

## AGENDA

### GENERAL ADMINISTRATION & PERSONNEL COMMITTEE VILLAGE OF HOFFMAN ESTATES

February 16, 2009

**Immediately following Planning, Building and Zoning Committee**

**Members: Karen Mills, Chairperson  
Ray Kincaid, Vice-Chairperson  
Gary Pilafas, Trustee**

- I. Roll Call**
- II. Approval of Minutes – January 12, 2009**

#### **NEW BUSINESS**

- 1. Discussion regarding Legislative Update.
- 2. Request approval of Sister Cities Commission 2009 calendar of events.
- 3. Request approval of ordinance amending Sections 8-1-7, 8-1-9, 8-1-10 and 8-4-9 of Chapter 8, Licenses, of the Hoffman Estates Municipal Code.
- 4. Request approval to enter into a lease with Denali Spectrum Operations d/b/a Cricket Communications, for lease of an antenna site at 4690 Olmstead Drive.
- 5. Discussion regarding meeting agenda process.
- 6. Discussion regarding telephonic attendance at Board meetings.
- 7. Request acceptance of Cable TV Monthly Report.
- 8. Request acceptance of Human Resources Management Monthly Report.

- III. President's Report**
- IV. Other**
- V. Items in Review**
- VI. Adjournment**

*The Village of Hoffman Estates complies with the Americans with Disabilities Act (ADA). For accessibility assistance, call the ADA Coordinator at 847/882-9100.*

**GENERAL ADMINISTRATION & PERSONNEL  
COMMITTEE MEETING MINUTES**

January 12, 2009

**I. Roll Call**

**Members in Attendance:**

**Gary Pilafas, Chairperson  
Karen Mills, Vice Chairperson  
Ray Kincaid, Trustee**

**Other Corporate Authorities  
in Attendance:**

**Trustee Cary Collins  
Trustee Jackie Green  
Trustee Anna Newell  
Mayor William McLeod**

**Management Team Members  
in Attendance: in Attendance:**

**James Norris, Village Manager  
Arthur Janura, Corporation Counsel  
Daniel O'Malley, Deputy Village Manager  
Mark Koplun, Asst. Vlg. Mgr., Dev. Services  
Peter Gugliotta, Director of Planning  
Don Plass, Director of Code Enforcement  
Michael Hankey, Director of Transportation  
Bruce Anderson, CATV Coordinator  
Doug Schultz, Community Relations Coord.  
Becky Suhajda, Administration Intern**

**Reporter from Daily Herald**

The General Administration & Personnel meeting was called to order at 7:33 p.m.

**II. Approval of Minutes**

Motion by Trustee Collins, seconded by Trustee Green, to approve the General Administration & Personnel Committee meeting minutes of December 8, 2008. Voice vote taken. All ayes. Motion carried.

**NEW BUSINESS**

**1. Request approval of the 2009 Arts Commission proposed calendar.**

An item summary sheet from Michelle Pilafas and Doug Schultz was submitted to the Committee.

Chairperson Michelle Pilafas addressed the Committee and reviewed the 2009 Arts Commission events, including 3 children's events, two photography workshops, a speaker series, the popular summer concert series and the Oktoberfest event.

Motion by Trustee Collins, seconded by Mayor McLeod, to approve the 2009 Arts Commission Calendar. Voice vote taken. All ayes. Motion carried.

**2. Request approval of list of surplus items for auction purposes.**

An item summary sheet from Rebecca Suhajda was submitted to the Committee.

Motion by Trustee Collins, seconded by Trustee Pilafas, to approve an ordinance regarding surplus items for auction purposes. Voice vote taken. All ayes. Motion carried.

**3. Discussion regarding concerns with AT&T U-Verse service.**

An item summary sheet from Bruce Anderson was submitted to the Committee.

Bruce Anderson addressed the Committee and reported that Mayor McLeod and he participated in the Attorney General Committee investigation regarding the U-Verse PEG product and believes that it falls short in several areas with regard to the Illinois Cable and Video Competition Law of 2007. Staff is following up on deficiencies with U-Verse service and will continue to work with AT&T to make sure they live up to the legal requirements of the Act. U-Verse's emergency alert system is not is also a matter of concern.

Mayor McLeod stated that they are not complying with the intent of the law. If U-Verse is allowed to do this, the Mayor is concerned about Comcast or others not abiding as well. AT&T believes they are in compliance because they are doing the same throughout the country and are allowed to do so.

Staff will continue to monitor.

**4. Request acceptance of Cable TV Monthly Report.**

The Cable TV Monthly Report was submitted to the Committee.

Motion by Trustee Collins, seconded by Trustee Pilafas, to accept Cable TV monthly report. Voice vote taken. All ayes. Motion carried.

**6. Request acceptance of Human Resources Management Monthly Report.**

The Human Resources Management Monthly Report was submitted to the Committee.

Motion by Trustee Collins, seconded by Mayor McLeod, to accept Human Resources Management monthly report. Voice vote taken. All ayes. Motion carried.

**III. President's Report****IV. Other**

Trustee Kincaid requested that a grant may be available for communities regarding historical issues and requested that staff look into this and will provide the information to Mr. Norris for his review.

Trustee Pilafas inquired about when the master calendar will be available and Mr. Norris indicated that it is being worked on and should be up and running in the near future.

**V. Items in Review**

**VI. Adjournment**

Motion by Trustee Pilafas, seconded by Trustee Collins, to adjourn the meeting at 7:47 p.m. Voice vote taken. All ayes. Motion carried.

Minutes submitted by:

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Debbie Schoop, Executive Assistant

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Date

# VILLAGE OF HOFFMAN ESTATES

## Memo

**TO:** James H. Norris, Village Manager  
**FROM:** Becky Suhajda, Administrative Intern  
**RE:** Legislative Update  
**DATE:** February 16, 2009

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The following provides a summary of the status of legislation, which may impact the Village of Hoffman Estates. A summary spreadsheet of all legislative items being tracked by staff is attached. Full text and current status of all bills can be found at: <http://www.ilga.gov/> (State) and <http://thomas.loc.gov/> (Federal).

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### *Federal Legislation*

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#### **H.R. 1, S.Amndt.570 – The American Recovery and Reinvestment Act Representative Obey**

H.R. 1 as approved by the House of Representatives (vote: 244-188) and S.A. 570 as approved by the Senate (vote: 61-37) carries an estimated cost of \$825 Billion. This act includes emergency spending measures and tax cuts that are intended to stimulate the economy. Highlights include supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization, for fiscal year ending September 30, 2009.

**Status:** February 10, 2009, passed by the Senate. February 13, 2009, Rules Committee meeting to discuss Senate/House differences.

**Potential Impact on Hoffman Estates:** The Village of Hoffman Estates has compiled a list of infrastructure projects to be considered for funding during the legislative debate of H.R. 1. The stimulus package may produce funds for projects in the near future that the Village would have a hard time obtaining otherwise. This act also contains a section “Recovery for State and Local Governments” and is designed to reduce the cost of

municipal debt and stimulated new investments in the municipal-bond market. Staff will continue to monitor this legislation.

**Previous Action Taken:** A letter containing a list of the Villages' projects was sent to our representative delegation by Mayor McLeod on 2/6/09 (text-only copy attached).

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### **Housing and Economic Recovery Act of 2008**

A part of the act created the Neighborhood Stabilization Program (NSP) and appropriates \$4 billion for state and local government to purchase and rehabilitate abandoned and foreclosed housing. This housing would be sold or rented to low – and moderate income individuals and families.

**Status:** Passed by U.S. Congress July 25, 2008; signed by the President and made law effective July 30, 2008.

**Impact on Hoffman Estates:** Through NSP funds, the Village would be able to purchase foreclosed homes, rehabilitate them and either sell them or rent them back to low or moderate income residents. It would also allow the grantee to provide down payment assistance to low or moderate income residents in the purchase of a foreclosed home. There is also an opportunity to establish land banks or demolish blighted structures.

Foreclosures in the Village of Hoffman Estates are currently focused on condos and town-homes; there have been relatively few foreclosures of single-family detached homes.

**Recommendation:** At the request of Trustee Kincaid, staff continues to research the above program. Staff has met and continues to keep contact with the Northwest Housing Partnership and local banks who we have consulted on their ability to help administer applicable programs for the Village. If the Village were to apply and receive funds, staff foresees that there will be a need to add additional funds to hire new staff members with expertise in loans, mortgages, and property management to help assist with desired programs. The program allows for a 10% administrative cost, but the amount of time needed to produce a new program at an accelerated rate may exceed 10%. Staff will continue to research the program for applicable program options for the Village of Hoffman Estates.



## **2009 LEGISLATIVE PROPOSALS**

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### **PREVAILING WAGE REVISION NOTICE BY ORDINANCE:**

The legislation amends the Prevailing Wage Act to provide that a municipal ordinance or resolution referencing a revised prevailing wage rate meets the notification requirements for municipalities concerning the revised rate. The purpose of this change is to make it easier for municipalities to comply with the rate-revision-notification requirement and thereby lessen the potential for violating the Prevailing Wage Act.

### **WORKERS COMP PRESUMPTION; TOBACCO USE:**

This legislation eliminates the rebuttable presumption under the Workers' Compensation Act and Workers' Occupational Diseases Act for health impairments that result from any cancer, lung or respiratory disease or condition, or heart or vascular disease or condition if the firefighter, EMT, or paramedic used cigarettes or other tobacco products within the 5-year period preceding the time that the employee files an Application for Adjustment of Claim with the Workers' Compensation Commission.

### **MUNICIPAL HOTEL USE TAX:**

This legislation authorizes all municipalities, regardless of home rule status, to impose a municipal hotel use tax in lieu of an occupation tax. The provision basically mirrors the existing hotel occupation tax provision. There is some thought that a use tax would give the municipality more protection if the hotel files bankruptcy than would an occupation tax.

### **INCLUSION OF SSA OR SPECIAL ASSESSMENT LIENS IN EAV:**

This legislation would include any value that is attributable through the buyer's assumption of any tax or lien that is imposed under the Special Service Area Tax Law or any special assessment imposed by a unit of local government. Currently, a committee of attorneys is working on the details of the language.

### **ALTERNATE PROCEDURES FOR SSA REAPPORTIONMENT:**

This legislation creates an alternate procedure for the reapportionment of special assessments on property that is divided. The procedures require a petition signed by each property owner and a review and approval by both the board of local improvements and the circuit court.

**MFT EXPENDITURES FOR ROUTINE MAINTENANCE ACTIVITIES:**

This legislation allows qualified municipalities to make MFT expenditures for routine maintenance activities without pre-approval from, or an "agreement of understanding" with, IDOT. Municipalities would still be required to provide information to IDOT concerning the expenditures. A municipality could be prohibited from availing itself of the proposed spending flexibility for up to five years if the municipality fails to comply with all the requirements.

**NOTIFICATION OF FORECLOSURES TO MUNICIPALITIES:**

This legislation requires notification of a foreclosure proceeding by the lending institution on a residential property to be served to the clerk of the municipality in which the property is located.

**RIGHT OF INTERVENTION IN PENSION BOARD HEARINGS:**

This legislation guarantees that municipalities would have the right to intervene in fire and police pension board hearings.

**IMRF INVESTMENT OF PENSION BOARD MONEY:**

This legislation allows police and firefighter pension boards to voluntarily elect to invest money with IMRF. Because IMRF is professionally managed and subject to far fewer investment restrictions, police and firefighter pension boards electing to allow IMRF to invest their money may benefit from potentially greater investment returns.

**SALARY BLENDING FOR POLICE AND FIREFIGHTER PENSIONS:**

This legislation provides that the pension for new police and firefighters is based on the salary obtained by dividing the total earnings received by the firefighter during the period of the 48 consecutive months of service within the last 120 months of service in which his or her total earnings were the highest. Currently, the pension is based on the last-day salary.

**PENSION BOARD MEETING NOTICE TO MAYOR:**

The suggested statutory change would require municipal police and firefighter pension boards to provide notice to the mayor, village or town president, at least 48 hours prior to a meeting of the pension board. Notice must include the time, date, location, and agenda of the meeting. If a board fails to provide notice, any action taken at the meeting is invalid.

**MUNICIPAL EXEMPTION FROM DEFIBRILLATOR REQUIREMENTS:**

This legislation would exempt any outdoor facility operated by a municipality from the definition of "physical fitness facility."



### **EXECUTIVE SECRETARIES AS "CONFIDENTIAL EMPLOYEES"**

This legislation would include within the definition of "confidential employees" payroll clerks and those secretaries working directly for certain management personnel and ensure that such secretaries are not considered "public employees" entitled to membership within a bargaining unit.

### **SPECIAL SERVICE AREAS FOR STORMWATER DETENTION BASINS**

This legislation allows expenses associated with the maintenance of stormwater detention basins to be financed through the establishment of a special service area. A further change is proposed to eliminate the ability of property owners to veto a special service area created for the upkeep of the basins.

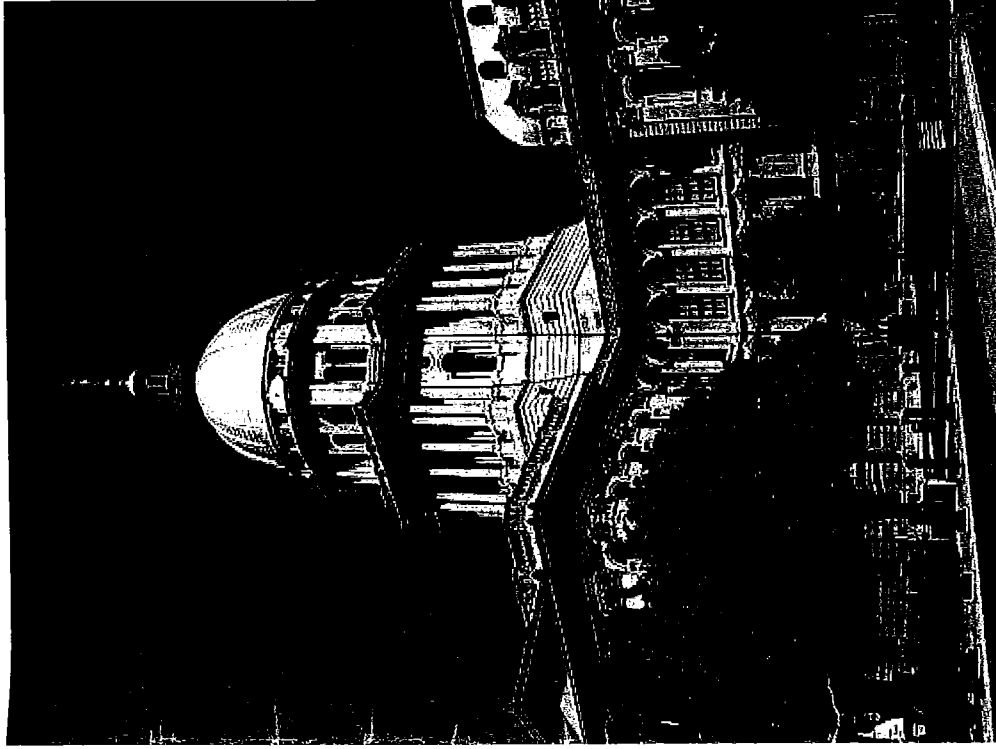
### **EXPANDED INVESTMENT AUTHORITY FOR POLICE AND FIRE PENSION FUNDS**

Downstate and suburban police and firefighter pension funds with a higher concentration of assets (\$5 million) would be given additional authority to invest directly into common or preferred stocks as long as the fund utilized a professional investment advisor.



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Antioch	Lake Barrington
Arlington Heights	Lake Forest
Barrington	Lake Zurich
Bartlett	Libertyville
Buffalo Grove	Lincolnshire
Carpentersville	Lincolnwood
Cary	Morton Grove
Crystal Lake	Mount Prospect
Deerfield	Niles
Des Plaines	Northbrook
Elk Grove Village	Northfield
Evanston	Northfield Township
Fox River Grove	Palatine
Glencoe	Park Ridge
Glenview	Prospect Heights
Golf	Rolling Meadows
Grayslake	Roselle
Hanover Park	Schaumburg
Harwood Heights	Skokie
Hawthorn Woods	Streamwood
Highland Park	Vernon Hills
Hoffman Estates	Wheeling
Inverness	Wilmette
Kenilworth	Winnetka



# 2009 Legislative Program

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**Northwest Municipal Conference**

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## 2009 NWMC Legislative Committee

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Al Larson, Co-Chair  
*President, Village of Schaumburg*

Joseph C. Farwell  
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Dear Friend of the Northwest Municipal Conference:

It is my honor to present you with the Northwest Municipal Conference's 2009 Legislative Program.

The global economic crisis will dominate most of the state and federal government's attention during the coming year. The troubles that are affecting all of us will require creativity, leadership and cooperation to resolve. The membership of the Northwest Municipal Conference has worked to find solutions to some of the most vexing problems facing local government. We have identified five tenets which will lead to greater financial stability for cities and towns throughout the state. By implementing these suggestions, the state can assist it's communities and provide leadership as we work through this difficult economic time.

The Northwest Municipal Conference is a willing partner as we work together to help keep our state and local governments fiscally solvent. As an organization, we stand ready to provide legislators with fiscal analysis of proposed legislation that will impact local governments so that informed decisions can be made. We are prepared to identify, discuss and implement solutions that benefit our mutual constituents. As always, we pledge to work cooperatively on issues that impact local governments.

Sincerely,



Karen Darch  
President, Northwest Municipal Conference and  
President, Village of Barrington

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## 2009 – Addressing the Budget Crisis

2009 will be a very challenging year for the State of Illinois. The global economic slowdown is turning into a major budget crisis for state and local governments. With the U.S. economy in a full blown recession, the impact is being felt by everyone. The stock market downturn is severely limiting investment in businesses. Companies from large manufacturers to small retailers are facing bankruptcy. Jobs are being lost. Retirement portfolios are evaporating. Consumer spending is being scaled back. Income and sales tax revenues are sharply falling. Almost everyone has felt the negative impact of the failing economy.

Illinois leaders face difficult times. While reaching a consensus on recent state budgets has been problematic, 2009 promises to be the most demanding budget to balance. Addressing the financial ills that threaten Illinois in the current fiscal climate will require a host of creative solutions tempered with hard decisions. With a record backlog of bills expected to carry over into the next fiscal year, legislators will face numerous hard choices, some more difficult than others. The situation threatens to get worse before it gets better.

Local government leaders also face difficult times. Municipalities and townships will find balancing local budgets in 2009 to be a demanding task. Many Northwest Municipal Conference members are already confronting these difficult times as they prepare their budgets for the coming fiscal year. Options to balance the books that have been implemented or are under active consideration include:

## 2009 – Addressing the Budget Crisis

(continued)

employee layoffs; unfilled vacancies; slashed capital spending; deferral of vehicle and equipment purchases; service cuts; increased taxes and fees; and, increased use of reserve or “rainy day” funds.

Despite these aggressive steps, the fiscal outlook for local governments is bleak. Revenues are significantly down and are not likely to recover in the near term. Development has slowed to a standstill in many locations. The steep stock market decline has eroded public employee pension funds and will require significantly higher municipal (taxpayer) contributions beginning in 2010 to make up for the losses.

Just like the state, the fiscal situation faced by local government also threatens to get worse before it gets better.

Thus, the great fiscal dilemma of 2009 is upon us. We simply cannot pass the cost of providing government services onto the backs of already struggling taxpayers, many of whom face their own bleak financial situations thanks to the economy. Our challenge, as local government leaders, is how do we maintain our fiscal integrity in light of the economic crisis and its impact on state and county governments and the taxpayers who support all of us?

## What Local Governments Are Doing to Balance Their Budgets

Recognizing that the economic downturn will have a severe impact on local budgets, municipal leaders have proactively taken the steps necessary to balance their budgets as described below. While these approaches have stemmed the tide for this year, the following fiscal year, with continuing revenue declines, rapidly increasing pension contributions (as a result of investment income dropping due to heavy market losses) and increasing demands for services, will leave local leaders facing even tougher decisions to hold the line. All below use calendar year budgets unless noted.

**Schaumburg** suffered a \$8.1 million deficit as a result of the economic downturn and is addressing it by leaving 17 positions vacant; cutting transit services, fire public education, DARE and school resource officers; and draining reserves by over \$6 million.

**Carpentersville**, facing a \$2 million shortfall, will layoff three positions and will close the gap by reducing gang intervention, public education and safety programs; cutting training and employee wellness programs; eliminating seasonal employees; and deferring road repairs. May 1<sup>st</sup> fiscal year.

**Barrington** addressed a \$1.5 million shortfall through an approximate 10% workforce reduction which included elimination of vacant positions and layoffs; a freeze in non-union wages; reductions in or elimination of other expenditures such as out-of-state conferences, employee programs including tuition reimbursement and vehicle maintenance and depreciation expense, eliminating vehicles and extending the useful life on those retained; and adjustments to certain taxes and fees.

## What Local Governments Are Doing to Balance their Budgets

(continued)

**Morton Grove** dealt with a \$3.2 million budget hole by leaving 4 positions vacant (including a sworn police officer, a social worker and the Human Resources Director), implementing a new self storage tax; essentially eliminating the 2009 capital improvement budget; and using more than one-third of their reserve balance.

**Rolling Meadows** targeted their \$1.2 million shortfall through a 15% reduction of their workforce and introducing a 5% electric utility tax to be used to erase a negative general fund balance.

**Glenview** proactively addressed a \$1.7 million deficit through use of a rigorous strategic planning cycle. This allowed it to enhance revenue through ambulance transport fees and changes to the way its natural gas use tax was collected (to ensure full capture of available tax revenue); transfer in a portion of its reserves; and decrease expenses through line-item budget reductions and department consolidation, cross-training, and privatization that - combined with an early retirement incentive and managed attrition -- resulted in a net reduction of ten positions without negatively impacting service delivery.

**Highland Park** tackled a \$3.4 million budget gap by reducing staff by 4 positions, raising property taxes and using \$1.4 in reserve funds.

**Arlington Heights** passed a 2008 property tax levy that was essentially flat (.32% increase) compared to the prior year; will be cutting General Fund operating expenditures by at least \$1.375 million which will likely result in a reduction of 8 to 10 staff positions; and plans to use \$2.4 million in reserves to

## Basic Tenets to Address the Budget Crisis

In exploring every possible solution to this dilemma, the Northwest Municipal Conference has outlined several necessary components to help keep local government budgets solvent and assist state government leaders in addressing their own budget situation. These basic tenets are addressed by five legislative proposals that will be described in further detail later in this Legislative Program.

