed and shall be filed with the Ethics Officer. If any other civil servant should receive a written and signed complaint, which has been mistakenly given or sent, it shall be promptly filed with the Ethics Officer.

1-12-5: Conflicts of Interest.

All civil servants shall avoid situations that present a conflict of interest, or a potential conflict of interest. It is the responsibility of all civil servants to solely serve the public interest of the Village of Glen Ellyn. To achieve that requirement it is necessary to avoid situations that present dual interests that can compromise, or appear to compromise the objectivity of decisions.

- a. **Prohibited Transactions:** No civil servant shall participate in any transaction in which: 1) a financial interest as defined in this Chapter would present a conflict of interest or a potential conflict of interest, 2) a non-financial interest as defined in this Chapter would present a conflict of interest or a potential conflict of interest, 3) participation would constitute a conflict of interest under the statutes or common law of the state of Illinois.
- b. **Recusal:** Any civil servant shall recuse himself or herself in connection with any transaction that comes before such civil servant in the course of his or her duties, whenever such civil servant has: 1) any interest in the transaction; 2) any family relationship with a person having an interest in such transaction; or 3) any interest in an applicant appearing before the civil servant in an official capacity, even if the civil servant does not have an interest in the transaction itself.
- c. **Notification:** Upon becoming aware of any conflict of interest as described in subsection "a" of this section, any civil servant shall promptly provide written notification, within forty-eight (48) hours, to the appropriate authority of such conflict and the civil servant's recusal from any official action with respect to the transaction, as follows:
 1. Employees, appointed officers or appointed volunteers shall notify the director of the department and the village manager;
 2. The village manager shall notify the village president and the board of trustees;
 3. Members of boards and commissions shall notify the chairperson of such board or commission;

4. Chairpersons of boards and commissions shall notify the village manager, village president and the board of trustees;
 5. The village president shall notify the village manager and the board of trustees;
 6. Any person serving in an elected position shall notify the village president, village manager and the other members of the board of trustees.
- d. **Nonappearance Before Same Board or Commission:** No civil servant required to recuse himself or herself in connection with a transaction shall appear before the board or commission of which he or she is a member with respect to such transaction.
 - e. **Nonparticipation and Disclosure Before Other Board or Commission:** Any civil servant who has actual knowledge that he or she, individually or through a family relationship, has an interest in a transaction pending before a board or commission on which the civil servant does not serve as a member, either: 1) shall not appear or participate personally before the other Board or Commission on which he or she does not serve relating to such transaction; or 2) shall disclose such interest on the record prior to participating in any proceeding before a village board or commission.
 - f. **Potential conflict of interest.** The Glen Ellyn community has a right to expect that the public interest will be served by all individuals involved in local government. To maintain the public trust it is imperative that civil servants present an image of objectivity and fairness in all official actions. Civil servants have the continual and ongoing obligation to promptly disclose not only any known conflicts of interest but also to identify any issues that may have the potential for a conflict of interest, and if they are in doubt to seek the opinion of the Ethics Officer. When such advice is sought, the Ethics Officer will determine if the potential conflict requires the civil servant to take or refrain from taking some action.

1-12-6: Gift Ban:

No civil servant or family member shall accept any prohibited gift, favor or consideration from any person or entity directly or indirectly involved in business dealings with the village. Nor shall any civil servant accept any prohibited gift, favor or consideration of value that may influence, or has the appearance of influencing a civil servant in the performance of their public duties.

- a. **Prohibited gifts.** Except as otherwise provided in this Section, no civil servant shall intentionally solicit or accept any gift from any prohibited source or in violation of any federal or State statute, rule, or regulation. A prohibited source shall be any person or entity who is seeking an action or inaction from the Village, is doing business or seeks to do business with the Village, conducts activities regulated by the Village or has interests that may be substantially affected by the performance or non-performance of the civil

servant. This ban applies to and includes the spouse of and immediate family living with the civil servant. No individual shall intentionally offer or make a gift that violates this Section.

b. **Exceptions.** The restrictions do not apply to the following:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the civil servant pays the market value.
3. Any contribution that is lawfully made under the Election Code or under this Chapter or activities associated with a fundraising event in support of a political organization or candidate.
4. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
5. Anything provided by an individual based on a personal friendship unless the civil servant has reason to believe that, under the circumstances, the gift was provided because of the civil servant's position and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship the civil servant shall consider the circumstances under which the gift was offered, such as:
 - (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals;
 - (ii) whether to the actual knowledge of the civil servant the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and
 - (iii) whether to the actual knowledge of the civil servant the individual who gave the gift also at the same time gave the same or similar gifts to other civil servants.
6. Intra-governmental and inter-governmental gifts. For the purpose of this section, "intra-governmental gift" means any gift given to a civil servant from another civil servant of the village, and "inter-governmental gift" means any gift given to a civil servant by an official of any other governmental entity.
7. If provided for in the Village's budget, the recognition of a civil servant's life event such as birth, death, marriage, illness, or retirement such as flowers or a donation.
8. Bequests, inheritances, and other transfers at death.
9. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purpose of this section,

“catered” means food or refreshments that are purchased ready to eat and delivered by any means.

10. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.
11. Each of the exceptions listed in this Section is mutually exclusive and independent of one another.

- c. **Gift ban; disposition of gifts.** A civil servant does not violate this section if the civil servant promptly takes reasonable action to return the prohibited gift to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c) (3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

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- b. **Coerced political activity.** At no time shall any elected civil servant or supervisory employee intentionally misappropriate the services of any employee by requiring that employee to perform any political activity as part of that employee's duties, as a condition of village employment, or during any time off that is compensated by the village (such as vacation, personal, or compensatory time off).
- c. **Compensated political activity.** A village employee shall not be required at any time to participate in any political activity in consideration for that employee being awarded any additional compensation or employee benefit, in the form of a salary adjustment, bonus, compensatory time off, continued employment, or otherwise.
- d. **Rewarded political activity.** A village employee shall not be awarded any additional compensation or employee benefit, in the form of a salary adjustment, bonus, compensatory time off, continued employment, or otherwise, in consideration for the employee's participation in any political activity, which is prohibited under Subsections a, b or c.
- e. **Exceptions.** Nothing in this Section prohibits activities that are otherwise appropriate for a village employee to engage in as a part of his or her official employment duties or activities that are undertaken by an employee on a voluntary basis as permitted by law.

1-12-8: Treatment of Confidential and Sensitive Information

No civil servant or former civil servant shall disclose or improperly utilize any confidential information learned during employment with the Village without prior authorization. Authorization for disclosure by elected civil servants and the Village Manager shall be provided by the Village President in writing. Authorization for disclosure by employees shall be provided by the Village Manager in writing.

Confidential information shall mean any non-public information, written or otherwise, including information exempt from disclosure pursuant to the Open Meetings Act, the Freedom of Information Act, or information exempt from disclosure pursuant to written agreement.

1-12-9: Use of Authority/Influence

- a. **Use of Position to Influence Employment for Others.** No elected civil servant shall directly or indirectly communicate with staff seeking to influence the hiring or termination of an employee or contractor. Such discussions shall be conducted with the Village President or Village Manager, or in accordance with the requirements of the Open Meetings Act, with members of the village board.
- b. **Use of Position to Seek Favors for Self or Others.** No civil servant shall directly or indirectly obtain or seek to obtain preferential treatment for himself or herself or any other individual or entity. Civil servants shall follow the same rules, regulations and processes that is applicable to the general public. Village staff shall maintain a record of all written or oral communications from all elected officials and department heads in which the requester appears to be directly or indirectly seeking to obtain preferential treatment for himself or herself or any other individual or entity. The communications from department heads should always be reported when they involve requests unrelated to that individual's duties in the Village. All such requests should be reported to the Village President and to the Village Manager, who may choose to inquire from the Ethics Officer or the Prosecutor whether the communication constitutes a violation of this Chapter. Village staff may also transmit communications from other Civil Servants which they believe may violate this code.
- c. **Use of Position to Misrepresent Official Policy.** No civil servant shall utilize his or her role to intentionally misrepresent the policy or position of the Village of Glen Ellyn.
- d. **Discrimination.** No civil servant shall engage in discriminatory behavior based upon race, age, sex, sexual orientation, gender identity, religious affiliation, marital status or any other protected status under applicable law.

1-12-10: Statement of Economic Interest.

In accordance with State statutes, the Village Clerk annually prepares a list of civil servants who are required to file a statement of economic interest. All civil servants subject to the law are required to complete and file the statement in accordance with the deadlines established by the DuPage County Clerk.

1-12-11: Vendors. To the extent that vendors such as the supplier of goods or services to the Village perform tasks as representatives or agents of the Village, they shall be subject to the provisions of this Chapter, as if they were civil servants. Their exposure as persons whose actions would subject them to violations of this Chapter shall be limited to the actual times when

they supply goods, or perform services for the Village and interact with persons or entities who are seeking or resisting municipal actions.

1-12-12: General Penalty

Any Civil Servant, excluding appointed volunteers, convicted of a violation of any section contained within this Chapter shall be fined a sum of not more than Seven Hundred Fifty Dollars (\$750.00) for each violation. A violation committed shall be considered a separate offense each day. In addition, violations of the provisions of this Chapter may be utilized to take disciplinary action up to and including discharge for civil servants who are employees, serve in appointed offices, or are appointed volunteers. Elected officials, who violate any provisions of this Chapter, may, upon conviction, be fined as provided for in this section, and such violations may be utilized by the corporate authorities to determine whether that person's actions should be censured.

SECTION 2: This Ordinance establishing standards for civil servants shall be approved and published in pamphlet form as provided by law, but it shall only come into effect ninety(90) days after its date of passage or thirty (30) days after the date upon which an Ethics Officer shall be appointed and confirmed, whichever event should occur sooner.

PASSED by the Village President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20_____.

AYES:

NAYS:

ABSENT:

APPROVED by the Village President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20_____.

Village President of the
Village of Glen Ellyn, Illinois

ATTEST:

Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the _____ day of _____, 20____.)

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