**1. State government leaders should not pass their fiscal problems onto local governments**  
The primary burden of funding government -- from the federal, state and county level to municipalities, townships, and special districts -- falls squarely on the shoulders of taxpayers. Wage earners. Property owners. Businesses. Consumers. All contribute to supporting the services provided by every level of government. It makes little sense to attempt to solve the budget troubles of one level of government by shifting the burden onto another level of government. Either way, the taxpayer ultimately foots the bill.

But that is exactly what Governor Blagojevich proposed to do in November 2008. By introducing the "Emergency Budget Act of 2009", the Governor sought to provide himself the authority to hold back spending up to 8% of state appropriations in numerous areas including education, pensions, all state agencies, Constitutional officers and "total distributions of revenues received on behalf of local governments or other payments to units of local government".

## Basic Tenets to Address the Budget Crisis

(continued)

The impact upon local government budgets if this were implemented would be devastating. One significant source of funding is the Local Government Distributive Fund (LGDF), which consists of a distribution of a one-tenth share of state personal and corporate income tax revenue to local governments in exchange for local governments not imposing a local income tax. **Distributed on a per capita basis, the proposed 8% reduction in LGDF distributions would cost Northwest Municipal Conference municipalities over \$9.6 million, an average of over \$203,000 per town per year.**

Similarly, any changes to the LGDF formula would have an even larger effect. For example, a shift from the current one-tenth share of the income tax revenue to a one-twelfth share would take over \$20 million away from NWMC municipalities, an average of over \$444,000 per town.

Any state revenues taken from local governments would make already difficult budget situations virtually impossible to manage without significant tax increases or major reductions in critical services such as police and fire protection services, health and safety inspections, infrastructure maintenance and snow removal. Many non-home rule municipal government leaders, limited in their ability to raise tax revenues, would be forced to implement even more severe budget cuts despite the critical impact.

The Northwest Municipal Conference strongly opposes balancing the state budget at the expense of local government fiscal stability.

## Basic Tenets to Address the Budget Crisis

(continued)

### 2. State government leaders should spur new investment through a state capital program

The economic downturn has taken a major toll on development in Illinois communities. Tight credit and slack demand has reduced construction to a crawl. The need to breathe new investment into the economy is greater than ever before. We fully expect the federal government to introduce a stimulus package in the coming year that will focus on rebuilding the infrastructure that is critical to our economy.

The state must do its part by passing a state capital program to take full advantage of any federal programs. A state capital program should include funds to allow communities and our region to maintain and expand roads, bridges and transit. We cannot lose any opportunities to jump start the economy by squandering federal dollars that could be used to invest in our future.

The state can also help further development in our communities to accompany any investment program. Tax increment financing is a valuable source of funding necessary to spur new development. We encourage the General Assembly to not only keep this valuable tool available to local governments, but to amend TIF statutes to further allow the use of in support of transit oriented development.

## Basic Tenets to Address the Budget Crisis

(continued)

### 3. State government leaders should close tax loopholes, such as implementing a streamlined sales tax, to capture lost revenue

The Conference is not advocating introducing new taxes during this economic downturn. However, we do support closing some of the loopholes that allow some taxpayers to avoid their fair share at the expense of others. The most glaring of these is the significant loss of sales tax revenues on transactions conducted online. It is estimated the state loses nearly \$100 million in sales tax revenue when an online retailer does not collect the tax and the purchaser fails to obey state law and remit the tax themselves. The solution to this is to implement the streamlined sales tax (see page 14). The streamlined sales tax would treat an electronic purchase the same as one made in a store and could be crafted to ensure that all entities are kept whole from any unintended consequences.

### 4. State government leaders should not add new fiscal burdens to local governments

Local governments are already struggling to maintain their budgets. Adding new unfunded obligations to local budgets would leave local leaders no alternative but to pass these costs directly onto taxpayers who may be unable to afford the additional burden. For example, any increases in pension costs and/or other benefits for public safety (see page 13) and other employees mandated by the state will be budget busters.

The Northwest Municipal Conference strongly recommends that the state not burden local governments with any additional unfunded mandates.

## Basic Tenets to Address the Budget Crisis

(continued)

### 5. State government leaders should reduce existing burdens on local governments

As local government leaders work to carefully manage every available dollar, there are ways the General Assembly can assist these efforts. Many NWMC members are struggling to meet their obligation to pay lifetime health insurance for former police and firefighters who have made "catastrophic injury" claims under the Public Safety Employee Benefits Act (PSEBA). While no one is arguing with the obligation to fully support those whose livelihoods have been lost as a result of protecting our communities, the standard applied for receiving this benefit is far too lax and open to abuse. In fact, taxpayers in many municipalities throughout the state are saddled with millions of dollars in healthcare coverage for former employees whose seemingly minor injuries have not prevented them from obtaining other physically demanding employment while collecting benefits (see page 16).

Taxpayers can also benefit from changes in the way certain public safety pension funds invest their resources. Economic problems have shaken the financial markets, creating huge losses for all pension funds as the value of investments have plummeted. While the required contributions to police, firefighter and IMRF pension funds have already been determined for 2009 (and are up significantly for most municipalities compared to 2008 levels), the true impact of the market downturn will be felt by taxpayers when the required pension contributions for 2010 are determined.



## Basic Tenets to Address the Budget Crisis

(continued)

Remember, the taxpayers in our communities are responsible for making up any pension fund shortfall. So we will likely be asking our taxpayers to dig deeper in their pockets to fund public employee pensions at the same time their own retirement funds, if they are fortunate enough to have them, are in steep decline.

The Conference proposes to allow larger public safety pension funds to gradually step up their investment in equities (see page 13). The timing of this proposal could be ideal as these funds would be able to capitalize on the opportunity to "buy low" as the market recovers, thus alleviating some of the burden on taxpayers who are required to make up for the market shortfalls.

The state can also find ways to help local governments streamline local processes. One example would be to allow municipalities using Motor Fuel Tax funds for routine maintenance to become pre-approved by IDOT and circumvent the cumbersome approval process for each project (see page 17), thus saving both the municipality and IDOT time and money. The Conference looks forward to working with state leaders to explore other ways to reduce the burden on local taxpayers.

## 2009 NWWMC Legislative Proposals

### Keep Public Safety Pensions Solvent

The successful passage of the public safety pension reform legislation in 2008 served as the cornerstone on which to build the foundation of long term financial stability for the retirements of our valued public protectors. As local governments, we fully recognize our obligation to ensure that our police and firefighters who protect our communities are provided with the secure retirements they have been promised. At the same time, we also have an obligation to our taxpayers to ensure that the cost of fulfilling these retirements does not place a disproportionate burden on their backs.

Police and firefighters with 30 years of service are able to retire at age 50 and receive 75% of their final pay, guaranteed by taxpayers, for the rest of their life. By any reasonable standard, this is a much better retirement program than most of our taxpayers enjoy. The challenge local governments face is how to sustain these benefits, not how to provide even more. We once again urge the General Assembly to reject any attempts to "sweeten" public safety pension benefits.

One avenue that would help alleviate the burden on taxpayers is legislation the Conference is proposing that would allow Article 3 and Article 4 pension funds with net assets exceeding \$10 million to gradually step up their level of investment in equities. Currently, all public safety pension funds are restricted from exceeding a 35% investment threshold. Other statewide pension funds, i.e. the Illinois Municipal Retirement Fund, are allowed a much greater exposure to equities and have consistently

## 2009 NWMC Legislative Proposals

(continued)

experienced significantly higher investment returns than police and firefighter funds. With recent losses of stock market value, passage of this legislation would allow these funds to increase market exposure at a low point, allowing them to maximize investment gains over the long term. Our proposal would allow these funds to increase their market investment by up to 5% per year, maximizing at a 50% equity exposure.

### Adopt the Streamlined Sales Tax

Solving the state's financial problems will require sources of new revenue. Finding and implementing new revenue sources must be done in a careful manner that avoids unintended consequences. While an economic downturn is not a productive time to raise taxes, there is an existing revenue source that we currently fail to capture. Tens of millions of sales tax dollars are lost annually on transactions conducted via the internet. While current state and federal law requires the collection of sales taxes if the seller has a physical location within the state, sales from major online retailers without a presence (such as Amazon.com) are able to avoid Illinois taxation.

Having Illinois join the Streamlined Sales Tax Project (SSTP) would provide the mechanism to capture this lost revenue. And since purchasers who are not charged sales tax online are legally required to voluntarily submit the sales tax (but rarely do), this would not constitute a new tax on Illinois taxpayers but rather is simply closing an easily exploited loophole.

## 2009 NWMC Legislative Proposals

(continued)

While SSTP rules were recently amended to allow states to retain origin sourcing (so long as five new states enroll as origin sourcing states), this amendment does not protect states and local governments from future tax sourcing changes, therefore necessitating safeguards for existing tax bases.

We strongly encourage state leaders to pass the legislation required to enable Illinois to join the SSTP under "origin" sourcing rules. We also strongly urge that Illinois streamlined sales tax legislation specifically incorporate provisions that safeguard the existing tax bases of retail-based municipalities in the event that a switch to destination sourcing is required at a later date (either on the SSTP or federal level) and a loss of sales tax revenue occurs in these jurisdictions.

Joining the SSTP would require the state to overhaul its sales taxation laws to align with the streamlined structure. This overhaul would require addressing several "quirks" in the current sales tax law (such as how bottled iced tea or dandruff shampoos are taxed). A major concern with this overhaul is that the SSTP would require a switch to "destination" sourcing (i.e. the sales tax is collected by the jurisdiction where the product is delivered) from the current "origin" sourcing (where the sales tax is captured where the transaction takes place). This switch would have had a devastating impact on municipalities that have invested economic development resources to become strong retail-based local economies.

## 2009 NWMC Legislative Proposals

(continued)

### Define Catastrophic Injury in PSEBA

The Public Safety Employee Benefits Act (PSEBA) was enacted to provide lifetime health insurance benefits to police and fire personnel (and their families) who suffer a catastrophic injury on the job. The federal law upon which PSEBA is based defines catastrophic injury as "consequences of an injury that permanently prevents an individual from performing any gainful work". However, the Illinois version of PSEBA does not contain this definition, opening the award of lifetime healthcare benefits to the discretion of the local pension board (60% of these boards consist of current and former employees with local government officials making up the remaining 40%).

The Conference does not take issue when PSEBA benefits are awarded to those who legitimately deserve them. Unfortunately, there are numerous existing cases where the injury suffered, while significant enough to prevent the employee from returning to active duty, does not prevent the employee from obtaining other gainful employment. Many former employees currently collecting PSEBA mandated insurance are employed in a range of physically demanding jobs such as physical education instructors, security guards or operating their own contracting businesses. Others have obtained work in civilian positions with other law enforcement departments, performing property management and, in one case, became an attorney.

## 2009 NWMC Legislative Proposals

(continued)

The cost of allowing healthy workers to collect lifetime healthcare benefits at taxpayer expense is staggering. A single case often leaves local taxpayers liable for more than a million dollars in future healthcare insurance costs. For example, Morton Grove has over \$5.7 million in liabilities for four cases (two of those collecting are now self-employed). Schaumburg has nearly \$5 million in liabilities for five cases (two of them are currently gainfully employed). Statewide, this loophole has local governments on the hook for nearly \$100 million in PSEBA cases despite a great many of them falling outside the established federal definition of catastrophic injury.

We urge legislators to amend PSEBA to apply the federal definition to the term catastrophic injury. Every Illinois community is at risk of needlessly paying out millions of dollars in healthcare benefits to able bodied former public safety employees until this loophole is closed.

### Streamline the MFT Approval Process for Local Governments

Motor Fuel Tax (MFT) funds are utilized by local governments to support the upkeep of local roads. However, in order to utilize these funds, road repair projects must be fully reviewed and approved in advance by IDOT, even if they are routine in nature. In light of the staffing situation at IDOT, this layer of approval needlessly adds delays to projects and forces both IDOT and local governments to incur the additional cost of navigating this process.

## 2009 NWMC Legislative Proposals

(continued)

We support streamlining this process. Local governments that utilize engineering professionals for MFT funded routine maintenance projects should be allowed to do so without the required pre-approval process. This would lead to faster and more efficient means to put these dollars to work repairing our roads. As a condition of implementing this streamlined process, IDOT would require any local governments participating in this streamlined process to be subject to audits to demonstrate that the funding was utilized according to all existing requirements.

This particular change could be implemented by IDOT through amendment to their rules. Barring an internal change by IDOT, state legislation could require this streamlining.

### **Allow Transit Oriented Development to be Eligible for Tax Increment Financing**

A capital program is critical to any effort to rebuild the strength of our economy. We have an opportunity to utilize investments in our infrastructure to repair crumbling roads and bridges, replace aging water, sewer and electric systems and introduce new transportation projects – transit (such as the STAR Line and the Yellow Line extension), roads (such as completing the long sought Route 53 extension) and bike and pedestrian paths (as outlined in the Conference bicycle and pedestrian plan) – that will enhance future mobility and provide a foundation for building new economic growth.

In order to maximize any state or federal investment in infrastructure, local governments need to have a

## 2009 NWMC Legislative Proposals

(continued)

wide range of financial tools to attract new growth. Tax increment financing (TIF) is one such tool. TIF has proven to be a valuable tool used to support development of deteriorating areas. Since the introduction of TIFs back in the 1980s, municipalities throughout the Conference have utilized TIF to spur new development, increasing property values and reinvigorating these towns. Plus, as many of these TIFs reach the end of their lifespans, millions of dollars of increased property tax revenues are flowing to local taxing bodies such as school districts as a result of the TIF investment.

Due to the specifics of the existing TIF statute, it can be difficult to use TIF funds in support of transit oriented development (TOD), a planning strategy utilized by numerous local governments to concentrate development and economic activity around transit stations. The unique challenges presented by some potential TOD locations are not accounted for in existing TIF laws. For potential new transit services, such as the proposed Metra STAR Line, some potential transit station areas would not qualify under the existing TIF statutes. These locations face land use and infrastructure issues that simply are not recognized in the TIF Act. Without revisions to the TIF Act accounting for TOD, this eliminates a valuable financing tool from local government to support future infrastructure investment.

We urge legislators to amend the TIF Act to allow TOD to be eligible for TIF if it meets specific criteria that include: inadequate utilities, transportation or parking infrastructure; deleterious land use or layout; or, lack of transit oriented development planning.

## State Elected Officers

**Patrick Quinn**  
*Governor*

**Lisa Madigan**  
*Attorney General*

**Jesse White**  
*Secretary of State*

**Daniel Hynes**  
*Comptroller*

**Alexander Giannoulas**  
*Treasurer*

## Congressional Delegation

**Senator Richard Durbin**

**Senator Roland Burris**

**Representative Peter Roskam**  
*6th Congressional District*

**Representative Melissa Bean**  
*8th Congressional District*

**Representative Janice Schakowsky**  
*9th Congressional District*

**Representative Mark Kirk**  
*10th Congressional District*

**Representative William Foster**  
*14th Congressional District*

**Representative Donald Manzullo**  
*16th Congressional District*

## State Senators

**John Cullerton**  
*Senate President*

**Christine Radogno**  
*Senate Minority Leader*

**Ira Silverstein**  
*8th Senate District*

**Jeffrey Schoenberg**  
*9th Senate District*

**James DeLeo**  
*10th Senate District*

**Michael Noland**  
*22nd Senate District*

**Carole Pankau**  
*23rd Senate District*

**Chris Lauzen**  
*25th Senate District*

**Dan Duffy**  
*26th Senate District*

**Matt Murphy**  
*27th Senate District*

**John Millner**  
*28th Senate District*

**Susan Garrett**  
*29th Senate District*

**Terry Link**  
*30th Senate District*

**Michael Bond**  
*31st Senate District*

**Pamela Althoff**  
*32nd Senate District*

**Dan Kotowski**  
*33rd Senate District*

**Don Harmon**  
*39th Senate District*

## State Representatives

**Michael Madigan**  
*Speaker of the House*

**Tom Cross**  
*House Minority Leader*

**John D'Amico**  
*15th House District*

**Louis Lang**  
*16th House District*

**Elizabeth Coulson**  
*17th House District*

**Julie Hamos**  
*18th House District*

**Joseph Lyons**  
*19th House District*

**Michael McAuliffe**  
*20th House District*

**Keith Farnham**  
*43rd House District*

**Fred Crespo**  
*44th House District*

**Franco Coladipietro**  
*45th House District*

**Dennis Reboletti**  
*46th House District*

**Tim Schmitz**  
*49th House District*

**Ed Sullivan, Jr.**  
*51st House District*

**Mark Beaubien, Jr.**  
*52nd House District*

## State Representatives

**Sidney Mathias**  
*53rd House District*

**Suzanne Bassi**  
*54th House District*

**Harry Ramey, Jr.**  
*55th House District*

**Paul Froehlich**  
*56th House District*

**Elaine Nekritz**  
*57th House District*

**Karen May**  
*58th House District*

**Kathleen Ryg**  
*59th House District*

**Jo Ann Osmond**  
*61st House District*

**Sandy Cole**  
*62nd House District*

**Jack Franks**  
*63rd House District*

**Michael Tryon**  
*64th House District*

**Rosemary Mulligan**  
*65th House District*

**Mark Walker**  
*66th House District*

**Angelo "Skip" Saviano**  
*77th House District*

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## NWMC Contact Information

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The Northwest Municipal Conference is committed to working with our State and Federal elected officials to advance legislation that supports local government. Please feel free to contact us to further discuss the initiatives contained in our 2009 Legislative Program or any other issues that are of importance to local governments.

**Karen Darch**  
NWMC President  
President, Village of Barrington

**Gerald C. Turry**  
NWMC Vice-President  
Mayor, Village of Lincolnwood

**Rick Krier**  
Co-Chair, NWMC Legislative Committee  
President, Village of Morton Grove

**Al Larson**  
Co-Chair, NWMC Legislative Committee  
President, Village of Schaumburg

**Mark Fowler**  
NWMC Executive Director

**Larry Widmer**  
NWMC Deputy Director

**Larry Bury**  
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# HOFFMAN ESTATES

OFFICE OF THE MAYOR

William D. McLeod  
MAYOR

February 6, 2009

Hon. Fred Crespo  
State Representative – 44<sup>th</sup> District  
1014 E. Schaumburg Road  
Streamwood, IL 60107

Dear Representative Crespo:

The State of Illinois has been waiting for several years for matching funds to be identified for a Capital Bill. Municipalities, including the Village of Hoffman Estates, have anxiously been awaiting the disbursement of federal and state money that will help to fund growing capital needs. It is hoped that the State Legislature will work diligently with Governor Quinn to identify this funding as early as the April 3 date being discussed. This Capital Bill, combined with the federal promise of a significant national investment in public works and infrastructure projects, could help alleviate the pain due to a lack of funding the local capital program has endured for the last several years. It is critically important that a State Capital Funding Bill be passed to supplement whatever aid comes from a Federal economic stimulus. I want to voice overwhelming support for this initiative on behalf of your constituents in the Village of Hoffman Estates.

The Village has many capital projects that have gone unfunded which could begin this year, within a matter of months. You can see by the attached list of “ready to go” projects that these are major infrastructure improvements that will make a direct impact by creating jobs and improving the quality of infrastructure for the region. However, as our municipality has had to refrain from filling vacancies, unfortunately laying off existing personnel and deferring capital improvements, we have not had the funding for such large-scale projects. This “ready to go” list was provided to the Illinois Congressional Delegation for inclusion in the American Recovery and Reinvestment Act proposed by President Obama.

Along with the “ready to go” list, we have attached a list of priorities for the State of Illinois Capital Bill. The first list is a list of capital projects of highest priority to the Village of Hoffman Estates. These include many transit and tollway-oriented projects as well as capital needs of the Village. The second list identifies three transit-oriented projects of regional significance. The third list contains those IDOT and Cook County Highway Department Projects highly endorsed by the Village of Hoffman Estates. I ask that you review these lists and strongly consider their inclusion in a Capital Bill.



As you know, 2008 was an extremely difficult year. The Village of Hoffman Estates has seen revenues decline significantly. We have had to cut back on staff and service provision. Without additional capital funding from both the federal government and the State of Illinois, it will be many years before we will be able to reinvest in our capital and infrastructure. This will cause a serious impact on the roads and water systems and ultimately the quality of life of the people you represent. A major investment will not only help to revitalize our infrastructure, it will create jobs.

I want to thank you for your continued service to the residents and businesses of the Village of Hoffman Estates and wish you all the best in the coming year. I trust that you will support investment in public works and infrastructures and do your best to ensure that the money is quickly designated for those projects where it is needed most.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill", written in a cursive style.

William D. McLeod  
Mayor

WDM/ds

**VILLAGE OF HOFFMAN ESTATES**  
**READY-TO-GO PROJECTS**

November 21, 2008

**WATER AND SEWER REHABILITATION**

Note: Projects are sorted with highest priority first.

**Jones/Highland Stormwater Improvement**

Description: Construction of a 48 inch diameter storm sewer to correct a long-standing drainage problem shared between three agencies. Two collector roads in Hoffman Estates are under water for days after a heavy rain event due to improper drainage and undersized pipes. In addition, property damage routinely occurs at the nearby residences when the intersection floods. This project will also benefit the lack of detention in the Schaumburg subdivision.

Status: Final engineering is complete and ready to bid.

Estimated cost: The 2008 cost estimate is \$1,200,000.

**Rehabilitation and Reconstruction of the Barrington Square Sanitary Lift Station**

Description: The Lift Station shows serious corrosion of the piping, valves, pumps, wet well and dry well structures. The rehabilitation project includes the conversion of the dry well type station into the Triplex concrete submersible lift station with outside valve vault and accessories. The project was deferred and rescheduled for 2009.

Status: Final engineering is complete and ready to bid. An MWRD permit application is in process.

Estimated cost: The 2008 cost estimate is \$1,000,000.

**Business District Stormwater Culvert Replacement**

Description: Construction of a 48 inch diameter storm sewer to correct a long-standing drainage problem caused by undersized pipes in poor condition. The lack of capacity causes two state arterials to be under water during heavy rain events. The flood plain would be significantly reduced in the adjacent shopping center with this project.

Status: Final engineering is complete and ready to bid.

Estimated cost: The 2008 cost estimate is \$1,000,000.

**Sanitary Sewer Rehabilitation Program**

Description: This multiphase project has been in progress for over 8 years in Parcel A, Parcel B, Parcel C and the Highland areas. Phase I included engineering studies to investigate pipe deficiencies and to define the type and scope of rehabilitation work. Phase II work focused on rehabilitation construction work and a public source

infiltration/inflow (I/I) study. Phase III (2004-2008) rehabilitation work was programmed to include an I/I study of private source contributions, flow monitoring and critical sewer repairs. Phase III work specified a continued investigation of I/I from public sources, televising and addressing options to correct private source I/I. Phase IV (2009) work will be largely sewer rehabilitation through Cured-in-Place lining process.

Status: Final engineering for Phase IV is complete and ready to bid. No permit is needed.

Estimated cost: The 2008 cost estimate is \$1,400,000.

### **Replace 6,800 feet of Failing Water Main**

Description: Project is to replace approximately 6,400 feet of failing 16 inch water transmission main on Ela Road starting at its intersection with Central Road and ending at its intersection with Algonquin Road and to replace 400' of failing 16 inch water transmission main on Central Road proceeding west of its intersection with Ela Road. Corrosive soils have accelerated the deterioration rate of water mains in the northern portion of Hoffman Estates. Engineering studies conducted in 2002 and 2006 recommended cathodic protection, along with repair and replacement. Some work has occurred to date, but replacement of 6,800 feet of water main remains unfunded.

Status: Final engineering is complete and ready to bid. Cook County Highway Department ROW permit required.

Estimated cost: Based on approximately \$200/foot, the estimated cost is \$1,280,000.

### **Water Tower Project**

Description: It has been determined through Western Area water system studies that a second water tower is needed in the this portion of the Village. A second water storage tank is necessary to correct insufficient storage capacity and provide dual pressure control.

Status: Final engineering is 90% complete and will be 100% by the end of 2008. IEPA and MWRD permit applications are in process.

Estimated cost: The 2008 cost estimate for this project is \$4,600,000.

### **Purchase an 800 KW Portable Generator**

Description: The project will improve the Village's emergency response capacity by the addition of an 800 KW portable generator. Currently there are 12 sanitary sewer lift stations, one inter-zone pump station and 4 wells in Hoffman Estates without the benefit of permanent generator. During a wide spread power outage situation, staff has to move the two existing portable generators from station to station. Currently, there is no alternative power supply for: Well # 7 and Well # 10. Travel and generator connection time becomes a critical component in prevention of major problems. This addition not only provides the necessary emergency power for the wells but also helps reduce damage to businesses and residences as well as the travel time to transport generator from station to station.

Status: Project ready to bid, no permits necessary.

Estimated cost: \$230,000.

**VILLAGE OF HOFFMAN ESTATES**  
**READY-TO-GO PROJECTS**

November 21, 2008

**LOCAL ROAD AND BRIDGE PROJECTS**

**Street Reconstructions**

Description: Several streets in Hoffman Estates are in very poor condition and in need of full reconstruction. These streets include:

- Hassell Road from Barrington to Huntington (\$2.5 M)
- Berkley Lane from Roselle to Arizona (\$0.6 M)
- Glen Lake Road from Higgins to Chippendale (\$1.5 M)
- Olmstead Drive from Westbury to Mumford (\$0.7 M)
- Kingsdale Road from Golf to Higgins (\$0.6 M)

Status: Final engineering is complete and ready to bid.

Estimated cost: The 2008 cost estimate is \$5,900,000.

**VILLAGE OF HOFFMAN ESTATES**  
**READY-TO-GO PROJECTS**

November 21, 2008

**ENERGY CONSERVATION AND RENEWABLE ENERGY RELATED PROJECTS**

Description: Rehabilitate existing lighting system components (utilize existing fixtures, replace lamps and ballasts) at the Public Works Center at 2305 Pembroke Ave. to reduce energy consumption.

Status: Final engineering is complete and ready to bid.

Estimated cost: \$25,000

# VILLAGE OF HOFFMAN ESTATES CAPITAL REQUESTS AND OPERATING PROJECTS

February 4, 2009

- **Barrington Road full interchange on I-90 - \$25 million (HIGHEST PRIORITY)**  
The project would provide access to and from the west. The existing partial interchange only has ramps to and from the east. Much of the project cost is for necessary property acquisition and utility relocation. Vastly improved emergency vehicle access to St. Alexius Hospital on Barrington Road is a primary goal of this project. Potential 50/50 cost sharing with Illinois Tollway per agency's interchange policy.
- **Beverly Road full interchange on I-90 - \$30 million**  
Provide access to and from the west to the existing partial interchange servicing only movements to and from the east. The full interchange would improve traffic distribution and access for a portion of the Village that is still developing.
- **Beverly Road - I-90 to IL-72, add lane - \$1,500,000**  
Provide a consistent five lane cross section with two thru lanes in each direction and a center turn lane. The scope includes intersection improvement at the IL 72 intersection to improve turning capacity.
- **Shoe Factory / Beverly project - \$13,000,000**  
Provide two thru lanes in each direction between Beverly and Rohrssen Roads on Shoe Factory Road. Two thru lanes in each direction would be constructed on Beverly Road between Shoe Factory Road and I-90. Added turn lanes and new traffic signals at the Shoe Factory & Beverly and Shoe Factory & Rohrssen intersections are included. Bicycle facilities, sidewalk, landscaped median, and roadway lighting are also part of the project features. This a joint project with Cook County for improvements to Shoe Factory Road.
- **Hassell Road – Barrington to Fairway - \$4,000,000**  
The project will reconstruct a heavily traveled Village collector route in poor condition. The project provides opportunities for access and bicycle improvements. Hassell Road has been identified as a component of the Village Comprehensive Bicycle Plan currently under development.
- **Bode Road – Braintree to east of Salem - \$1,800,000**  
The project will reconstruct of a heavily traveled Village collector route in poor condition. The project provides the opportunity for intersection, safety, and bicycle improvements. Bode Road has been identified as a component of the Village Comprehensive Bicycle Plan currently under development.
- **Valid Drive – Moon Lake to Higgins - \$500,000**  
The project will reconstruct a Village collector route in poor condition. The project provides the opportunity for bicycle improvements. Valid Drive has been identified as a component of the Village Comprehensive Bicycle Plan currently under development.
- **Annual Street Revitalization Program: Currently Unfunded \$3,500,000**  
The Village of Hoffman Estates has conducted an annual program of rating Village-owned streets and then resurfacing and reconstructing as these assets deteriorate. The goal of the program is to prolong the lifecycle of each street and minimize the investment needed to

maintain them in good condition. As the fifth largest municipality by land mass in the State of Illinois, the Village of Hoffman Estates has over 150 lane miles of streets to maintain.

- Expansion of Public Works Center: \$3,100,000  
The current Hoffman Estates Public Works Center was constructed in 1989. Since that time, the Department of Public Works has grown in both size and expertise requiring additional equipment that has outgrown the current garage space. A proposed addition to the facility would cost approximately \$3,100,000 and is currently unfunded.
- Renovation and expansion of Fire Station 22: \$1,700,000  
Fire Station 22 is the flagship station for the Village of Hoffman Estates. It is greatly in need to a renovation to expand the living quarters in order to accommodate the number of personnel, including female staff members. Additionally, a redundant emergency operations center is proposed for this location. The renovation is estimated to cost \$1,700,000.
- Bicycle plan implementation – Various locations in Hoffman Estates, includes the NWMC Plan. These projects would total \$10,000,000.  
The Village Comprehensive Bicycle Plan is currently under development. These projects listed here would provide off-street bicycle facilities on major roads in the Village. Examples are located on Higgins Road (Barrington to Roselle), Beverly Road (Shoe Factory to Higgins), Rohrssen Road (Golf to Shoe Factory), and Palatine Road (Huntington to Thornbark). This project could be implemented in phases over 3-4 years.
- Pedestrian / Bicycle facilities crossing the I-90 Tollway - \$2.5 to \$3 million each if structures over or under the Tollway are constructed (see Tollway projects too)  
Various locations to provide access across the I-90 Tollway are proposed to improve connectivity. These crossings are a primary goal of the developing Comprehensive Bicycle Plan. One example is a crossing of I-90 between Barrington Road and Jones Road. An undercrossing of Tollway and Hoffman Boulevard along the EJ&E right of way is currently under design and expected to cost about \$400,000. Other locations which could be integrated with existing roadway crossings are Beverly Road, Bartlett Road in Hoffman Estates and Roselle Road in Schaumburg. If we have to pick three or four I would recommend Beverly, EJ&E / CN undercrossing (current CMAQ application for 2010), Barrington, and perhaps Roselle Road.
- Cook County Forest Preserve Bicycle Path - Estimated at \$250,000.  
Pave a gravel trail on the north side of Shoe Factory Road between IL 59 and the EJ&E / CN right of way to provide a 10 foot path. This would also include a crossing of the EJ&E / CN tracks to connect to an existing off-road path to the west.

## TRANSIT PROJECTS WITH REGIONAL SIGNIFICANCE

- Metra STAR Line – completion of engineering studies and implementation: 2005 estimate \$1.1 billion  
55 Mile suburban to suburban rapid transit project with an east / west corridor within the I-90 right-of-way and a north / south corridor along the EJ&E railroad right-of-way. Numerous jurisdictions support the project that will provide suburb to suburb commute options, access to O'Hare airport, and transfer capabilities at intersections with existing Metra commuter lines.
- Joint Transit Study  
Implementation of surface bus routes and local transit service per Joint Study conducted for Hoffman Estates, Schaumburg, and Schaumburg Township – Capital costs (\$1,000,000 equipment) and Operating costs (\$1,000,000 per year) for an initial phase. Examples would include an innovative flexible service combining fixed route and demand responsive characteristics as well as traditional fixed route service along major corridors such as Roselle Road and Barrington Road among others.
- Pace 2020 Plan or current Pace plan  
Golf Road Bus Rapid Transit, locally connecting Elgin with the Northwest Transit Center, sub regional transit routes such as Barrington Road corridor, Roselle Road corridor, Higgins Road corridor, etc.



**VILLAGE OF HOFFMAN ESTATES**  
**RECOMMENDED IDOT and COOK COUNTY ROAD PROJECTS**  
January 14, 2009

***Capacity and Safety Improvements***

Some of these projects are part of the Village's Comprehensive Road Improvement Plan. Others have been identified as needs based on safety or a combination of safety and operation.

- Barrington / Golf intersection capacity improvement - \$10 million. Also a safety issue to address crash patterns at the intersection.
- Barrington Road – \$3,500,000 – Bode to Higgins, widen to 6 lanes to complement the Barrington / Golf intersection project.
- Higgins / Moon Lake / Governors Lane intersection safety improvement – \$820,000 – currently under design by IDOT. The project is likely to receive HSIP funding.
- Golf / Rohrssen intersection capacity improvement - \$1,500,000
- Golf Road: Barrington to Windsong, widen to 6 lanes; also includes intersection improvements - \$2,000,000. Coordinate with Barrington / Golf capacity improvement
- IL 59 and Shoe Factory Road – \$500,000 – construct right turn lanes on all approaches
- IL 59 – Shoe Factory to Hoffman Blvd., widen to 6 lanes through interchange and intersection improvement - \$8,500,000
- IL 72 – Huntington Boulevard to east of Barrington, widen to 6 lanes, \$6 million
- Palatine Road – 3 lane improvement and traffic signal or roundabout– Huntington to Thornbark, - \$2.5 million. If extended to Ela Road, cost would increase by about \$1.0 million.
- IDOT Traffic Signal Modernization Improvement Project – \$500,000 – LED, Pedestrian, traffic signal upgrades, and other safety improvements
  - Includes Higgins / Roselle, Golf / Barrington, others
- Shoe Factory Road curve south of Higgins Road – \$500,000 – site of numerous loss of control crashes due to curve location and design. Conduct safety evaluation study and identify physical and operational changes to address crash patterns.

# COMMITTEE AGENDA ITEM

## VILLAGE OF HOFFMAN ESTATES

**SUBJECT:** Approval of Sister Cities Commission 2009 Calendar of Events  
**MEETING DATE:** February 16, 2009  
**COMMITTEE:** General Administration & Personnel  
**FROM:** Lillian Mosier, Chair, Sister Cities Commission

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**I. PURPOSE:** Approval of Sister Cities Commission 2009 calendar of events.

**II. DISCUSSION:** The Sister Cities Commission is proposing the following events for 2009:

April 11-25, 2009 -- Student Culinary Exchange from L'Amandier School in Angouleme. There are 6 students and 2 teachers coming to study and work at Harper College and to participate in the preparation of the food for our 12<sup>th</sup> Annual French Evening – Soiree Culinaire – Discovering French Delicacies. The event is scheduled for Thursday, April 23, at 7:00 p.m. at The Stonegate. We hope you will mark your calendars for this evening and plan to join us for a wonderful evening of French food, wine, and desserts. Another highlight of this evening to look forward to is our Silent Auction.

April 18, 2009 -- Commission will participate with the teachers and students from Angouleme in the Tartan Day Parade. After the parade, The Commission will participate in the “Celebration of Nations” at Village Hall where we will have a display of our sister city information.

May 1, 2009 – Joint Commission project in conjunction with the Celebrations and Arts Commissions. This year’s event is a celebration of cinema honoring the Cannes Film Festival. The *Daily Herald* Film Critic, Dann Gire, will be our MC for the afternoon of a French movie and refreshments. Please come and see some famous film stars who will be joining us on the red carpet!

November 2-8, 2009 – The Commission is planning to host another event in honor of National French Week. Details are still in the discussion phase of planning for this event and we will keep you informed of our plans.

November 14-30, 2009 -- Sponsor a cultural/gastronomic tour to Angouleme that will coincide with their festival, The Gastronomades. Our counterparts in Angouleme have invited the Commission to send a chef again this year to participate in this event and to share American cuisine and techniques at The Gastronomades. The planning for this cultural/gastronomic tour comes in response to the many local residents who have expressed over the years an interest in visiting our sister city. The tour will be open to anyone who is interested in visiting our sister city during this extravaganza of gastronomy, in seeing the locale and sights around our sister city, as well as experiencing the extraordinary sights and cultural venues of Paris. More information will follow details become available.

**III. RECOMMENDATION:** Approval of the Sister Cities Commission 2009 calendar of events.

# COMMITTEE AGENDA ITEM VILLAGE OF HOFFMAN ESTATES

**SUBJECT:** Amendments to Chapter 8, Licenses, of the Hoffman Estates Municipal Code

**MEETING DATE:** February 16, 2009

**COMMITTEE:** General Administration & Personnel Committee

**FROM:** Bev Romanoff, Village Clerk

**PURPOSE:** Consider amendments to Chapter 8, Licenses, of the Hoffman Estates Municipal Code.

**DISCUSSION:** The Village Clerk's office would like consideration to amend the following sections to Chapter 8, Licenses, for housekeeping purposes only.

~~Section 8-1-7 - Required Information -  
No business license shall be issued unless the applicant has completed a refuse, recycling, yardwaste and special waste collection information form.~~

**Section 8-1-9 - Pro-Rated Fees -**  
When any Business license is issued after the first day of November in any year, the license fee shall be one-half of the annual license fee. When any General Premise Business license is issued after the first day of March in any year, the license fee shall be one-half of the annual license fee.

**Section 8-1-10. Termination of Licenses -**  
All annual Business licenses shall begin on May 1, and terminate on April 30 of the following year, except for ~~General Business Licenses and~~ General Premise Business licenses which shall begin on September 1 and terminate on August 31 of the following year.

**Section 8-2-1. Fees -**

Special Events License	\$ 50.00 (plus applicable fees if license would otherwise be required)
Home Occupation License	25.00
<del>— If licensed under any other category —</del>	<del>1.00</del>
Retail Sales & Service	50.00
Helipads	100.00
Special Use Antennas	50.00

**Section 8-4-9 – Rolling Skating Rink -**

**C. Premises. It shall be unlawful to conduct a public roller skating rink in any hall or building not equipped with sufficient and adequate exits as specified in the ~~Life-Safety Code~~ International Fire Code and no hall or building which is not provided with at least two exits of four feet or more in width shall be used for such purposes.**

**RECOMMENDATION: Approve amendments to Chapter 8, Licenses, of the Hoffman Estates Municipal Code.**

VILLAGE OF HOFFMAN ESTATES

AN ORDINANCE AMENDING  
SECTIONS 8-1-7, 8-1-9, 8-1-10, 8-2-1 AND 8-4-9 OF  
CHAPTER 8, LICENSES, OF THE  
HOFFMAN ESTATES MUNICIPAL CODE

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hoffman Estates, Cook and Kane Counties, Illinois, as follows:

Section 1: That Section 8-1-7, REQUIRED INFORMATION, of the Hoffman Estates Municipal Code be and is hereby repealed.

Section 2: That Section 8-1-9, PRO-RATED FEES, of the Hoffman Estates Municipal Code be and the same is hereby amended to read as follows:

Section 8-1-9. PRO-RATED FEES

When any Business license is issued after the first day of November in any year, the license fee shall be one-half of the annual license fee. When any General Premise business license is issued after the first day of March in any year, the license fee shall be one-half of the annual license amount

Section 3: That Section 8-1-10, TERMINATION OF LICENSES, of the Hoffman Estates Municipal Code be and same is hereby amended to read as follows:

Section 8-1-10. TERMINATION OF LICENSES

All annual Business licenses shall begin on May 1, and terminate on April 30 of the following year, except for General Premise Business Licenses which shall begin on September 1, and terminate on August 31 of the following year.

Section 4: That Section 8-2-1, FEES, of the Hoffman Estates Municipal Code be and the same is hereby amended by amending Special Events License of Sub-Section A, Business Licenses, to read as follows:

Section 8-2-1. FEES

For Licenses to operate the following businesses, the fees listed opposite the named business shall apply: PER YEAR

A. Business Licenses

Special Events License	\$ 50.00 (plus applicable fees if license would otherwise be required)
Home Occupation License	25.00
Retail Sales & Service	50.00
Helipads	100.00
Special Use Antennas	50.00

Section 5: That Section 8-4-9, ROLLER SKATING RINK, of the Hoffman Estates Municipal Code be and the same is hereby amended to read as follows:

Section 8-4-9. ROLLER SKATING RINK

A. License Required - It shall be unlawful to operate or maintain a public roller skating rink in the Village without having obtained a license therefore as is herein provided.

B. Hours - The hours of operation shall be permitted as follows:

9:00 a.m. - 12:01 a.m.

C. Premises - It shall be unlawful to conduct a public roller skating rink in any hall or building not equipped with sufficient and adequate exits as specified in the International Fire Code; and no hall or building which is not provided with at least two exits of four feet or more in width shall be used for such purposes.

Section 6: That the Village Clerk is hereby authorized to publish this ordinance in pamphlet form.

Section 7: That this Ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2009

VOTE	AYE	NAY	ABSENT	ABSTAIN
Trustee Karen V. Mills	_____	_____	_____	_____
Trustee Cary J. Collins	_____	_____	_____	_____
Trustee Raymond M. Kincaid	_____	_____	_____	_____
Trustee Jacquelyn Green	_____	_____	_____	_____
Trustee Anna Newell	_____	_____	_____	_____
Trustee Gary J. Pilafas	_____	_____	_____	_____
Mayor William D. McLeod	_____	_____	_____	_____

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009

\_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk  
Published in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

# COMMITTEE AGENDA ITEM

## VILLAGE OF HOFFMAN ESTATES

**SUBJECT:** Lease with Denali Spectrum Operations d/b/a Cricket Communications for Olmstead Drive Water Tower

**MEETING DATE:** February 16, 2009

**COMMITTEE:** General Administration & Personnel Committee

**FROM:** James H. Norris, Village Manager

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**PURPOSE:** To consider a lease for cellular antenna use by Denali Spectrum Operations d/b/a Cricket Communications for Olmstead Drive water tower.

**BACKGROUND:** The Village Board approved the recommendation of the Zoning Board of Appeals for a special use for an antenna site on the Village water tower at 4690 Olmstead Drive.

**DISCUSSION:** A condition of approval was that a lease be entered. The attached lease is a revised and updated lease document which was reviewed by Public Works, Planning, Corporation Counsel and Finance. The rate schedule has been updated and begins at \$3,558 per month, with average 4.5% annual increases, to a rate of \$10,527 per month in the 20<sup>th</sup> year.

**RECOMMENDATION:** Approval of an ordinance authorizing agreement with Denali Spectrum Operations d/b/a Cricket Communications for lease of an antenna site at 4690 Olmstead Drive.



VILLAGE OF HOFFMAN ESTATES

AN ORDINANCE TO ENTER INTO A LEASE  
WITH DENALI SPECTRIUM OPERATIONS LLC,  
D/B/A CRICKET COMMUNICATIONS,  
4690 OLMSTEAD DRIVE, HOFFMAN ESTATES, ILLINOIS

WHEREAS, 65 ILCS 5/11-76-1 requires that the corporate authorities must ordain the entering into any lease of more than two years; and

WHEREAS, Denali Spectrum Operations d/b/a Cricket Communications (lessee) has been awarded a special use for the installation of three (3) cellular towers and construction of an equipment shelter at 4690 Olmstead Drive, owned by the Village of Hoffman Estates (lessor).

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hoffman Estates, Cook and Kane Counties, Illinois, as follows:

Section 1: That the entry into a lease with Denali Spectrum Operations for twenty (20) years at the Village property located at 4690 Olmstead Drive is necessary and convenient for the health, safety and welfare of the community.

Section 2: That the Village of Hoffman Estates hereby directs its Village President to enter into a lease with Denali Spectrum Operations upon the terms and conditions and in the form of each lease as attached as Exhibit "A".

Section 3: That the Village Clerk is hereby authorized to publish this ordinance in pamphlet form.

Section 4: That this Ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2009

VOTE	AYE	NAY	ABSENT	ABSTAIN
Trustee Karen V. Mills	_____	_____	_____	_____
Trustee Cary J. Collins	_____	_____	_____	_____
Trustee Raymond M. Kincaid	_____	_____	_____	_____
Trustee Jacquelyn Green	_____	_____	_____	_____
Trustee Anna Newell	_____	_____	_____	_____
Trustee Gary J. Pilafas	_____	_____	_____	_____
Mayor William D. McLeod	_____	_____	_____	_____

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009

\_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

Published in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

**COMMUNICATIONS SITE LEASE AGREEMENT**  
**(WATER TOWER)**

This Communications Site Lease Agreement (Water Tower) ("Agreement") is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2009, between DENALI SPECTRUM OPERATIONS, LLC, a Delaware limited liability company, having an office at 10307 Pacific Center Court, San Diego, California 92121 ("Lessee"), and the Village of Hoffman Estates, an Illinois municipal corporation ("Lessor").

For good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. **Premises.** Lessor is the owner of a parcel of land (the "Land") and a water tower (the "Water Tower") located thereon in the Village of Hoffman Estates, County of Cook, State of Illinois, more commonly known as 4690 Olmstead, Hoffman Estates, Illinois 60169. (the Water Tower and Land are collectively, the "Property") The Land is more particularly described in Exhibit A annexed hereto. Lessor hereby leases to Lessee and Lessee leases from Lessor, approximately one hundred fifty (150) square feet of the Land and space on the Water Tower (collectively, the "Premises") as described in the site plans approved by the Village and attached as Exhibit B.
2. **Use.** Premises may be used by Lessee for any activity in connection with the provision of communication services. Lessor at Lessee's expense, hereby authorizes Lessee, its agents, servants and contractors to act on its behalf pertaining to application for and obtaining zoning, building permits and any and all other necessary approvals that may be required for Lessee's intended use of the Premises for and during the term of this Agreement. Lessee must comply with all Village zoning and building codes.
3. **Tests and Construction.** Lessee shall have the right at any time following the full execution of this Agreement to enter upon the Land for the purpose of: making necessary engineering surveys, inspections, soil test borings, other reasonable necessary tests and constructing the Lessee's Facilities (as defined in Paragraph 6(a); provided, however, such tests and constructing shall be at Lessee's sole cost and expense. Upon Lessee's request, Lessor agrees to make available to Lessee copies of all plans, specifications, surveys and water tower maps for the Land and Water Tower. The water tower map shall include, if available, the elevation of all antennas on the Water Tower and the frequencies upon which each operates.

Lessee's construction and installation work shall be performed in a good and workmanlike manner. Lessee undertakes full and complete responsibility at all times hereafter for the expenses of, and quality of, construction and compliance with all code requirements and regulations of governmental authorities having jurisdiction over the construction, including but not limited to compliance with acts effecting construction of

public buildings and service areas used by public employees, and Lessee agrees to remedy or correct any deficiencies with such compliance. The construction shall be processed pursuant to permit and conducted by authorized and licensed personnel and shall be performed in compliance with local and State requirements for construction activities upon public property. The construction work shall proceed without interference or disruption, or minimalization of same, to the current operations of the Fire Department and Public Works operations. Lessee shall post applicable performance guarantees as required by Village Code.

4. **Term.** The term of this Agreement shall be for twenty (20) years commencing on the date Lessee begins commercial operation of the Lessee's Facilities (as defined in Paragraph 6 (a) or April 1, 2009, whichever first occurs ("Commencement Date").

5. **Rent.** Within thirty (30) business days of the Commencement Date and on the first day of each year thereafter, Lessee shall pay to Lessor annual rent, the amounts shown on Exhibit C attached. Rent for any fractional year at the beginning or at the end of the Term or Renewal Term shall be prorated. Rent shall be payable to Lessor at 1900 Hassell Road, Hoffman Estates, Illinois 60169; Attention: Village Finance Director.

6. **Facilities; Utilities; Access.**

(a) Lessee, at its sole cost and expense, and subject to site plan approval, has the right to erect, maintain and operate on the Premises radio communications facilities, including utility lines, transmission lines, an air conditioned equipment shelter, electronic equipment radio transmitting and receiving antennas, Microwave dishes and global positioning system antennas, and supporting structures thereto ("Lessee's Facilities"). In connection therewith, Lessee has the right to do all work necessary to prepare, maintain and alter the Premises for Lessee's business operations and to install transmission lines connecting the antennas to the transmitters and receivers. Title to the Lessee's Facilities shall be held by Lessee. Lessee's Facilities shall remain Lessee's personal property and are not fixtures. Lessee shall remove all Lessee's Facilities at its sole expense on or before the expiration or earlier termination of the Agreement Lessee shall repair any damage to the Premises caused by such removal except for normal wear and tear and loss by casualty or other beyond Lessee's control.

(b) Lessee shall pay for the electricity it consumes in its operations at the rate charged by the servicing utility company. Lessee shall have the right at its sole expense to draw electricity by submeter and other utilities from the existing utilities on the Property or obtain, at its sole cost and expense, separate utility service from any utility company that will provide service to the Property (including a standby power generator for Lessee's exclusive use). Any easement necessary for such power or other utilities will be at a location acceptable to Lessor and servicing utility company.

(c) Lessee, Lessee's employees, agents, and subcontractors shall have access to the premises without notice to Lessor twenty-four (24) hours a day, seven (7) days a week, at no charge. Lessor grants to Lessee and its agents, employees, contractors, guests and invitees a non-exclusive right and easement for pedestrian and vehicular ingress and egress across that portion of the Land described in Exhibit B. Lessee shall give notice to Lessor if it goes upon the Tower.

Lessee agrees to protect the integrity and security of the Lessor's property by strictly adhering to all ingress and egress procedures established by the Lessor.

#### 7. Interference.

(a) Lessee shall operate the Lessee's Facilities in a manner that will not cause interference to Lessor and other lessees or licensees of the Property, provided that their installations predate the execution of this Agreement. All operations by Lessee shall be in compliance with all Federal Communications Commission ("FCC") requirements.

(b) Subsequent to the installation of the Lessee's Facilities, Lessor shall not permit its lessees or licensees to install new equipment on the Property if such equipment is likely to cause interference with lessee's operations. Lessor shall give notice to Lessee of any proposed new installations. If Lessee has any objection, it must object in writing prior to the new equipment being installed.

(c) Unless authorization is obtained from the Lessor, Lessee is prohibited from storing materials and/or equipment on the site.

#### 8. Taxes.

(a) Lessee shall be solely responsible for and shall timely pay all personal property taxes levied and assessed against it or its personal property. Lessor shall be solely responsible for and shall timely pay all real estate, special assessments or similar taxes relating to the Property, including any improvements made by Lessee. Lessee shall reimburse Lessor for the amount of any increase in real estate taxes attributable to Lessee's improvements, as determined by the local assessor upon receipt of a copy of the tax bill and request for reimbursement from Lessor. At the request of either party, the other shall provide evidence of payment of taxes.

(b) Lessee shall have the right to contest all taxes, assessments, charges and impositions, and Lessor agrees to join in such contest if required by law and to permit the Lessee to proceed with the contest in Lessor's name, provided the expense of the contest is borne by Lessee. If the Lessor initiates an action to contest taxes or other items, the

Lessee may join in such action, provided Lessee pays its own expenses if so participating. Lessor shall, within fourteen (14) days of receipt of notice of any increase in taxes, assessments or other charges, send a copy of such notice to Lessee.

**9. Waiver of Lessor's Lien.**

(a) Lessor waives any lien rights it may have concerning the Lessee's Facilities which are deemed Lessee's personal property and not fixtures, and Lessee has the right to remove the same at any time without Lessor's consent.

(b) Lessee may enter into a financing arrangement including promissory notes and financial and security agreements for the financing of the Lessee's Facilities (the "Collateral") with a third party financing entity (and may in the future enter into additional financing arrangements with other financing entities). In connection therewith, Lessor (i) consents to the installation of the Collateral; (ii) disclaims any interest in the Collateral as fixtures or otherwise; and (iii) agrees that the Collateral shall be exempt from execution, foreclosure, sale, levy, attachment or distress for any Rent due or to become due and that Collateral may be removed at any time without recourse to legal proceedings.

**10. Termination.** This Agreement may be terminated without further liability on thirty (30) days prior written notice as follows: (i) by either party upon a default of any covenant or term hereof by the other party which default is not cured within sixty (60) days of receipt of written notice of default, provided that the grace period for any monetary default is ten (10) days from receipt of notice; or (ii) by Lessee for any reason or for no reason, provided Lessee delivers written notice of early termination to Lessor no later than thirty (30) days prior to the Commencement Date; or (iii) by Lessee if it does not obtain or maintain any license, permit or other approval necessary for the construction and operation of Lessee's Facilities; or (iv) by Lessee if Lessee is unable to occupy and utilize the premises due to an action of the FCC, including without limitation, a take back of channels or change in frequencies; or (v) by Lessee if Lessee determines that the Premises are not appropriate for its operations for economic or technological reason, including, without limitation, signal interference; or (vi) or if Denali produces any interference to Village or public safety that cannot be resolved within thirty (30) days, the lease may be terminated by Lessor; or (vii) by Lessor if Lessor determinates that the premises is obsolete for municipal water distribution purposes, the lease may be terminated by Lessor upon sixty (60) days written notice. Lessee is not entitled to proration of prepaid rent if Lessee terminates this Agreement.

**11. Destruction or Condemnation.** If the Premises or Lessee's Facilities are damaged, destroyed, condemned or transferred in lieu of condemnation, Lessee may elect to terminate this Agreement as of the date of the damage, destruction, condemnation or transfer in lieu of condemnation by giving notice to Lessor no more than forty-five (45) days following the date of such damage, destruction, condemnation or transfer in lieu of

condemnation. If Lessee chooses not to terminate this Agreement, Rent shall be reduced or abated in proportion to the actual reduction or abatement of use of the Premises.

12. **Insurance.** Lessee, at Lessee's sole cost and expense, shall procure and maintain on the Premises and on the Lessee's Facilities bodily injury and property damage insurance with a combined single limit of at least One Million and 00/100 Dollars (\$1,000,000.00) per occurrence. Such insurance shall insure, on an occurrence basis, against liability of Lessee, its employees and agents arising out of or in connection with Lessee's use of the Premises all as provided for herein. Lessor shall be named as an additional insured on the Lessee's policy. Each party shall provide a certificate of insurance evidencing the coverage required by this paragraph within thirty (30) days of the Commencement Date.

13. **Assignment and Subletting.** Lessee may not assign or otherwise transfer all or any part of its interest in this Agreement or in the Premises without the prior written consent of Lessor provided, however, that Lessee may assign, without Lessor's consent, its interest to its parent company, any subsidiary or affiliate or to any successor-in-interest or entity acquiring fifty-one percent (51%) or more of its stock or assets in the market as defined by the Federal Communications Commission in which the property is located subject to any financing entity's interest, if any, in this Agreement as set forth in Paragraph 9 above. Lessor may assign this Agreement upon written notice to Lessee, subject to the assignee assuming all of Lessor's obligations herein, including, but not limited to, those set forth in Paragraph 9 above, and Lessee may sublet or license all or any portion of the Premises to one or more entities for communications uses only without Lessor's consent. Notwithstanding anything to the contrary contained in this Agreement, Lessee may assign, mortgage, pledge, hypothecate or otherwise transfer without consent its interest in this Agreement to any financing entity or agent on behalf of any financing entity to whom Lessee (i) has obligations for borrowed money or in respect of guaranties thereat; (ii) has obligations evidenced by bonds, debentures, notes or similar instruments, or (iii) has obligations under or with respect to letters of credit, bankers acceptances and similar facilities or in respect of guarantees thereof.

14. **Warranty of Title and Quiet Enjoyment.** Lessor warrants that: (i) Lessor owns the Property in fee simple and has rights of access thereto and the Property is free and clear of all liens, encumbrances and restrictions; (ii) Lessor has full right to make and perform this Agreement; and (iii) Lessor covenants and agrees with Lessee that upon Lessee paying the Rent and observing and performing all the terms, covenants and conditions on Lessee's part to be observed and performed, Lessee may peacefully and quietly enjoy the Premises. Lessor agrees to indemnify and hold harmless Lessee from any and all claims as warranted in this paragraph on Lessee's leasehold interest.

15. **Repairs.**

(a) Lessee shall not be required to make any repairs to the Premises or Property unless such repairs shall be necessitated by reason of the default or neglect of Lessee.

Upon expiration or termination hereof, Lessee shall restore the Premises to the condition in which it existed upon execution hereof, reasonable wear and tear and loss by casualty or other causes beyond Lessee's control excepted.

(b) Lessee, at its sole cost and expense, agrees to reimburse Lessor for reasonable costs associated with Lessor's need to hire a structural engineer to inspect the Water Tower on an annual basis if requested by Lessor for any damage caused by Lessee's equipment and to provide Lessor with a copy of the inspection report. In the event Lessor permits additional Lessees on the Water Tower, the cost and expense of said engineer shall be shared equally.

(c) Lessee shall reimburse Lessor for reasonable costs associated with increase in Lessor's site landscaping maintenance services costs.

**16. Hazardous Substances.** Lessee agrees that it will not use, generate, store or dispose of any Hazardous Material on, under, about or within the Land in violation of any law or regulation. Lessor represents, warrants and agrees (i) that neither Lessor nor, to Lessor's knowledge, any third party has used, generated, stored or disposed of, or permitted the use, generation, storage or disposal of any Hazardous Material (defined below) on, under, about or within the Land in violation of any law or regulation, and (ii) that Lessor will not permit any third party to use, generate, store or dispose of any Hazardous Material on, under, about or within the Land in violation of any law or regulation. Lessee agrees to defend, indemnify and hold harmless Lessor against any and all losses, liabilities, claims and/or costs (including reasonable attorneys' fees and costs) arising from any breach of any representation, warranty or agreement contained in this Section. As used in this paragraph "Hazardous Material" shall mean petroleum or any petroleum product, asbestos, any substance known by the state in which the Land is located to cause cancer and/or reproductive toxicity and/or any substance, chemical or waste that is identified as hazardous, toxic or dangerous in any applicable federal, state or local law or regulation.

**17. Maintenance of Water Tank.** Lessor may perform maintenance on the water tank, both structural and cosmetic (paint), at whatever intervals may be required to assure the integrity and longevity of the facility, provided Lessor provides thirty (30) days written notice to Lessee, and the opportunity, at Lessee's cost and expense, to temporarily relocate and continue to operate its antennas, or otherwise to secure the antennas or the Communications Facility generally, to protect them from damage and allow Lessee to continue to operate. Lessee will be permitted to install any type of temporary facility, such as a cell site on wheels ("COW"), necessary to keep its Communication Facility operational. Further, any maintenance will be conducted by Lessor as diligently and expeditiously as possible. Lessee will remove and reinstall its equipment at its cost if requested by the Lessor as needed to perform structural and cosmetic maintenance.

18. Miscellaneous.

(a) This Agreement constitutes the entire agreement and understanding between the parties and supersedes all other negotiations and other agreements concerning the subject matter contained herein. Any amendments to this Agreement must be in writing and executed by both parties.

(b) If any provision of this Agreement is invalid or unenforceable with respect to any party, the remainder of this Agreement or the application of such provision to persons other than those as to whom it is held invalid or unenforceable shall not be affected and each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

(c) This Agreement shall be binding on and inure to the benefit of the successors and permitted assignees of the respective parties.

(d) Any notice or demand required to be given herein shall be made by certified or registered mail return receipt requested or reliable overnight courier to the address of the respective parties set forth below:

LESSOR:	Village of Hoffman Estates 1900 Hassell Road Hoffman Estates, IL 60169 Attn: Village Manager
With a copy to:	Arthur L. Janura, Jr. Arnstein & Lehr LLP 2800 West Higgins Road., Ste. 425 Hoffman Estates, IL 60169-7246
LESSEE:	Denali Spectrum Operations, LLC c/o Cricket Communications, Inc. 10307 Pacific Center Court San Diego, CA 92121 Attn: Dan Rebeor
With a copy to:	Denali Spectrum Operations, LLC c/o Cricket Communications, Inc. 10307 Pacific Center Court San Diego, CA 92121 Attn: Legal Department



Lessor or Lessee may from time to time designate any other address for this purpose by written notice to the other party. All notices hereunder shall be deemed received upon actual receipt.

(e) This Agreement shall be governed by the laws of the State of Illinois.

(f) In any case where the approval or consent of one party hereto is required, requested or otherwise to be given under this Agreement, such approval or consent shall not be unreasonably or withheld.

(g) All Riders and Exhibits annexed hereto form material parts of this Agreement.

(h) This Agreement may be executed in duplicate counterparts, each of which shall be deemed an original.

(i) The persons who have executed this Agreement represent and warrant that they are duly authorized to execute this Agreement in their individual or representative capacity as indicated.

19. **Acts of God, Vandalism.** Lessee shall hold Lessor harmless for any damage to Lessee equipment arising from acts of God or vandalism to Lessee's equipment and/or Lessor's equipment/facilities that are not due to Lessor's gross negligence or intentional acts.

20. **Water Tower Marking and Lighting Requirements.** Lessor shall be responsible for compliance with all marking and lighting requirements of the Federal Aviation Administration ("FAA") and the FCC. Should Lessee be cited because the Property is not in compliance and noncompliance and should Lessor fail to cure the conditions of noncompliance, Lessee may either terminate this Agreement or proceed to cure the conditions of noncompliance at Lessor's expense which amounts may be deducted from the Rent.

\*\*\*SIGNATURES ON FOLLOWING PAGE\*\*\*

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

**LESSOR:**

**LESSEE:**

**VILLAGE OF HOFFMAN ESTATES,**  
an Illinois municipal corporation

**DENALI SPECTRUM OPERATIONS, LLC,**  
a Delaware limited liability company

By: \_\_\_\_\_  
William McLeod

Date: \_\_\_\_\_

Title: Village President

Tax ID: 36-2434131

By: Denali Spectrum Licensee, LLC  
Its sole member

By: Denali Spectrum, LLC  
Its sole member

By: Denali Spectrum Manager, LLC  
Its manager

By: Doyton, Limited  
Its manager

By:                     *B. Root*                    

Printed Name: Brian Root

Its: Operations Manager

Date: 2/5/09

**EXHIBIT A**  
**DESCRIPTION OF LAND**

To the Agreement dated \_\_\_\_\_, 2009, by and between Village of Hoffman Estates, as Lessor, and Denali Spectrum Operations, LLC, a Delaware limited liability company, as Lessee, the Land is described and/or depicted as follows:

**LEGAL DESCRIPTION:**

TO BE PROVIDED

PIN: 02-19-119-055-8001

**LEGAL DESCRIPTION:**

THAT PART OF LOTS 19 TO 23 INCLUSIVE IN BLOCK 29 IN HOWIE IN THE HILLS UNIT ONE, A SUBDIVISION IN SECTION 19, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THOSE PARTS OF SAID LOTS INCLUDED IN HEATHSTONE UNIT 2 SUBDIVISION RECORDED JANUARY 4, 1991 AS DOCUMENT NUMBER 91005615, ORBIT SUBDIVISION RECORDED JUNE 29, 1994 AS DOCUMENT NUMBER 94567194, AND THAT PART OF LOT 23 TAKEN FOR OLMSTEAD DRIVE), BEING A TRACT OF LAND DESCRIBED AS BEING NORTH OF A LINE 120 FEET SOUTH OF THE SOUTH LINE OF ORBIT, A RESUBDIVISION OF LOTS 1 AND 2 IN MERIDIAN'S COMMERCIAL ADDITION TO WESTBURY, AND LOTS 13 TO 19 IN BLOCK 29, PART OF LOTS 18 AND 19, ALL OF LOTS 20 TO 23 IN BLOCK 22 AND THE VACATED STREET LYING WITHIN, IN HOWIE IN THE HILLS UNIT ONE, AND LYING WEST OF THE EAST BOUNDARY LINE OF SAID ORBIT EXTENDED SOUTHERLY AND EAST OF A LINE 288 FEET WEST OF THE WEST BOUNDARY LINE OF OLMSTEAD DRIVE, AS DEDICATED PER DOCUMENT 2706839, RECORDED DECEMBER 16, 1980, IN COOK COUNTY, ILLINOIS.

# EXHIBIT B SITE PLAN

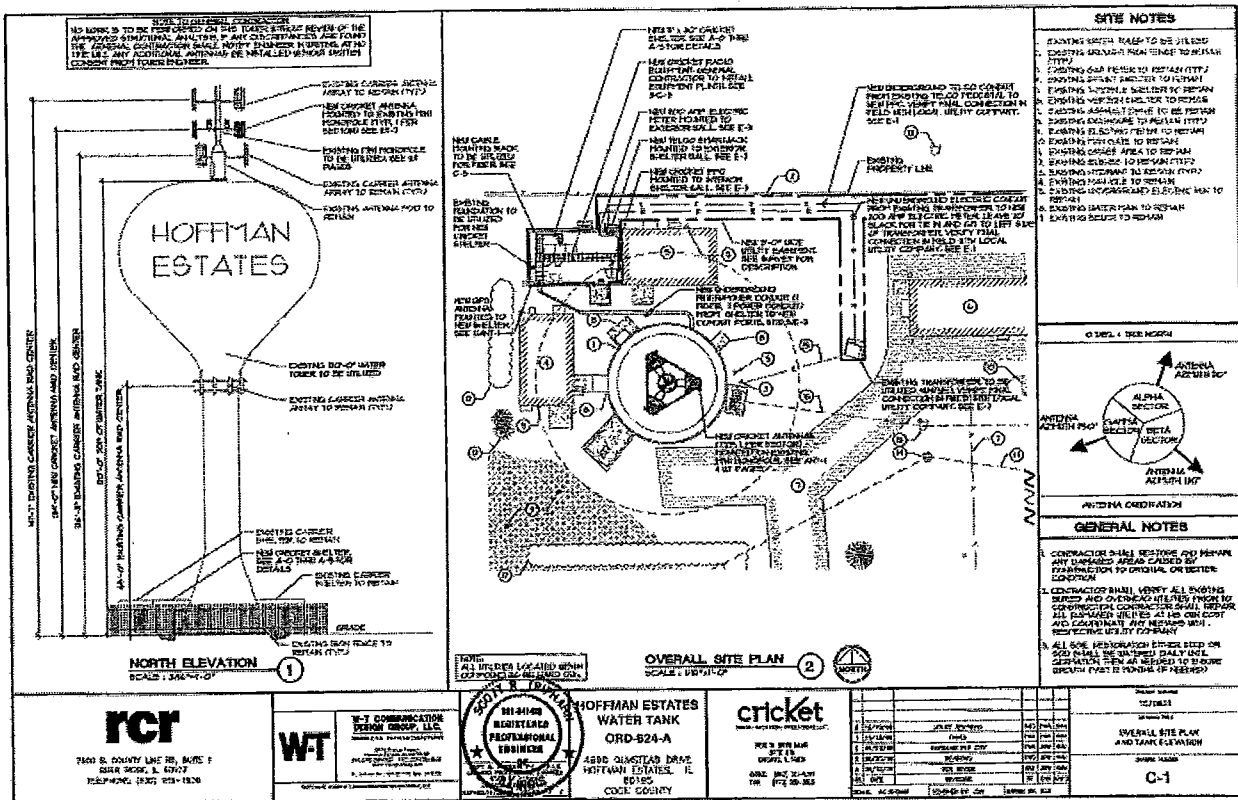


EXHIBIT C

<u>YEAR</u>	<u>MONTHLY</u>	<u>ANNUALLY</u>
2009	\$3,558.00	\$42,696.00
2010	\$3,700.32	\$44,403.84
2011	\$3,848.33	\$46,179.96
2012	\$4,002.26	\$48,027.12
2013	\$4,162.35	\$49,948.20
2014	\$4,328.84	\$51,946.08
2015	\$4,501.99	\$54,023.88
2016	\$4,682.07	\$56,184.84
2017	\$4,869.35	\$58,432.20
2018	\$5,064.12	\$60,769.44
2019	\$5,317.33	\$63,807.96
2020	\$5,583.20	\$66,998.40
2021	\$5,862.36	\$70,348.32
2022	\$6,155.48	\$73,865.76
2023	\$6,463.25	\$77,559.00
2024	\$6,786.41	\$81,436.92
2025	\$7,125.73	\$85,508.76
2026	\$7,482.02	\$89,784.24
2027	\$7,856.12	\$94,273.44
2028	\$8,248.93	\$98,987.16
2029	\$8,661.38	\$103,936.56
2030	\$9,094.45	\$109,133.40
2031	\$9,549.17	\$114,590.04
2032	\$10,026.63	\$120,319.56
2033	\$10,527.96	\$126,335.52

**FOR THE FIRST TEN YEARS, RATES INCREASE ANNUALLY AT 4%  
THEREAFTER RATES CONTINUE TO INCREASE ANNUALLY AT 5%**

# COMMITTEE AGENDA ITEM

## VILLAGE OF HOFFMAN ESTATES

**SUBJECT:** Discussion regarding meeting agenda process.

**MEETING DATE:** February 16, 2009

**COMMITTEE:** General Administration and Personnel

**FROM:** James H. Norris, Village Manager  
Molly Norton, Assistant to the Village Manager

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**PURPOSE:** Discussion regarding meeting agenda process.

**DISCUSSION:** The renovation of the Council Chambers will allow for the taping and televising of Village Board Meetings. At the suggestion of and with input from Corporation Counsel the current agenda process was reviewed in order to ensure that Village Board meetings are easily followed by the viewing public.

After surveying neighboring communities, staff found that a "consent agenda" format is more widely utilized than the format currently in place in the Village of Hoffman Estates. This format eliminates the need for both a first and second reading of items on the agenda.

A proposed draft agenda is attached. The Consent Agenda contains a list of routine, non-controversial items that are approved with one motion and one vote. This includes items such as the approval of the agenda, minutes and bill list. Additionally, in this draft agenda, those items placed under the consent agenda were passed unanimously by the Village Board Standing Committee that the item originated from. All items that were not passed by a unanimous vote would be carried under the Additional Business section. Any member of the Board of Trustees may ask that an item listed on the Consent Agenda be removed and placed under Additional Business for further discussion. The Consent Agenda would also include ordinances and resolutions directly related to items from the Plan Commission and Zoning Board of

February 16, 2009

GAP Committee – Consent Agenda

Appeals Report from the previous meeting that were passed unanimously by the Village Board.

There will be no change to the current standing committee structure or processes.

Should the committee endorse the concept of the consent agenda, a final draft format and related changes to the municipal code will be brought forward to the March GAP Committee meeting.

Those communities currently utilizing a consent agenda include (but are not limited too): Buffalo Grove, Crystal Lake, Downers Grove, Glen Ellyn, Gurnee, Highland Park, Lake Bluff, Lombard, North Aurora, Oak Park, Park Ridge, Schaumburg, St. Charles, Western Springs, Wilmette, and Yorkville.

**RECOMMENDATION:** For Discussion.

##



## **AGENDA**

***Village of Hoffman Estates  
First Meeting of the Month  
Village Board of Trustees***

*Village of Hoffman Estates  
1900 Hassell Road  
Hoffman Estates, IL 60169  
847/882-9100*

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**Board Room**

**July 7, 2008**

**8:00 p.m.**

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**1. CALL TO ORDER/ROLL CALL**

**2. PLEDGE OF ALLEGIANCE TO THE FLAG**

**3. RECOGNITION OF AUDIENCE**

**4. CONSENT AGENDA/OMNIBUS VOTE (Roll Call Vote)**

(All items under the Consent Agenda are considered to be routine in nature and will be enacted by one motion. There will be no separate discussion of these items unless a Trustee so requests. In that event, the discussion will be the first item of business after approval of the Consent Agenda).

A. Approval of Agenda

B. Approval of Minutes –

1) Board Meeting of June 16, 2008

2) Special Meeting of June 30, 2008

C. Approval of the schedule of bills for June 17-30, 2008: \$123,456,789.99

D. Request Board approval of Ordinance No. 4028-2008, an ordinance amending Article 8, Flood Hazard Areas, of Chapter 10, Subdivision Code, of the Hoffman Estates Municipal Code.

E. Request Board approval of Resolution No. 1377-2008, a resolution authorizing entry into an amended agreement for Northwest Central Dispatch System.

F. Request Board approval of Resolution No. 1378-2008, a resolution approving an addendum of new membership in the Northwest Central 9-1-1 System.

G. Request Board approval of Resolution No. 1379-2008, a resolution creating the Sister Cities Commission of the Village of Hoffman Estates (increase in membership).

H. Request Board approval of Ordinance No. 4029-2008, an ordinance granting a sign variation to Barrington Lakes Apartments, 2200-2280 Hassell Road, Hoffman Estates.

I. Request Board approval of Ordinance No. 4030-2008, an ordinance adopting an amendment to the Sears Center Arena Master Sign Plan to provide for signs in the EDA District.

J. Request Board acceptance of the Comprehensive Annual Financial Report for the year ended December 31, 2007.

K. Request Board acceptance of the Auditor's Management Letter for the year ended December 31, 2007.



4. **CONSENT CALENDAR (Continued) –**

- L. Request Board authorization to declare \$323,180 as surplus funds in the Barrington-Higgins TIF Tax Allocation Fund and direct the Treasurer to remit said funds to the Cook County Treasurer for distribution.
- M. Request Board authorization to:
  - 1) waive formal bidding; and
  - 2) award contract for an ongoing Microsoft Enterprise Licensing Agreement and Software Assurance through CDWG per Illinois State Contract in an amount not to exceed \$37,607.97.
- N. Request Board authorization to award contract for 2008 parkway tree planting program to Arthur Weiler Nursery Inc., Zion, IL, in an amount not to exceed \$133,200.
- O. Request Board authorization to award contract to install new asphalt pavement for new salt dome to Arrow Road Construction, Mt. Prospect, IL, in an amount not to exceed \$75,000.
- P. Request Board authorization to extend 2007 contract for 2008 concrete maintenance program to Strada Construction Co., Algonquin, IL, as a unit price of \$5.98 per square foot sidewalk replacements and \$24.98 per lineal foot for curb replacements, at a total cost not to exceed \$25,750.
- Q. Request Board authorization for Change Order #1 for additional engineering services for replacement and repair of back-pitched and defective sewer to RJN Group, Wheaton, IL, in an amount not to exceed \$9,440.
- R. Request Board approval to dispose of Village records that have exceeded the State-required retention period.
- S. Request Board authorization to award contracts for site work and foundation (bid package No. 1) for new Fire Station 24 in an amount not to exceed \$1,344,846.00.

5. **REPORTS**A. **President's Report**

- 1) Proclamation(s)
  - Gisela Goettling Day
  - Dale & Barb Basl Day
  - Catherine Bloss Day (20 Years Service)
  - David Dahlberg Day (20 Years Service)
  - Mark Laughlin Day (20 Years Service)
  - Jeff Mattes Day (20 Years Service)
  - J.C. Paez Day (20 Years Service)
  - Kenneth Hari Day (15 Years Service)
- 2) Presentation(s)
  - Recognition of Police Officer – EMS Incident (Fire Department)

B. **Trustee Comments**C. **Village Manager's Report**

- D. **Village Clerk's Report**
- E. **Treasurer's Report**
- F. **Committee Reports**
  - 1) Public Works & Utilities
  - 2) Public Health & Safety
  - 3) Finance

6. **PLAN COMMISSION/ZONING BOARD OF APPEALS REPORTS**

A. **PLAN COMMISSION (Chairman Stanton)**

- 1) Request by McShane Hoffman Estates LLC for a Rezoning from O-4 (Office and Research Campus District) to O-3 (Office and Research Tollway District) on approximately 70 acres on the north side of Central Road, west of Huntington Boulevard, and north of the Jane Addams Tollway (I-90), with 1 condition (see packets).

Voting: 8 Ayes, 3 Absent

Motion carried.

- 2) Request by McShane Hoffman Estates LLC for a Preliminary Concept Plan approval for Huntington Woods Corporate Center, including mass grading on the east parcel, located at the northwest corner of Huntington Boulevard and Central Road, with 11 conditions (see packets).

Voting: 8 Ayes, 3 Absent

Motion carried.

- 3) Request by McShane Hoffman MS LLC for preliminary and final plat of subdivision for a three-lot subdivision known as Huntington Woods Corporate Center, located at the northwest corner of Huntington Boulevard and Central Road, with 3 conditions (see packets).

Voting: 8 Ayes, 3 Absent

Motion carried.

- 4) Request by McShane Hoffman MS LLC for preliminary and final site plan approval for an office/warehouse site (Mori Seiki), including off-site utilities, on the east parcel of Huntington Woods Corporate Center located at the northwest corner of Huntington Boulevard and Central Road, with 9 conditions (see packets).

Voting: 8 Ayes, 3 Absent

Motion carried.

B. **ZONING BOARD OF APPEALS (Chairman Weaver)**

- 1) Request by Sergio Munoz, 1730 Kent Road, for a two foot, six inch (2'6") height variation from Section 9-3-6-B-2 to permit a detached garage to be seventeen feet, six inches (17'6") high instead of the maximum permitted fifteen feet (15').

Voting: 5 Ayes, 1 Nay, 1 Absent

Motion carried.

6. **PLAN COMMISSION/ZONING BOARD OF APPEALS REPORTS (Continued)**

- 2) Request by Grand Sports Arena, 2350 Hassell Road, for a special use amendment under Section 9-8-2-C-9 to permit an extension of the permitted hours of operation from 6:00 a.m.-1:00 a.m. to 6:00 a.m.-3:00 a.m., with 5 conditions (see packets).

Voting: 4 Ayes, 2 Nays, 1 Absent

Motion carried.

- 3) Request by Brookdale Living Communities, Inc. (lessor) and Black and Veatch, Agent for Denali Spectrum Operations d/b/a Cricket Communications (lessee), 1515 N. Barrington Road, for a special use under Sections 9-3-9-A and 9-5-11-E-3 and a seventy-three foot (73') height variation from Section 9-3-9-A to permit the installation of a maximum three (3) cellular antennas and associated equipment to be no greater than 133 feet high on the Brookdale Living Community building, with 2 conditions (see packets).

Voting: 6 Ayes, 1 Absent

Motion carried.

***(Immediate authorization to apply for permit is requested)***

- 4) Request by the Hoffman Estates Park District (lessor) and Black and Veatch, Agent for Denali Spectrum Operations d/b/a Cricket Communications (lessee) at Cannon Crossings Park located at the southeast corner of the intersection of McDonough Road and Nicholson Drive, for a special use under Sections 9-3-9-A and 9-5-3-C-4 and a forty-four foot (44') height variation from Section 9-3-9-A to permit the installation of a maximum of three (3) cellular antennas and associated equipment to be no greater than 104 feet high on one (1) light pole between the two (2) southernmost baseball fields as shown specifically in the petitioner's application materials, with 2 conditions (see packets).

Voting: 6 Ayes, 1 Absent

Motion carried.

***(Immediate authorization to apply for permit is requested)***

- 5) Request by McShane Hoffman Estates MS LLC to accept text amendments to the Zoning Code regarding the O-3 (Office and Research Tollway) District.

Voting: 6 Ayes, 1 Absent

Motion carried.

7. **ADDITIONAL BUSINESS** (All other new business; those items not recommended by a majority of the Committee)

8. **ADJOURNMENT – Executive Session – Land Acquisition (5 ILCS 120/2-(c)-(5))**

***The Village of Hoffman Estates complies with the Americans with Disabilities Act (ADA). For accessibility assistance, call the ADA Coordinator at 847/882-9100.***

# COMMITTEE AGENDA ITEM

## VILLAGE OF HOFFMAN ESTATES

**SUBJECT:** Discussion regarding Telephonic Attendance at Board Meetings

**MEETING DATE:** February 16, 2009

**COMMITTEE:** General Administration and Personnel

**FROM:** James H. Norris, Village Manager  
Molly Norton, Assistant to the Village Manager

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**PURPOSE:** Discussion regarding Telephonic Attendance at Board meetings.

**BACKGROUND:** The Village Board had previously discussed telephonic attendance at three (3) General Administration and Personnel Committee Meetings. The background information and minutes from those meetings is attached.

**DISCUSSION:** P.A. 94-1058 was approved by the General Assembly effective January 1, 2007. This legislation amended the "Open Meetings Act" to allow for electronic attendance. The statute places quorum rules and bases of exception to personal attendance. Under this legislation, a public body may permit attendance by rules consistent with the legislation or more restrictive.

Attendance is allowed whether in person or by "other means" including video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat and instant messaging), or other means of contemporaneous interactive communication. However, electronic attendance may not be utilized to establish a quorum. The quorum depends on those members physically present at the location of the meeting of an open meeting.

Further restrictions under the Act specify:

- (a) A member may be permitted to attend the meeting by other means if the member is prevented from physically attending because of: (i) personal illness or disability; (ii) employment purposes or the business of the public body; or (iii) a family or other emergency.

If a member wishes to attend a meeting by other means, the member must notify the recording secretary or clerk of the public body before the meeting unless advance notice is impractical.

- (b) A majority of the public body may allow a member to attend a meeting by other means only in accordance with and to the extent allowed by rules adopted by the public body. The rules must conform to the requirements and restrictions of the legislation, may further limit the extent to which attendance by other means is allowed, and may provide for the giving of additional notice to the public or further facilitate public access to meetings.

Communities that currently allow for telephonic attendance were surveyed. The following list contains provisions from these communities (Hanover Park, Inverness, Lake Barrington, Lake Forest and North Barrington) that are more restrictive than the Public Act. The items have been numbered for discussion purposes only:

- 1) Notification – Communities require that a combination of either the Village Clerk, Village President or Village Manager to be notified of the absence and proposed electronic attendance. Staff recommends that the Committee give direction of who shall be notified and the amount of time prior to the meeting.
- 2) Authorization – Some of the communities require a motion on the agenda to allow the attendance with more than a regular majority voting to authorize. Staff does not recommend this inclusion.
- 3) Chair – Several of the communities do not allow the meeting to be chaired by an electronic attendee, including that the Chair shall vacate the Chair, allowing the Vice-Chair (who is physically present) to Chair the meeting.

- 4) Number – A decision should be made as to the maximum number allowed to attend electronically. From both a public and staff standpoint, the more allowed the more difficult it becomes. Again, a quorum must be physically present.
- 5) Amplification – The voice of the member attending electronically must be able to be amplified for the members of the board and public to hear and for the voice to be recorded.
- 6) Staff/Consultants – Some communities authorize staff and/or consultants to attend electronically.
- 7) Additional Recommended Rules –
  - a) All votes shall be by roll call;
  - b) An electronic attendee must identify themselves before being recognized by the Chair;
  - c) Will not establish a quorum.

**RECOMMENDATION:** If the Committee desires to establish an ordinance allowing electronic attendance, please give direction on the items above.

Motion by Trustee Collins, seconded by Mayor McLeod, to approve Children's Memorial Commission Solicitation Plan. Voice vote taken. All ayes. Motion carried.

**2. Request by Sister Cities Commission for approval of a temporary liquor license and raffle with waiver of fees for the March 2, 2007 French Evening at Village Hall and update of activities.**

An item summary sheet from Lillian Mosier was submitted to the Committee.

Motion by Trustee Mills, seconded by Trustee Crespo, to approve temporary liquor license and raffle with waiver of fees for the March 2, 2007 French Evening at Village Hall. Voice vote taken. All ayes. Motion carried.

**Discussion regarding P.A. 94-1058 providing for attendance by electronic means at public meetings.**

An item summary sheet from Richard Williams was submitted to the Committee.

Richard Williams addressed the Committee that effective January 1, 2007, P.A. 94-1058 takes effect. The legislation amends the "Open Meetings Act" to define "meeting" to include electronic attendance and to place quorum rules and bases of exception to personal attendance. Section 7 provides the right of the public body to permit by attendance by rule consistent with the legislation or more restrictive.

Jim Norris addressed the Committee and stated that in cases of publicly declared disasters, i.e. pandemic flu emergency, allowing attendance by electronic attendance would be helpful.

Motion by Mayor McLeod, seconded by Trustee Collins, to allow telephonic attendance at Board meetings. Roll call vote taken. Ayes: Collins, Crespo, McLeod; Nays: Mills, Boester, Rusakiewicz, Kincaid. Motion failed.

**4. Request acceptance of Cable TV Monthly Report.**

The Cable TV Monthly Report was submitted to the Committee.

Motion by Trustee Mills, seconded by Trustee Collins, to accept the Cable TV monthly report. Voice vote taken. All ayes. Motion carried.

**5. Request acceptance of Human Resources Management Monthly Report.**


The Human Resources Management Monthly Report was submitted to the Committee.

Motion by Trustee Mills, seconded by Trustee Collins, to accept the Human Resources Management monthly report. Voice vote taken. All ayes. Motion carried.

# COMMITTEE AGENDA ITEM

## VILLAGE OF HOFFMAN ESTATES

**SUBJECT:** Open Meetings Act – Electronic Attendance

**MEETING DATE:** 

**COMMITTEE:** General Administration & Personnel Committee

**FROM:** Richard N. Williams, Corporation Counsel

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**PURPOSE:** To review P.A. 94-1058 providing for attendance by electronic means at public meetings.

**BACKGROUND:** In March and April 2004 (attached), this Committee discussed and then voted not to permit electronic attendance at Village Board or Committee meetings. One of the reasons was that there was no legislation on the issue and no significant body of case law.

The General Assembly passed and the Governor signed P.A. 94-1058 (attached) to take effect on January 1, 2007. The legislation amends the "Open Meetings Act" to define "meeting" to include electronic attendance and to place quorum rules and bases of exception to personal attendance. In particular, Section 7 provides the right of the public body to permit by attendance by rule consistent with the legislation or more restrictive.

**DISCUSSION:** The Illinois Municipal League attorney committee is in the process of issuing a draft ordinance consistent with the Act's permissible electronic attendance. Some municipalities, like Schaumburg, are rejecting it altogether and require personal attendance. A middle ground could permit electronic attendance only during a state of emergency.



The Village is not compelled to adopt any policy by January 1. If nothing is done, no electronic attendance will be permitted, as before.

The item is presented for discussion.

RECOMMENDATION: For discussion.

11/27/06

GENERAL ADMINISTRATION & PERSONNEL  
COMMITTEE MEETING MINUTES

Page 6

Ms. Mosier spoke with regards to the number of people on the Commission who worked in the Village when they were appointed to the Commission and the contributions they all have made, but now are retired.

Motion by Trustee Mills, seconded by Trustee Rusakiewicz, to amend resolution 1107--section C to read as follows:

*The members of said Commission shall be appointed by the corporate authorities voting jointly. The corporate authorities voting jointly shall appoint one (1) of the members as chairman of the Sister Cities Commission. Members of the Sister Cities Commission shall be residents of or employed in the Village of Hoffman Estates, except that up to three (3) members may be appointed who are neither residents of or employed in the Village of Hoffman Estates.*

Voice vote taken. Motion carried. Nay: Trustee Frank.

**Discussion regarding telephonic attendance at Village Board meetings.**

An item summary sheet from Richard Williams was submitted to the Committee.

Richard Williams, Corporation Counsel, addressed the Committee stating there is no authority on the matter of telephonic attendance at Village Board meetings, and rather than be challenged in court, it would be better if there were a Home Rule ordinance, as a number of communities have done. An example is the Village of Orland Park's ordinance in the packet. There is no state law that permits this, although there is a case for a state board, and a number of state boards that have telephonic meetings, but no such thing for municipalities. If the Village exercised its Home Rule powers to provide for such telephone participation, there being no state law to the contrary, Mr. Williams believes such vote would be defensible.

Trustee Kenley-Rupnow stated if one can attend a meeting by telephone and cast a vote, how does that person participate in visual exhibits, updated business lists, or updated agendas, etc. Mr. Williams replied that under the Illinois Open Meetings Act, if persons can hear them, and they can hear, that may well be sufficient. Trustee Kenley-Rupnow replied that when residents come and have something to say at a Village Board meeting, Board members owe residents the courtesy to be here, to let them see the reaction to what is said, and for Board members to see how the residents present it.

President McLeod stated that Trustee Kenley-Rupnow makes an important point but is the Board going to deny an elected official from participating telephonically, when the law states that they can. The Village needs a blanket policy that is very clear.

Trustee Mills stated that she has been involved in the same issue with another organization that she belongs to, and there is a need to be very specific with any ordinance. This is not something that there is a clear cut answer on.

**GENERAL ADMINISTRATION & PERSONNEL  
COMMITTEE MEETING MINUTES**

**March 8, 2004  
Page 7**

Trustee Frank stated that the actions that are taken at Committee meetings go to the Board the following week for a final vote. If a Trustee has asked for an item to be deferred that he/she has a particular interest in, the request is never denied. The policy has worked up to this point.

Trustee Collins stated that under certain circumstances (injury, travel, etc.) the Board should permit an elected official to participate in a meeting.

President McLeod stated what needs to be determined is if this is possible and is the Board going to make it possible. Under state law a person can, but under what circumstance.

Trustee Kenley-Rupnow replied that at some time each of us has been absent for voting and the Village has continued to operate.

Mr. Williams stated there are state laws that do allow telephonic meetings for various state boards and commissions. The state is silent on municipalities. If the Village exercises Home Rule, based upon the presence of cases in the Illinois statutes, the Village would reach a comfort level and have an assurance that the vote is defendable.

A lengthy discussion took place regarding the understanding of the case law on telephonic attendance.

Motion by Trustee Mills, seconded by Trustee Rusakiewicz, to defer further discussion regarding telephonic attendance, and bring this item back at the next General Administration & Personnel Committee meeting. Voice vote taken. All ayes. Motion carried.

Motion by Trustee Kenley-Rupnow, seconded by Trustee Mills, to accept by omnibus vote New Business Item Nos. 9, 10 and 11. Voice vote taken. All ayes.

**9. Request acceptance of Home Rule Attorney's Monthly Report. (no report)**

**10. Request acceptance of Cable TV Monthly Report.**

The Cable TV Monthly Report was submitted to the Committee.

**11. Request acceptance of Human Resources Management Monthly Report.**

The Human Resources Management Monthly Report was submitted to the Committee.

Motion by Trustee Kenley-Rupnow, seconded by Trustee Mills, to approve by omnibus vote New Business Item Nos. 9, 10 and 11. Voice vote taken. All ayes.

**III. President's Report**

None

Village of Hoffman Estates

GENERAL ADMINISTRATION & PERSONNEL  
COMMITTEE MEETING MINUTES

DRAFT

2004

I. Roll Call

Members in Attendance:

Cary Collins, Chairman  
Lloyd Boester, Vice-chairman  
Karen Mills, Member

Other Corporate Authorities  
in Attendance:

Trustee Susan Kenley-Rupnow  
Trustee Edwin Frank  
Trustee Rodney Rusakiewicz  
Village President William McLeod

Management Team  
in Attendance:

Jim Norris, Village Manager  
Richard Williams, Corporation Counsel  
Richard Unwin, Director of Com. Development  
Molly Norton, Assistant to the Village Manager  
Gary Skoog, Economic Development  
Ron Widmar, Planning Director  
Mark Koplín, EDA Coordinator  
Jennifer Mitchell, Director of Transportation  
Jim Aydt, Human Resources Manager  
Shirley Wells-English, Village Mgr's Assistant

Others in Attendance:

News Reporters from the Daily Herald and Chicago  
Tribune and Pioneer Press

The General Administration & Personnel meeting was called to order at 9:40 p.m. after a brief recess following the Planning, Building and Zoning Committee meeting.

II. Approval of Minutes

Motion by Trustee Mills, seconded by Trustee Kenley-Rupnow, to approve the March 8, 2004, General Administration & Personnel Committee meeting minutes. Voice vote taken. All ayes. Motion carried.

AD BUSINESS

Discussion regarding telephonic attendance at Village Board meetings.

An item summary sheet from Richard Williams was submitted to the Committee.

President McLeod stated that he is in favor of the Orland Park ordinance and telephonic attendance at meetings is acceptable in most businesses. Hotels and various other businesses are equipped with facilities for their patrons to connect to a meeting. An occasion can arise where there is a problem with a quorum and telephonic attendance could prove to be useful in having members of the Board participate while away from the Village.

**GENERAL ADMINISTRATION & PERSONNEL  
COMMITTEE MEETING MINUTES**

**Page 2  
April 12, 2004**

Trustee Frank commented that there is a major difference in telephonic conferencing in business and conducting governmental business by telephone. If there would be anything major on the agenda, it could be deferred until all are present to discuss it.

Trustee Kenley-Rupnow noted that as long as this issue is not addressed, there is the option to participate telephonically, and she would like to preclude that from happening. It is important for members of the Village Board to be in attendance at meetings.

Trustee Mills stated that a telephonic meeting was tried last month, and the meeting became very burdensome. A telephonic attendance should not be used as part of a quorum.

Frank Brigano, 3855 Moulin Lane, addressed the Committee and asked the Committee to consider teleconferencing for Village Board meetings. Teleconferencing is used in business and has never been an issue. Web displays can be shown on the Internet along with Web-Cams that can be shown to the party that is out of town. As a person who travels due to business and a former Board member, Mr. Brigano stated this option should be allowed as a means for people to participate.

Trustee Collins asked Richard Williams, Corporation Counsel, if a motion was appropriate, and Mr. Williams responded that it was.

Motion by Trustee Kenley-Rupnow, seconded by Trustee Frank, to require physical attendance at Village Board meetings in order to participate.

Roll Call Vote:	Trustee Boester	Aye
	Trustee Mills	Aye
	Trustee Kenley-Rupnow	Aye
	Trustee Frank	Aye
	Trustee Rusakiewicz	Aye
	Trustee Collins	Nay
	President McLeod	Nay

Motion carried.

**NEW BUSINESS**

**1. Discussion regarding legislative update.**

An item summary sheet from Richard Williams was submitted to the Committee.

Jim Norris addressed the Committee and stated that regarding all the pending legislation bills listed, the Board has taken a position on. The most recent letters sent are in support of HB-4929 Business District Development Plan and opposition to HB-3150 Residential Inspection Ordinance Act.

Public Act 094-1058

SB0585 Enrolled

LRB094 04323 JAM 34352 b

AN ACT concerning government.

Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:

Section 5. The Open Meetings Act is amended by changing Sections 1.02, 2.01, 2.05, and 2.06 and by adding Section 7 as follows:

(5 ILCS 120/1.02) (from Ch. 102, par. 41.02)

Sec. 1.02. For the purposes of this Act:

"Meeting" means any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business.

"Public body" includes all legislative, executive, administrative or advisory bodies of the State, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees or commissions of this State, and any subsidiary bodies of any of the foregoing including but not limited to committees and subcommittees which are supported in whole or in part by tax revenue, or which expend tax revenue, except the General Assembly and committees or commissions thereof. "Public body" includes tourism boards and convention or civic center boards located in counties that are contiguous to the Mississippi River with populations of more than 250,000 but less than 300,000. "Public body" includes the Health Facilities Planning Board. "Public body" does not include a child death review team or the Illinois Child Death Review Teams Executive Council established under the Child Death Review Team Act or an ethics commission acting under the State Officials and Employees Ethics Act.

(Source: P.A. 92-468, eff. 8-22-01; 93-617, eff. 12-9-03.)

(5 ILCS 120/2.01) (from Ch. 102, par. 42.01)

Sec. 2.01. All meetings required by this Act to be public shall be held at specified times and places which are convenient and open to the public. No meeting required by this Act to be public shall be held on a legal holiday unless the regular meeting day falls on that holiday.

A quorum of members of a public body must be physically present at the location of an open meeting. If, however, an open meeting of a public body (except one with jurisdiction limited to a specific geographic area that is less than statewide) is held simultaneously at one of its offices and one or more other locations in a public building, which may include other of its offices, through an interactive video conference and the public body provides public notice and public access as

required under this Act for all locations, then members physically present in those locations all count towards determining a quorum. "Public building", as used in this Section, means any building or portion thereof owned or leased by any public body. The requirement that a quorum be physically present at the location of an open meeting shall not apply, however, to State advisory boards or bodies that do not have authority to make binding recommendations or determinations or to take any other substantive action.

A quorum of members of a public body that is not a public body with statewide jurisdiction must be physically present at the location of a closed meeting. Other members who are not physically present at a closed meeting of such a public body may participate in the meeting by means of a video or audio conference.

(Source: P.A. 88-621, eff. 1-1-95.)

(5 ILCS 120/2.05) (from Ch. 102, par. 42.05)

Sec. 2.05. Recording meetings. Subject to the provisions of Section 8-701 of the Code of Civil Procedure ~~"An Act in relation to the rights of witnesses at proceedings conducted by a court, commission, administrative agency or other tribunal in this State which are televised or broadcast or at which motion pictures are taken"~~, approved July 14, 1953, as amended, any person may record the proceedings at meetings required to be open by this Act by tape, film or other means. The authority holding the meeting shall prescribe reasonable rules to govern the right to make such recordings.

If a witness at any meeting required to be open by this Act which is conducted by a commission, administrative agency or other tribunal, refuses to testify on the grounds that he may not be compelled to testify if any portion of his testimony is to be broadcast or televised or if motion pictures are to be taken of him while he is testifying, the authority holding the meeting shall prohibit such recording during the testimony of the witness. Nothing in this Section shall be construed to extend the right to refuse to testify at any meeting not subject to the provisions of Section 8-701 of the Code of Civil Procedure ~~"An Act in relation to the rights of witnesses at proceedings conducted by a court, commission, administrative agency or other tribunal in this State which are televised or broadcast or at which motion pictures are taken"~~, approved July 14, 1953, as amended.

(Source: P.A. 82-378.)

(5 ILCS 120/2.06) (from Ch. 102, par. 42.06)

Sec. 2.06. Minutes.

(a) All public bodies shall keep written minutes of all their meetings, whether open or closed, and a verbatim record of all their closed meetings in the form of an audio or video recording. Minutes shall include, but need not be limited to:

- (1) the date, time and place of the meeting;
  - (2) the members of the public body recorded as either present or absent and whether the members were physically present or present by means of video or audio conference;
- and

(3) a summary of discussion on all matters proposed, deliberated, or decided, and a record of any votes taken.

(b) The minutes of meetings open to the public shall be available for public inspection within 7 days of the approval

of such minutes by the public body. Beginning July 1, 2006, at the time it complies with the other requirements of this subsection, a public body that has a website that the full-time staff of the public body maintains shall post the minutes of a regular meeting of its governing body open to the public on the public body's website within 7 days of the approval of the minutes by the public body. Beginning July 1, 2006, any minutes of meetings open to the public posted on the public body's website shall remain posted on the website for at least 60 days after their initial posting.

(c) The verbatim record may be destroyed without notification to or the approval of a records commission or the State Archivist under the Local Records Act or the State Records Act no less than 18 months after the completion of the meeting recorded but only after:

(1) the public body approves the destruction of a particular recording; and

(2) the public body approves minutes of the closed meeting that meet the written minutes requirements of subsection (a) of this Section.

(d) Each public body shall periodically, but no less than semi-annually, meet to review minutes of all closed meetings. At such meetings a determination shall be made, and reported in an open session that (1) the need for confidentiality still exists as to all or part of those minutes or (2) that the minutes or portions thereof no longer require confidential treatment and are available for public inspection. The failure of a public body to strictly comply with the semi-annual review of closed session written minutes, whether before or after the effective date of this amendatory Act of the 94th General Assembly, shall not cause the written minutes or related verbatim record to become public or available for inspection in any judicial proceeding, other than a proceeding involving an alleged violation of this Act, if the public body, within 60 days of discovering its failure to strictly comply with the technical requirements of this subsection, reviews the closed session minutes and determines and thereafter reports in open session that either (1) the need for confidentiality still exists as to all or part of the minutes or verbatim record, or (2) that the minutes or recordings or portions thereof no longer require confidential treatment and are available for public inspection.

(e) Unless the public body has made a determination that the verbatim recording no longer requires confidential treatment or otherwise consents to disclosure, the verbatim record of a meeting closed to the public shall not be open for public inspection or subject to discovery in any administrative or judicial proceeding other than one brought to enforce this Act. In the case of a civil action brought to enforce this Act, the court, if the judge believes such an examination is necessary, must conduct such in camera examination of the verbatim record as it finds appropriate in order to determine whether there has been a violation of this Act. In the case of a criminal proceeding, the court may conduct an examination in order to determine what portions, if any, must be made available to the parties for use as evidence in the prosecution. Any such initial inspection must be held in camera. If the court determines that a complaint or suit brought for noncompliance under this Act is valid it may, for the purposes of discovery, redact from the minutes of the



meeting closed to the public any information deemed to qualify under the attorney-client privilege. The provisions of this subsection do not supersede the privacy or confidentiality provisions of State or federal law.

(f) Minutes of meetings closed to the public shall be available only after the public body determines that it is no longer necessary to protect the public interest or the privacy of an individual by keeping them confidential.

(Source: P.A. 93-523, eff. 1-1-04; 93-974, eff. 1-1-05; 94-28, eff. 1-1-06; 94-542, eff. 8-10-05; revised 8-19-05.)

(5 ILCS 120/7 new)

Sec. 7. Attendance by a means other than physical presence.

(a) If a quorum of the members of the public body is physically present as required by Section 2.01, a majority of the public body may allow a member of that body to attend the meeting by other means if the member is prevented from physically attending because of: (i) personal illness or disability; (ii) employment purposes or the business of the public body; or (iii) a family or other emergency. "Other means" is by video or audio conference.

(b) If a member wishes to attend a meeting by other means, the member must notify the recording secretary or clerk of the public body before the meeting unless advance notice is impractical.

(c) A majority of the public body may allow a member to attend a meeting by other means only in accordance with and to the extent allowed by rules adopted by the public body. The rules must conform to the requirements and restrictions of this Section, may further limit the extent to which attendance by other means is allowed, and may provide for the giving of additional notice to the public or further facilitate public access to meetings.

(d) The limitations of this Section shall not apply to (i) closed meetings of public bodies with statewide jurisdiction or (ii) open or closed meetings of State advisory boards or bodies that do not have authority to make binding recommendations or determinations or to take any other substantive action. State advisory boards or bodies and public bodies with statewide jurisdiction, however, may permit members to attend meetings by other means only in accordance with and to the extent allowed by specific procedural rules adopted by the body.

Effective Date: 1/1/2007

Floor Actions

Date	Action
7/31/2006	Public Act . . . . .094-1058

# COMMITTEE AGENDA ITEM VILLAGE OF HOFFMAN ESTATES

SUBJECT: Telephonic Attendance  
MEETING DATE: April 19, 2004  
COMMITTEE: General Administration and Personnel  
FROM: Richard N. Williams, Corporation Counsel

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PURPOSE: To review telephonic attendance at Village Board Meetings.

BACKGROUND: Mayor **McLeod** requested that I review the issue and prepare a draft ordinance on the matter.

DISCUSSION: Telephonic attendance and voting has been approved by a number of municipalities. The attached memorandum of February 26, 2004 summarizes the issue. I attach the **Orland** Park ordinance for review. That ordinance has four specific limitations. I leave for the Board to determine if any or all should apply or if additional conditions should apply. I do suggest that if (a) is adopted, the words "due to Village business outside the Village or" be added after "put to vote". Also, the same language should apply as an exception to (b) as well.

RECOMMENDATION: For discussion.

# VILLAGE OF HOFFMAN ESTATES

## Memo

**TO:** President & Board of Trustees  
**FROM:** Richard N. Williams, Corporation Counsel  
**RE:** TELEPHONIC ATTENDANCE AT MEETING  
**DATE:** February 26, 2004

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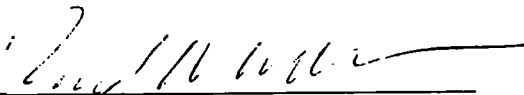
Under the Open Meetings Act, telephonic "attendance" to discuss public business constitutes a "meeting". To date, no legislation has been passed to approve a vote at a public meeting that include one or more members present by telephone. Some case law is supportive.

I attach an article from the ISBA Local Government Newsletter that discusses the issue (rather than me restating the same information).

I would enter no legal objection to telephonic participation and vote in a Committee meeting since no final action is taken. I would raise a legal objection to telephonic participation and vote at a Board meeting as final action is taken and could be contested.

Not only River Forest, but other suburbs such as Orland Park, Burr Ridge and Clarendon Hills have passed legislation, with varying rules (such as distance away, 2-day notice, reason for absence) to permit telephonic participation and voting.

If the Village exercised its home rule powers to provide for such telephonic participation, there being no state law to the contrary, I believe such vote would be defensible.

  
Richard N. Williams, Corporation Counsel

RNW/ds

cc: James H. Norris, Village Manager  
Dan O'Malley, Assistant Village Manager

# COMMITTEE AGENDA ITEM

## VILLAGE OF HOFFMAN ESTATES

**SUBJECT:** Telephonic Attendance

**MEETING DATE:** ~~March 8, 2004~~

**COMMITTEE:** General Administration & Personnel

**FROM:** Richard N. Williams, Corporation Counsel

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**PURPOSE:** To review telephonic attendance at Village Board meetings.

**BACKGROUND:** Mayor McLeod requested that I review the issue and prepare a draft ordinance on the matter.

**DISCUSSION:** Telephonic attendance and voting has been approved by a number of municipalities. The attached memorandum of February 26, 2004 summarizes the issue. I attach the Orland Park ordinance for review. That ordinance has four specific limitations. I leave for the Board to determine if any or all should apply or if additional conditions should apply. I do suggest that if (a) is adopted, the words "due to Village business outside the Village or" be added after "put to vote". Also, the same language should apply as an exception to (b) as well.

**RECOMMENDATION:** For discussion.

# VILLAGE OF HOFFMAN ESTATES

## Memo

**TO:** President & Board of Trustees  
**FROM:** Richard N. Williams, Corporation Counsel  
**RE:** TELEPHONIC ATTENDANCE AT MEETING  
**DATE:** February 26, 2004

---

Under the Open Meetings Act, telephonic "attendance" to discuss public business constitutes a "meeting". To date, no legislation has been passed to approve a vote at a public meeting that include one or more members present by telephone. Some case law is supportive.

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If the Village exercised its home rule powers to provide for such telephonic participation, there being no state law to the contrary, I believe such vote would be defensible.



Richard N. Williams, Corporation Counsel

RNW/ds

cc: James H. Norris, Village Manager  
Dan O'Malley, Assistant Village Manager

# Standing Committee on Government Lawyers

May 2003 VOL. 4, NO. 5

Statements or expressions of opinion or comments appearing herein are those of the editors or contributors, and not necessarily those of the association or section.

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\* From the chair

\* High-tech hits home: Can local government officials use electronic communication tools without violating the sunshine laws?

\* Legislative update

\* Are Illinois counties required to pay a judgment entered against a sheriff in his official capacity?

\* News you can use

\* Case law update

## From the chair

By ~~Charles Gunnarson, Springfield~~

~~For my last column, I would like to provide you with advance notice of an upcoming continuing legal education (CLE) event, as well as to thank some hard-working members of the Committee on Government Lawyers.~~

~~Please mark your calendars for the afternoon of Friday, September 12, 2003, as the Committee on Government Lawyers will again present the CLE program, "Ethical Considerations in Public Sector Law." The program will be presented in Springfield to provide our downstate colleagues with the opportunity to attend. James Grogan, Chief Counsel of the Attorney~~

Registration and Disciplinary Commission, will again lend his expertise to the program as moderator, and the several members of the Committee will again contribute their acting abilities to the project. More details on the event will follow in the coming months.

I would also like to thank those Committee members who have served as chairs of our various subcommittees during the past year. Kate Kelly and Lynn Patton did an excellent job in compiling and editing our newsletter, which has had a consistently high level of quality in its content issue after issue. Cindy Ervin was instrumental as chair of the legislation subcommittee in ensuring the ISBA heard the position of government practitioners on pending legislation. Pat Hughes prompted the Committee to consider new ways of building interest in the ISBA on the part of government practitioners as chair of the Membership subcommittee. Roz Kaplan and Marc Loro were a large part of the success of the Committee's first CLE program and its Mid-Year Meeting reception as co-chairs of the Programs and Services subcommittee. Marc Loro was also responsible for the development of efforts by the Committee to recognize long-term government practitioners as chair of a newly-formed recognition subcommittee.

Although there is much work left to be done, I am confident that with Marc Loro as the Committee's next chair and the continued hard work of the Committee, the Committee on Government Lawyers will continue to expand its efforts to serve the needs of government practitioners in Illinois.

## **High-tech hits home: Can local government officials use electronic communication tools without violating the sunshine laws?\***

**By Al Swanson and Sharon L. Eiseman**

### **Part I: Does a meeting under the Open Meetings Act require physical presence?**

**By Al Swanson, Chicago**

#### **A. Electronic meetings**

It is the public policy of this State that public bodies exist to aid in the conduct of the people's business and that the people have a right to be informed as to the conduct of their business. In order that the people shall be informed, the General Assembly finds and declares that it is the intent of the Open Meetings Act to ensure that the actions of public bodies be taken openly and that their deliberations be conducted openly. 5 ILCS 120/1.

Illinois law appears settled that members of public bodies and their committees and commissions may meet by electronic means. In 1982, the

Illinois Attorney General issued an opinion that a telephone conference call was an appropriate manner for the State Board of Elections to conduct its business (1982 Ill. Att'y Gen. Op. 124).

For the purposes of the Open Meetings Act, "public body" includes "all legislative, executive, administrative or advisory bodies of the State, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees or commissions of this State, and any subsidiary bodies of any of the foregoing including but not limited to committees and subcommittees which are supported in whole or in part by tax revenue, or which expend tax revenue, except the General Assembly and committees or commissions thereof." 5 ILCS 12011.02.

The seminal Illinois case found in a matter of first impression that "there is nothing within the Open Meetings Act which specifically prohibits conducting a meeting by telephone conference or requires members of a public body to be in each other's physical presence to establish a quorum." *Freedom Oil Co. v. Illinois Pollution Control Board*, 275 Ill. App.3d 508, 515, 655 N.E.2d 1184, 1189 (4<sup>th</sup> Dist. 1995). In *Freedom Oil*, the appellate court rejected Freedom's argument that a quorum needed to be physically present in the same room to constitute a meeting.

For the purposes of the Open Meetings Act, "meeting" means any gathering of a majority of a quorum of the members of a public body held for the purpose of discussing public business. 5 ILCS 12011.02.

The participation of a village trustee by telephone in the consideration of and voting on an annexation issue was not a violation of the Open Meetings Act. *People ex rel Graf v. Village of Lake Bluff*, 321 Ill. App.3d 897, 748 N.E.2d 801 (2<sup>nd</sup> Dist. 2001). The appellate court rejected plaintiffs' argument that the trustee's participation by telephone prevented his full participation in the meeting and prevented plaintiffs from fully expressing their views to the trustee. The appellate court found that the Open Meetings Act did not confer upon plaintiffs the right to participate in the hearing. "Rather, the Act's purpose is satisfied so long as meetings are not conducted in secrecy." *Graf*, 321 Ill. App.3d at 907, 748 N.E.2d at 811. The appellate court also observed that even if the trustee's participation in the meeting and vote by telephone violated the Act, plaintiffs had failed to demonstrate why the extreme remedy of nullifying the village board's action was appropriate. Accordingly, the appellate court rejected plaintiffs' challenge based on a violation of the Open Meetings Act. *Graf*, 321 Ill. App.3d 908, 748 N.E.2d 811-12.

### **B. A procedure for conducting telephonic meetings**

With Illinois law clear that members of public bodies may participate in public meetings by telephone,' the question then becomes how to accommodate members of a public body who cannot be physically present yet still wish to fulfill their public duty and participate in a meeting. One example is the Village of River Forest, which adopted an ordinance allowing telephonic participation and setting forth rules specifying how such telephonic



meetings are to be conducted. The ordinance provides simply that the "village board may provide for the conduct of its meetings via electronic means..." Code of the Village of River Forest, 1-6-4 H. The ordinance also prohibited meetings via electronic means until rules governing those meetings were adopted.

Those rules allow a member of the village board to participate by telephone in a regular or special meeting of the board or in a meeting as a committee of the whole. The River Forest rules require a quorum be present in the meeting room so that the absent member cannot complete a quorum by participating over the telephone; this requirement applies for all meetings, including public hearings required by State statutes. The rules allow for any such member to participate fully in the discussion and vote on any matter presented. However, the rules also specifically state that the presiding officer at the meeting must be physically present in the meeting room. Thus, if the president or committee chair participates by telephone, there would need to be a presiding officer *pro tem* in attendance in the meeting room who would conduct the meeting. To avoid any other Open Meetings Act problems, the rules prohibit more than two board members to participate by telephone from the same location. In addition, the rules require a roll call on all votes if one or more members of the board participates in the meeting by telephone.

The rules require, where possible, two business days notice from a village board member who wishes to participate by telephone so that the public notice of the meeting can identify the members who will be participating by telephone. If the two-day notice is not possible, the presiding officer is required to announce at the beginning of the meeting that one or more members will be participating by telephone and the reason for that participation.

In practical terms, telephonic participation requires a speakerphone so that all members of the board and all members of the public in attendance can hear the individual participating by telephone and so that the member can hear the proceedings in the meeting room. The River Forest rules also require any trustee participating by telephone to identify himself and be recognized by the presiding officer before speaking.

These rules fulfill the purpose of the Act, which is "to ensure that actions of public bodies be taken openly and that their deliberations be conducted openly." 5 ILCS 120/1.

### **C. ~~E-mail meetings~~**

~~There are no Illinois cases yet that address whether a member of a public body may participate in a public meeting via computer hookup or via the Internet. With advances in technology being what they are, that day may not be too far down the road when such participation may be technically possible. However, consideration of any such arrangement for computer or Internet participation in a public meeting logically raises several concerns about compliance with the Open Meetings Act. At a minimum, such computer-generated participation would require the transmission of a real-time transcript to the~~

# VILLAGE OF ORLAND PARK

## Ordinance No: 3225

AN ORDINANCE AMENDING TITLE 1, CHAPTER 5, OF THE ORLAND PARK MUNICIPAL CODE (TELEPHONE CONFERENCE VOTING BY TRUSTEE)

WHEREAS, the demands of modern life have made required long-distance travel more common, while at the same time the issues facing municipal legislators are more serious, numerous and urgent than ever before; and

WHEREAS, current technology has made it possible for public debate to be held by telephone conference calls in such a way that an absent Trustee can fully and publicly participate in a debate and vote on an issue, and the Illinois Attorney General has opined that such a teleconferenced presence is generally consistent with the strictures of the Open Meetings Act; and

WHEREAS, the current Village ordinance regulations as codified in Title 1, Chapter 5, of the Orland Park Municipal Code do not provide for the possibility of a Trustee to vote by teleconference call in appropriate circumstances; and

WHEREAS, the Village of Orland Park has full authority to regulate the conduct and procedures of its Village Board meetings; and

WHEREAS, the President and Board of Trustees of the Village find that there are circumstances where allowing a Trustee absent from a regular Board meeting to debate and vote on an issue pursuant to a conference telephone call is in the interest of the public.

NOW, THEREFORE, Be it Ordained by the President and the Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

### SECTION 1:

That Title 1, Chapter 5, Section 1-5-7-7-3 of the Orland Park Municipal Code is hereby amended to read as follows:

Ordinances - voting - teleconference voting

Every ordinance and resolution, including my proposed amendment thereto, shall be

## VILLAGE OF ORLAND PARK

reduced to writing and presented to the President and Board of Trustees at any Board meeting before vote thereon by the members is taken. Copies thereof shall be furnished to each Board member.

All resolutions and motions (1) which create any liability against the Village, or (2) which provide for the expenditure or appropriation of its money or (3) which authorize the sale of any Village property and all ordinances shall be decided by a roll call vote, the result of which vote shall be recorded, and all ordinances passed by the Village Board shall be deposited with the Village Clerk.

Any matter requiring a roll call vote at a regular meeting of the Board of Trustees may be voted on by an absent Trustee via a conference telephone call between the absent Trustee and the rest of the Board present at the regular meeting under the following conditions:

- ✓ (a) The absent Trustee cannot be physically present at the regular meeting at which the matter is put to vote due to circumstances beyond the Trustee's control. A vacation is not under any circumstances to be considered beyond the Trustee's control.
- (b) The absent Trustee is at least 150 miles from the Village municipal offices at the scheduled time of the regular meeting.
- ✓ (c) The absent Trustee's voice on the conference telephone call, after being identified by the rest of the Board as belonging to the absent Trustee, shall be simultaneously broadcast to the public present at the regular meeting and open to the media, and the absent Trustee shall also be able to hear any public comment regarding the issue elicited at the meeting, if any, before the vote is taken.
- ✓ (d) Before voting, the Trustee shall publically state the reason for not being present at the regular meeting to vote in person.

### SECTION 2:

That this Ordinance shall be in full force and effect from and after its adoption and approval as provided by law.

### SECTION 3:

That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form as required by law.

# VILLAGE OF ORLAND PARK

PASSED this 1st day of february, 1999.

*/s/ David P. Maher*

**David P. Maher, Village Clerk**

<b>Aye:</b>	<b>6</b>	<b>Trustee Fenton, Trustee Murphy, Trustee Dodge, Trustee Della Croce, Trustee Dubelbeis and Village President McLaughlin</b>
<b>Nay:</b>	<b>0</b>	
<b>Absent:</b>	<b>1</b>	<b>Trustee O'Halloran</b>

DEPOSITED in my office this 1st day of February, 1999.

*/s/ David P. Maher*

**David P. Maher, Village Clerk**

APPROVED this 1st day of February, 1999.

*/s/ Daniel J. McLaughlin*

**Daniel J. McLaughlin, Village President**

PUBLISHED this 2nd day of February, 1999.

*/s/ David P. Maber*

**David P. Maher, Village Clerk**

# VILLAGE OF HOFFMAN ESTATES

## Memo

To: Jim Norris  
From: Bruce Anderson  
Regarding: Cable TV Report  
Date: February 12, 2009

### **Citizen**

Covers: The State of the Village, Barrington Lakes Ribbon Cutting, Harvest Luncheon, and Department of Health and Human Services Activities.

Citizen Segments in development:

Tarton Day Festivities  
French Evening  
Houses of Worship

### **Behind the Badge**

Covers: PD Groundbreaking, Bundo, Winter and Holiday Safety

Segments in development:

Police AEDs  
Shop With the Cops

### **Fire Line**

Covers: Ice Rescue, Live Fire Training, Fire Place Safety, Keeping Hydrants Clear

Segments in development:

Pet Rescue

### **Fiftieth Anniversary Interviews**

Individual interviews with long-term residents and employees are running throughout the day, with additional interviews being added each week.

### **Franchise Renewal**

Renewal discussions with Comcast are on-going with the Regional Cable Group. The latest proposal is currently being reviewed.

**Complaints/Inquiries**

This month the Village received 9 inquiries, 5 regarding AT&T U-Verse, 3 regarding restoration issues, and one each about service providers and billing. Two issues remain outstanding.



# HOFFMAN ESTATES

NB8

DEPARTMENT OF HUMAN RESOURCES MANAGEMENT

## HUMAN RESOURCES MANAGEMENT DEPARTMENT

### Monthly Report

January 2009

#### Staffing Activity

New Starts: 2 – Maintenance I  
Alternate Crossing Guard

Separations: 0

Transfers: 0

Retirees: 2 – Supervisor of Field Engineering Operations  
Police Officer

Promotions: 2 – Maintenance I  
Accounting Assistant

Downgrades: 0

Reclassifications: 3 – Full-time to Part-time Staff Assistant (Fire)  
Full-time to Part-time Administrative Staff Assistant (Fire)  
Full-time to Part-time Senior Accountant (temporary)

Staffing:	Full Time Employees	372 budgeted	366 current
	Part Time Employees	61 budgeted	56 current
	Temporary Employees	3 budgeted	2 current
	Seasonal Employees	20 budgeted	0 current
	Paid Interns	3 budgeted	3 current

#### Month & Year-to-Date Activity:

0 Seasonal with	0 for year
2 Promotions with	2 for year
0 Separations with	0 for year
2 Retirement with	2 for year
0 Transfers with	0 for year

1900 Hassell Road, Hoffman Estates, Illinois 60169 • Phone: 847-781-2690 • Fax: 847-781-2699

Web: [www.hoffmanestates.org](http://www.hoffmanestates.org) • E-Mail: [applyhrm@hoffmanestates.org](mailto:applyhrm@hoffmanestates.org)

*Hoffman Estates is an Equal Opportunity Employer*

## Recruitment Activity

Recruitment: Part-time Shop Assistant – 7 applications received in January. Advertisements placed at Lincoln Technical Institute, Universal Technical Institute and Daily Herald. Applications to be forwarded to Fleet Services Supervisor for review.

Maintenance I (PM Shift) – One scheduled to begin work on 02/09/09.

Maintenance I (6 month temporary – 2 positions) – One scheduled to begin work on 02/02/09.

Auxiliary Snow Plow Drivers (8) – 55 applications forwarded to the Superintendent of Administration for review. Drivers to be hired on an “as needed” basis.

Transportation and Engineering Intern – Advertisements placed at various college campuses including, Western Illinois University, University of Illinois at Chicago, University of Illinois-Champaign, University of Iowa, Northern Illinois University, Northwestern University.

Accountant II Part-time – One scheduled to begin work on 02/09/09.

Senior Accountant – One scheduled to begin work on 2/11/09.

Production Assistant – Part-time – One scheduled to begin work on 02/04/09.

## Labor/Management Relations

Contract Status: **Police** (Metropolitan Alliance of Police - MAP Chapter 96) – Contract (Jan. 1, 2008 - December 31, 2012). Parties agreed to voluntary settlement, contract formally approved.

**Fire** (International Association of Firefighters - Local 2061) – Third year of contract reopener (Jan. 1, 2006 – December 31, 2008). Negotiations underway.

**Public Works** (International Brotherhood of Teamsters, Local 714) – Three (3) year contract (Jan. 1, 2007 – Dec. 31, 2009).



**Police Sergeants** (Metropolitan Alliance of Police – MAP-97) Contract (Jan. 1, 2009 – December 31, 2013). Parties agreed to a voluntary settlement, contract formally approved.

Grievances: Eleven (11) IAFF Local 2061

Two (2) Unfair Labor Practice (ULP) filed against the Village by IAFF Local 2061 – Parties agree to discuss ULP during upcoming negotiations.

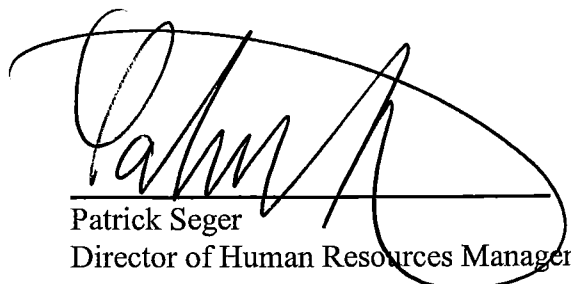
Two (2) MAP 96

### **Personnel/Benefits/Employee Services**

- Director of HRM participated in 2 IAFF local 2061 Step 4 grievance hearings.
- As Vice-President of IPELRA, Director of HRM, attended the monthly IPELRA meeting. Director also attended the IPELRA Board meeting.
- Director of HRM met with the Police Chief to discuss personnel issues.
- Director of HRM participated in the Management Team Meeting.
- As Staff Liaison to the Cultural Awareness Commission, Director of HRM organized planning meetings for the MLK breakfast and attended the event of January 19<sup>th</sup>.
- Director of HRM, along with the Deputy Village Manager and Fire Chief, met with legal counsel for a ULP and grievance review.
- Director of HRM participated in negotiations with IAFF Local 2061 union representatives. Several negotiation team preparatory meetings were held during the month, including discussion with legal counsel regarding light duty.
- Director of HRM met with management in Fire Administration to discuss personnel issues.
- Director of HRM attended the IPBC Operational meeting.

**Risk Management/Safety/Loss Control**

- Continued to facilitate the proper handling of all open workers' compensation claims. Two (2) third party claims administrators are currently being used to administer the Village's workers' compensation claims.
- Conducted a mandatory random Federal Department of Transportation drug and alcohol test. All results were reported as negative.
- The Risk Manager administered one general liability claims against the Village. The claim was brought to conclusion during the reporting period.
- Provided continual written updates to appropriate management staff related to the status of several open workers' compensation claims.
- Met with one of the Village's workers' compensation defense attorneys and the third party claims administrator to discuss the disposition of high exposure workers' compensation claims.
- Assigned two law suits to the Village's third party claims administrator. Discussed defense strategies and future actions related to the cases.
- Arranged for the Fire Department to review several blood borne pathogens training programs to augment their existing program.
- Directed the negotiation of the settlement of a high exposure workers' compensation claim. The claim was brought to conclusion amicably between both parties.
- Arranged for the renewal and issuance of several Certificates of Insurance.



Patrick Seger  
Director of Human Resources Management

**HUMAN RESOURCES MANAGEMENT  
MONTHLY STAFFING REPORT  
JANUARY 2009**

**RECRUITMENTS**

**POSITION TITLE:** Maintenance I (PM Shift Position)  
**DEPARTMENT:** Public Works  
**DATE POSTED:** 10/15/08  
**AD DEADLINE:** 10/31/08  
**APPLICATIONS REC'D:** 286 total for 5 openings

**STATUS:** One scheduled to begin work on 02/09/09.

---

**POSITION TITLE:** Maintenance I (6 month temporary - 2 positions)  
**DEPARTMENT:** Public Works  
**DATE POSTED:** 11/05/08  
**AD DEADLINE:** 11/12/08  
**APPLICATIONS REC'D:** 286 total for 5 openings

**STATUS:** One scheduled to begin work on 02/02/09.

---

**POSITION TITLE:** Auxiliary Snow Plow Drivers (8)  
**DEPARTMENT:** Public Works  
**DATE POSTED:** 11/17/08  
**AD DEADLINE:** Until Filled  
**APPLICATIONS REC'D:** 55

**STATUS:** Applications forwarded to Superintendent of Administration for review. Drivers to be hired on an "as needed" basis.

---

**POSITION TITLE:** Accountant II Part-time  
**DEPARTMENT:** Finance  
**DATE POSTED:** 12/11/08  
**AD DEADLINE:** 12/29/08  
**APPLICATIONS REC'D:** 172

**STATUS:** One scheduled to begin work on 02/09/09.

---

**POSITION TITLE:** Senior Accountant  
**DEPARTMENT:** Finance  
**DATE POSTED:** 12/18/08  
**AD DEADLINE:** 01/02/09  
**APPLICATIONS REC'D:** 19

**STATUS:** One scheduled to begin work on 2/11/09.

**POSITION TITLE:** Production Assistant – Part-time  
**DEPARTMENT:** General Government  
**DATE POSTED:** 12/11/08  
**AD DEADLINE:** 12/29/08  
**APPLICATIONS REC'D:** 127

**STATUS:** One scheduled to begin work on 02/04/09.

---

**POSITION TITLE:** Part-time Shop Assistant  
**DEPARTMENT:** Public Works  
**DATE POSTED:** 01/27/09  
**AD DEADLINE:** 02/10/09  
**APPLICATIONS REC'D:** 7

**STATUS:** Advertisements placed at Lincoln Technical Institute, Universal Technical Institute, Daily Herald. Applications to be forwarded to Fleet Services Supervisor for review.

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**POSITION TITLE:** Transportation and Engineering Intern  
**DEPARTMENT:** Development Services  
**DATE POSTED:** 01/29/09  
**AD DEADLINE:** Until Filled  
**APPLICATIONS REC'D:** 1

**STATUS:** Advertisements placed at various college campuses including, Western Illinois University, University of Illinois at Chicago, University of Illinois-Champaign, University of Iowa, Northern Illinois University, Northwestern University.

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## **NEW STARTS**

**POSITION TITLE:** Maintenance I (Heavy Equipment Operator)  
**DEPARTMENT:** Public Works  
**DATE POSTED:** 10/15/08  
**AD DEADLINE:** 10/31/08  
**APPLICATIONS REC'D:** 286 total for 5 openings

**STATUS:** One hired 01/26/09.

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**POSITION TITLE:** Maintenance I PM Shift (Internal only)  
**DEPARTMENT:** Public Works  
**DATE POSTED:** 12/16/08  
**AD DEADLINE:** N/A  
**APPLICATIONS REC'D:** 1 internal received: 237 for a total of 5 openings

**STATUS:** Part-time Shop Assistant promoted to Maintenance I PM Shift 1/19/09.

## SUMMARY OF EMPLOYMENT ACTIVITY JANUARY 2009

	<u>Total Number</u>	<u>Position</u>
New Starts	2	Maintenance I Alternate Crossing Guard
Separations	0	
Promotions	2	Maintenance I Accounting Assistant
Upgrades	0	
Downgrades	0	
Transfers	0	
Retirements	2	Supervisor of Field Engineering Operations Police Officer
Reclassifications	3	Full time to part time Staff Assistant (Fire)  Full time to Part Time Administrative Staff Assistant (Fire)  Full time to part time Senior Accountant (Temporary)

### SUMMARY OF UNPAID INTERNS/ADDITIONAL ACTIVITY

#### Unpaid Internships

2 Unpaid Fire Science internships began 01/05/09 and 01/26/09.

1 Unpaid H & HS internship began 01/05/09.

1 Unpaid Emergency Management Intern began 01/05/09.

#### Additional Activity

Senior Accountant changed to Temporary Part time Senior Accountant.

(See HRM Employment Activity Report attached for details)

### ANTICIPATED ACTIVITY NEXT MONTH

	<u>Total Number</u>	<u>Position</u>
New Starts	5	Maintenance I Maintenance I (6 month temporary) Senior Accountant Accountant II Part-time Production Assistant
Separations	1	Administrative Services Officer I
Promotions	0	
Transfers	0	
Reclassifications	0	
Retirements	0	
New Positions	0	
Cancelled Positions	0	

## EMPLOYEE COUNT

	<u>Budgeted</u>	<u>Actual</u>
<b>FULL TIME EMPLOYEES</b>	372	366
<b>PART TIME EMPLOYEES</b>	61	56
<b>TEMPORARY EMPLOYEES</b>	3	2 (Historian/M1)
<b>SEASONAL EMPLOYEES</b>	20	0
<b>INTERNS</b>	3	3
<b>TOTAL</b>	459	427

### Total Vacancies:

#### Full Time

<b>Budgeted – Posted</b>	4	<b>Maintenance I -6 month temporary (2)</b> <b>Maintenance I PM Shift</b> <b>Senior Accountant</b>
<b>Budgeted - Not Posted</b>	2	<b>Police Officer (Retirement)</b> <b>Administrative Services Officer II</b>
<b>TOTAL FULL TIME</b>	6	

#### Part Time

<b>Budgeted – Posted</b>	3	<b>Production Assistant</b> <b>Accountant II</b> <b>Shop Assistant</b>
<b>Budgeted-Not Posted</b>	2	<b>Part-time Staff Assistant (<i>Police Retirement</i>)</b> <b>Alternate Crossing Guard</b>
<b>TOTAL PART TIME</b>	5	

#### Seasonal

<b>Budgeted – Posted</b>	2	<b>Engineering Interns</b>
<b>Budgeted – Not Posted</b>	18	<b>Seasonal PW (16)</b> <b>Seasonal Code Enforcement Officers (2)</b>
<b>TOTAL SEASONAL</b>	20	

## RECRUITMENT ACTIVITY

	<u>Month</u>	<u>Year To Date</u>
Full Time – Response to Recruitments	14	14
Walk-Ins	0	0
Part Time – Response to Recruitments	20	20
Walk-Ins	0	0
Seasonal Applicants	2	2
<b>TOTAL RECRUITMENTS</b>	<b>36</b>	<b>36</b>

**HUMAN RESOURCES MANAGEMENT  
EMPLOYMENT ACTIVITY  
January 2009**

**NEW HIRES**

<u>Name</u>	<u>Date of Hire</u>	<u>Position</u>	<u>Replacement for</u>
Brian Turcotte	01/26/09	Maintenance I (HEO)	
Joanne Meyer	01/20/09	Alternate Crossing Guard	Patricia Heitkemper

**SEPARATIONS**

<u>Name</u>	<u>Termination Date</u>	<u>Position</u>	<u>Reason</u>
Elliott Goode	01/23/09	Supervisor of Engineering & Field Operations	Retirement
Vince Pusateri	01/16/09	Police Officer	Retirement

**PROMOTIONS**

<u>Name</u>	<u>Effective Date</u>	<u>Current Position</u>	<u>New Position</u>
Beatrice Falco	01/01/09	Water Customer Service Rep.	Accounting Assistant
Chris Gatts	01/19/09	Part-time Fleet Services Assistant	Maintenance I

**TRANSFERS**

<u>Name</u>	<u>Effective Date</u>	<u>Current Position</u>	<u>New Position</u>
N/A			

<u>Name</u>	<u>Effective Date</u>	<u>Current Position</u>	<u>New Position</u>
N/A			

**RECLASSIFICATIONS**

<u>Name</u>	<u>Effective Date</u>	<u>Current Position</u>	<u>New Position</u>
Pearl Gamino	01/01/09	Staff Assistant	Part-time Staff Assistant
Andrea Sullivan	01/01/09	Administrative Staff Assistant	Part-time Administrative Staff Assistant
Renee Bentley	01/05-09	Senior Accountant	Part-time Temporary Senior Accountant

**CANCELLATIONS**

<u>Name</u>	<u>Effective Date</u>	<u>Current Position</u>	<u>New Position</u>
N/A			

**UNPAID INTERNSHIPS**

Ryan Muscavitch	01/05/09	Fire Science	
Kinnari Birla	01/05/09	Health & Human Services	
Kevin Hall	01/26/09	Fire Science	



# ADDITIONAL MONTHLY REPORT INFORMATION

January 2009

# Anniversaries attended	<u>0</u>
# Interviews conducted during month	<u>12</u>

Accountant II	8
Senior Accountant	4
Crossing Guard	2
Production Asst.	6

EMPLOYER'S CLAIM SERVICE, INC.  
 POLICY YEAR (12/31 - 12/30) CUMULATIVE CLAIM SUMMARY  
 From: 12/31/1999 Through: 01/31/2009

Year Code	Description	Claim Cnt	% of Total	Med Only	Comp	Open	Clsd	Legl	Avg Cost/Claim	Paid	Outstanding	Total Incurred	% Of Total
00 102	Planning	1	1.8%	1	0	0	1	0	0.00	0.00		0.00	0.0%
00 1	Community Development	1	1.8%	1	0	0	1	0	0.00	0.00		0.00	0.0%
00 206	Customer Service	1	1.8%	0	1	0	1	1	3,974.20	3,974.20		3,974.20	1.4%
00 2	Finance	1	1.8%	0	1	0	1	1	3,974.20	3,974.20		3,974.20	1.4%
00 250	PPO Payments	1	1.8%	1	0	1	0	0	123,179.69	123,179.69		123,179.69	43.4%
00 25	PPO Payments	1	1.8%	1	0	1	0	0	123,179.69	123,179.69		123,179.69	43.4%
00 300	Administration	1	1.8%	0	1	0	1	0	193.50	193.50		193.50	0.1%
00 301	Fire Suppression	12	21.4%	6	6	1	11	3	8,166.95	92,574.64	5,428.75	98,003.39	34.5%
00 303	Emergency Medical Services	7	12.5%	5	2	0	7	1	2,302.35	16,116.43		16,116.43	5.7%
00 3	Fire	20	35.7%	11	9	1	19	4	5,715.67	108,884.57	5,428.75	114,313.32	40.3%
00 400	Manager's Office	1	1.8%	0	1	0	1	0	4,452.45	4,452.45		4,452.45	1.6%
00 401	Cable TV	1	1.8%	1	0	0	1	0	260.40	260.40		260.40	0.1%
00 402	Boards & Commissions	1	1.8%	1	0	0	1	0	413.43	413.43		413.43	0.1%
00 4	General Government	3	5.4%	2	1	0	3	0	1,708.76	5,126.28		5,126.28	1.8%
00 600	Administration	1	1.8%	0	1	0	1	0	0.00	0.00		0.00	0.0%
00 6	Human Resources Management	1	1.8%	0	1	0	1	0	0.00	0.00		0.00	0.0%
00 700	Patrol	16	28.6%	13	3	0	16	2	1,761.71	28,187.36		28,187.36	9.9%
00 704	Traffic	1	1.8%	1	0	0	1	0	1,159.40	1,159.40		1,159.40	0.4%
00 7	Police	17	30.4%	14	3	0	17	2	1,726.28	29,346.76		29,346.76	10.3%
00 801	Water & Sewer	4	7.1%	2	2	0	4	0	733.76	2,935.02		2,935.02	1.0%
00 802	Building & Grounds	1	1.8%	0	1	0	1	0	1,411.10	1,411.10		1,411.10	0.5%
00 804	Forestry	5	8.9%	5	0	0	5	0	565.72	2,828.60		2,828.60	1.0%
00 805	Clerical	1	1.8%	1	0	0	1	0	452.50	452.50		452.50	0.2%
00 8	Public Works	11	19.6%	8	3	0	11	0	693.38	7,627.22		7,627.22	2.7%
00 9	Information Systems	1	1.8%	1	0	0	1	0	168.50	168.50		168.50	0.1%
00 01	Village of Hoffman Estates	56	100.0%	38	18	2	54	7	5,066.71	278,307.22	5,428.75	283,735.97	100.0%
Totals for 2000 Claims:		56	100.0%	38	18	2	54	7	5,066.71	278,307.22	5,428.75	283,735.97	100.0%
01 300	Administration	2	3.1%	1	1	0	2	0	538.72	1,077.44		1,077.44	0.1%
01 301	Fire Suppression	8	12.3%	3	5	1	7	2	38,106.71	265,039.41	39,814.23	304,853.64	24.4%

EMPLOYER'S CLAIM SERVICE, INC.  
 POLICY YEAR (12/31 - 12/30) CUMULATIVE CLAIM SUMMARY  
 From: 12/31/1999 Through: 01/31/2009

Year Code	Description	Claim Cnt	% of Total	Med					Avg Cost/Claim	Paid	Outstanding	Total Incurred	% Of Total
				Only	Comp	Open	Clsd	Legl					
01 303	Emergency Medical Services	7	10.8%	2	5	2	5	4	43,956.56	207,726.70	99,969.22	307,695.92	24.7%
01 304	ESDA	1	1.5%	1	0	0	1	0	425.39	425.39	425.39	425.39	0.0%
01 3	Fire	18	27.7%	7	11	3	15	6	34,114.02	474,268.94	139,783.45	614,052.39	49.2%
01 400	Manager's Office	1	1.5%	1	0	0	1	0	4,374.81	4,374.81	4,374.81	4,374.81	0.4%
01 4	General Government	1	1.5%	1	0	0	1	0	4,374.81	4,374.81	4,374.81	4,374.81	0.4%
01 505	Immunization	1	1.5%	1	0	0	1	0	391.50	391.50	391.50	391.50	0.0%
01 5	Health & Human Services	1	1.5%	1	0	0	1	0	391.50	391.50	391.50	391.50	0.0%
01 700	Patrol	20	30.8%	11	9	0	20	7	10,615.24	212,304.82	212,304.82	212,304.82	17.0%
01 702	Crime Prevention	1	1.5%	1	0	0	1	0	5,663.17	5,663.17	5,663.17	5,663.17	0.5%
01 704	Traffic	3	4.6%	1	2	0	3	2	2,887.00	8,660.99	8,660.99	8,660.99	0.7%
01 707	Records	4	6.2%	1	3	0	4	3	14,372.31	57,489.25	57,489.25	57,489.25	4.6%
01 7	Police	28	43.1%	14	14	0	28	12	10,147.08	284,118.23	284,118.23	284,118.23	22.8%
01 800	Streets	5	7.7%	3	2	0	5	1	48,719.89	243,599.47	243,599.47	243,599.47	19.5%
01 801	Water & Sewer	4	6.2%	2	2	0	4	1	24,096.40	96,385.58	96,385.58	96,385.58	7.7%
01 802	Building & Grounds	3	4.6%	3	0	0	3	0	422.63	1,267.88	1,267.88	1,267.88	0.1%
01 803	Equipment & Supply	1	1.5%	1	0	0	1	0	210.60	210.60	210.60	210.60	0.0%
01 804	Forestry	3	4.6%	2	1	0	3	0	1,150.17	3,450.50	3,450.50	3,450.50	0.3%
01 8	Public Works	16	24.6%	11	5	0	16	2	21,557.13	344,914.03	344,914.03	344,914.03	27.6%
01 9	Information Systems	1	1.5%	1	0	0	1	0	301.50	301.50	301.50	301.50	0.0%
01 01	Village of Hoffman Estates	65	100.0%	35	30	3	62	20	19,202.35	1,108,369.01	139,783.45	1,248,152.46	100.0%
Totals for 2001 Claims:		65	100.0%	35	30	3	62	20	19,202.35	1,108,369.01	139,783.45	1,248,152.46	100.0%
02 102	Planning	1	2.6%	0	1	0	1	0	28,933.52	28,933.52	28,933.52	28,933.52	4.5%
02 1	Community Development	1	2.6%	0	1	0	1	0	28,933.52	28,933.52	28,933.52	28,933.52	4.5%
02 301	Fire Suppression	5	13.2%	1	4	0	5	2	11,335.45	56,677.26	56,677.26	56,677.26	8.7%
02 303	Emergency Medical Services	8	21.1%	4	4	0	8	1	7,441.19	59,529.50	59,529.50	59,529.50	9.2%
02 306	Technical Rescue	1	2.6%	0	1	0	1	0	5,830.00	5,830.00	5,830.00	5,830.00	0.9%
02 3	Fire	14	36.8%	5	9	0	14	3	8,716.91	122,036.76	122,036.76	122,036.76	18.8%
02 700	Patrol	11	28.9%	5	6	1	10	6	23,688.84	257,271.95	3,305.27	260,577.22	40.1%
02 704	Traffic	1	2.6%	0	1	0	1	1	224,788.23	224,788.23	224,788.23	224,788.23	34.6%

EMPLOYER'S CLAIM SERVICE, INC.  
 POLICY YEAR (12/31 - 12/30) CUMULATIVE CLAIM SUMMARY  
 From: 12/31/1999 Through: 01/31/2009

Year Code	Description	Claim Cnt	% of Total	Med					Avg Cost/Claim	Paid	Outstanding	Total Incurred	% Of Total
				Only	Comp	Open	Clsd	Legl					
02	706 Communication	1	2.6%	1	0	0	1	0	1,777.50	1,777.50	1,777.50	0.3%	
02	7 Police	13	34.2%	6	7	1	12	7	37,472.53	483,837.68	487,142.95	75.0%	
02	800 Streets	5	13.2%	4	1	0	5	0	1,511.20	7,556.00	7,556.00	1.2%	
02	801 Water & Sewer	2	5.3%	0	2	0	2	0	1,227.90	2,455.80	2,455.80	0.4%	
02	803 Equipment & Supply	1	2.6%	1	0	0	1	0	281.70	281.70	281.70	0.0%	
02	804 Forestry	2	5.3%	2	0	0	2	0	642.60	1,285.20	1,285.20	0.2%	
02	8 Public Works	10	26.3%	7	3	0	10	0	1,157.87	11,578.70	11,578.70	1.8%	
02	01 Village of Hoffman Estates	38	100.0%	18	20	1	37	10	17,097.16	646,386.66	649,691.93	100.0%	
Totals for 2002 Claims:		38	100.0%	18	20	1	37	10	17,097.16	646,386.66	649,691.93	100.0%	
03	301 Fire Suppression	5	14.3%	2	3	0	5	2	25,542.01	127,710.07	127,710.07	31.2%	
03	303 Emergency Medical Services	12	34.3%	9	3	0	12	2	15,553.15	186,637.80	186,637.80	45.7%	
03	305 Underwater Rescue	1	2.9%	1	0	0	1	0	785.49	785.49	785.49	0.2%	
03	3 Fire	18	51.4%	12	6	0	18	4	17,507.41	315,133.36	315,133.36	77.1%	
03	700 Patrol	7	20.0%	5	2	0	7	1	1,467.76	10,274.35	10,274.35	2.5%	
03	701 Investigations	1	2.9%	0	1	0	1	1	79,722.54	79,722.54	79,722.54	19.5%	
03	704 Traffic	3	8.6%	1	2	0	3	0	88.33	265.00	265.00	0.1%	
03	7 Police	11	31.4%	6	5	0	11	2	8,205.63	90,261.89	90,261.89	22.1%	
03	801 Water & Sewer	3	8.6%	3	0	1	2	0	699.33	2,098.00	2,098.00	0.5%	
03	802 Building & Grounds	2	5.7%	2	0	0	2	0	477.00	954.00	954.00	0.2%	
03	803 Equipment & Supply	1	2.9%	1	0	0	1	0	310.50	310.50	310.50	0.1%	
03	8 Public Works	6	17.1%	6	0	1	5	0	560.42	3,362.50	3,362.50	0.8%	
03	01 Village of Hoffman Estates	35	100.0%	24	11	1	34	6	11,678.79	408,757.75	408,757.75	100.0%	
Totals for 2003 Claims:		35	100.0%	24	11	1	34	6	11,678.79	408,757.75	408,757.75	100.0%	
04	201 Water Billing	1	2.1%	1	0	0	1	0	1,295.10	1,295.10	1,295.10	0.1%	
04	2 Finance	1	2.1%	1	0	0	1	0	1,295.10	1,295.10	1,295.10	0.1%	
04	301 Fire Suppression	10	20.8%	6	4	1	9	2	5,890.08	24,339.98	34,560.78	5.6%	
04	303 Emergency Medical Services	11	22.9%	7	4	0	11	0	12,225.62	134,481.79	134,481.79	12.7%	
04	3 Fire	21	43.8%	13	8	1	20	2	9,208.69	158,821.77	34,560.78	18.3%	
04	504 Health Screening	1	2.1%	1	0	0	1	0	405.00	405.00	405.00	0.0%	

EMPLOYER'S CLAIM SERVICE, INC.  
 POLICY YEAR (12/31 - 12/30) CUMULATIVE CLAIM SUMMARY  
 From: 12/31/1999 Through: 01/31/2009

Year Code	Description	Claim Cnt	% of Total	Med Only	Comp	Open	Clsd	Legl	Avg Cost/ Claim	Paid	Outstanding	Total Incurred	% Of Total
04	5 Health & Human Services	1	2.1%	1	0	0	1	0	405.00	405.00	405.00	405.00	0.0%
04	600 Administration	1	2.1%	1	0	0	1	0	248.68	248.68	248.68	248.68	0.0%
04	6 Human Resources Management (Sub-Loc)	1	2.1%	1	0	0	1	0	248.68	248.68	248.68	248.68	0.0%
04	700 Patrol	16	33.3%	12	4	0	16	4	40,543.58	648,697.32	648,697.32	648,697.32	61.3%
04	703 Tactical	2	4.2%	2	0	0	2	0	137.84	275.68	275.68	275.68	0.0%
04	7 Police	18	37.5%	14	4	0	18	4	36,054.06	648,973.00	648,973.00	648,973.00	61.3%
04	800 Streets	3	6.3%	1	2	0	3	2	43,878.25	131,634.74	131,634.74	131,634.74	12.4%
04	801 Water & Sewer	1	2.1%	1	0	0	1	0	0.00	0.00	0.00	0.00	0.0%
04	803 Equipment & Supply	1	2.1%	0	1	0	1	1	81,422.11	81,422.11	81,422.11	81,422.11	7.7%
04	804 Forestry	1	2.1%	1	0	0	1	0	481.50	481.50	481.50	481.50	0.0%
04	8 Public Works	6	12.5%	3	3	0	6	3	35,589.73	213,538.35	213,538.35	213,538.35	20.2%
04	01 Village of Hoffman Estates	48	100.0%	33	15	1	47	9	22,038.39	1,023,281.90	34,560.78	1,057,842.68	100.0%
Totals for 2004 Claims:		48	100.0%	33	15	1	47	9	22,038.39	1,023,281.90	34,560.78	1,057,842.68	100.0%
05	301 Fire Suppression	6	11.3%	4	2	0	6	0	1,012.80	6,076.77	6,076.77	6,076.77	1.9%
05	303 Emergency Medical Services	20	37.7%	12	8	2	18	3	13,593.25	230,913.40	40,951.53	271,864.93	84.5%
05	3 Fire	26	49.1%	16	10	2	24	3	10,690.07	236,990.17	40,951.53	277,941.70	86.4%
05	504 Health Screening	1	1.9%	1	0	0	1	0	184.50	184.50	184.50	184.50	0.1%
05	5 Health & Human Services	1	1.9%	1	0	0	1	0	184.50	184.50	184.50	184.50	0.1%
05	700 Patrol	7	13.2%	5	2	0	7	1	3,015.10	21,105.71	21,105.71	21,105.71	6.6%
05	701 Investigations	1	1.9%	1	0	0	1	0	297.00	297.00	297.00	297.00	0.1%
05	704 Traffic	1	1.9%	1	0	0	1	0	1,186.85	1,186.85	1,186.85	1,186.85	0.4%
05	707 Records	1	1.9%	0	1	0	1	1	10,253.45	10,253.45	10,253.45	10,253.45	3.2%
05	7 Police	10	18.9%	7	3	0	10	2	3,284.30	32,843.01	32,843.01	32,843.01	10.2%
05	800 Streets	4	7.5%	4	0	0	4	0	627.99	2,511.94	2,511.94	2,511.94	0.8%
05	801 Water & Sewer	5	9.4%	5	0	0	5	0	1,066.50	5,332.50	5,332.50	5,332.50	1.7%
05	802 Building & Grounds	1	1.9%	1	0	0	1	0	437.00	437.00	437.00	437.00	0.1%
05	803 Equipment & Supply	2	3.8%	2	0	0	2	0	697.05	1,394.10	1,394.10	1,394.10	0.4%
05	804 Forestry	4	7.5%	3	1	0	4	0	259.88	1,039.50	1,039.50	1,039.50	0.3%
05	8 Public Works	16	30.2%	15	1	0	16	0	669.69	10,715.04	10,715.04	10,715.04	3.3%

EMPLOYERS CLAIM SERVICE, INC.  
 POLICY YEAR (12/31 - 12/30) CUMULATIVE CLAIM SUMMARY  
 From: 12/31/1999 Through: 01/31/2009

Year Code	Description	Claim Cnt	% of Total	Med Only	Comp	Open	Clsd	Legl	Avg Cost/ Claim	Paid	Outstanding	Total Incurred	% Of Total
05 01	Village of Hoffman Estates	53	100.0%	39	14	2	51	5	6,069.51	280,732.72	40,951.53	321,684.25	100.0%
Totals for 2005 Claims:		53	100.0%	39	14	2	51	5	6,069.51	280,732.72	40,951.53	321,684.25	100.0%
06 201	Water Billing	(Dept) 1	1.8%	0	1	0	1	0	1,527.37	1,527.37		1,527.37	0.1%
06 2	Finance	(Sub-Loc) 1	1.8%	0	1	0	1	0	1,527.37	1,527.37		1,527.37	0.1%
06 301	Fire Suppression	(Dept) 9	16.1%	5	4	0	9	2	38,029.36	342,264.26		342,264.26	32.7%
06 303	Emergency Medical Services	(Dept) 14	25.0%	7	7	3	11	3	36,456.19	182,229.67		510,386.63	48.8%
06 3	Fire	(Sub-Loc) 23	41.1%	12	11	3	20	5	37,071.78	524,493.93		852,650.89	81.5%
06 700	Patrol	(Dept) 17	30.4%	11	6	1	16	3	4,087.87	65,654.42	3,839.35	69,493.77	6.6%
06 701	Investigations	(Dept) 1	1.8%	1	0	0	1	0	0.00	0.00		0.00	0.0%
06 703	Tactical	(Dept) 4	7.1%	3	1	0	4	0	2,311.32	9,245.26		9,245.26	0.9%
06 704	Traffic	(Dept) 2	3.6%	2	0	0	2	0	3,850.97	7,701.94		7,701.94	0.7%
06 707	Records	(Dept) 1	1.8%	0	1	0	1	1	24,709.39	24,709.39		24,709.39	2.4%
06 7	Police	(Sub-Loc) 25	44.6%	17	8	1	24	4	4,446.01	107,311.01	3,839.35	111,150.36	10.6%
06 800	Streets	(Dept) 1	1.8%	1	0	0	1	0	4,201.51	4,201.51		4,201.51	0.4%
06 801	Water & Sewer	(Dept) 2	3.6%	1	1	0	2	0	112.50	225.00		225.00	0.0%
06 802	Building & Grounds	(Dept) 1	1.8%	0	1	0	1	0	70,689.99	70,689.99		70,689.99	6.8%
06 804	Forestry	(Dept) 3	5.4%	3	0	0	3	0	2,038.90	6,116.71		6,116.71	0.6%
06 8	Public Works	(Sub-Loc) 7	12.5%	5	2	0	7	0	11,604.74	81,233.21		81,233.21	7.8%
06 01	Village of Hoffman Estates	(Loc) 56	100.0%	34	22	4	52	9	18,688.60	714,565.52	331,996.31	1,046,561.83	100.0%
Totals for 2006 Claims:		56	100.0%	34	22	4	52	9	18,688.60	714,565.52	331,996.31	1,046,561.83	100.0%
07 301	Fire Suppression	(Dept) 9	18.8%	7	2	2	7	2	29,221.26	114,456.47	148,534.90	262,991.37	54.4%
07 303	Emergency Medical Services	(Dept) 7	14.6%	7	0	0	7	0	1,683.07	11,781.51		11,781.51	2.4%
07 3	Fire	(Sub-Loc) 16	33.3%	14	2	2	14	2	17,173.30	126,237.98	148,534.90	274,772.88	56.9%
07 600	Administration	(Dept) 1	2.1%	0	1	0	1	0	0.00	0.00		0.00	0.0%
07 6	Human Resources Management	(Sub-Loc) 1	2.1%	0	1	0	1	0	0.00	0.00		0.00	0.0%
07 700	Patrol	(Dept) 10	20.8%	6	4	1	9	2	5,214.43	48,373.56	3,770.75	52,144.31	10.8%
07 703	Tactical	(Dept) 2	4.2%	2	0	0	2	0	356.16	712.31		712.31	0.1%
07 704	Traffic	(Dept) 4	8.3%	2	2	0	4	1	4,376.80	17,507.19		17,507.19	3.6%
07 7	Police	(Sub-Loc) 16	33.3%	10	6	1	15	3	4,397.74	66,593.06	3,770.75	70,363.81	14.6%

EMPLOYER'S CLAIM SERVICE, INC.  
 POLICY YEAR (12/31 - 12/30) CUMULATIVE CLAIM SUMMARY  
 From: 12/31/1999 Through: 01/31/2009

Year Code	Description	Claim Cnt	% of Total	Med Only	Comp	Open	Clsd	Legl	Avg Cost/ Claim	Paid	Outstanding	Total Incurred	% Of Total
07	800 Streets	3	6.3%	2	1	1	2	1	8,971.51	9,545.86	17,368.67	26,914.53	5.6%
07	801 Water & Sewer	4	8.3%	4	0	0	4	0	1,093.37	4,373.47		4,373.47	0.9%
07	802 Building & Grounds	1	2.1%	1	0	0	1	0	743.84	743.84		743.84	0.2%
07	803 Equipment & Supply	3	6.3%	3	0	0	3	0	1,148.10	3,444.30		3,444.30	0.7%
07	804 Forestry	4	8.3%	3	1	1	3	1	25,674.43	61,899.48	40,798.26	102,697.74	21.2%
07	8 Public Works	15	31.3%	13	2	2	13	2	9,211.59	80,006.95	58,166.93	138,173.88	28.6%
07	01 Village of Hoffman Estates	48	100.0%	37	11	5	43	7	10,068.97	272,837.99	210,472.57	483,310.56	100.0%
Totals for 2007 Claims:													
		48	100.0%	37	11	5	43	7	10,068.97	272,837.99	210,472.57	483,310.56	100.0%
08	200 Accounting	1	1.9%	1	0	0	1	0	0.00	0.00	0.00	0.00	0.0%
08	206 Customer Service	1	1.9%	0	1	0	1	0	0.00	0.00	0.00	0.00	0.0%
08	2 Finance	2	3.8%	1	1	0	2	0	0.00	0.00	0.00	0.00	0.0%
08	300 Administration	1	1.9%	1	0	0	1	0	3,466.28	3,466.28		3,466.28	0.7%
08	301 Fire Suppression	13	25.0%	10	3	2	11	0	1,244.21	12,518.66	3,656.03	16,174.69	3.5%
08	303 Emergency Medical Services	16	30.8%	14	2	2	14	2	13,843.90	101,378.62	120,123.83	221,502.45	47.7%
08	3 Fire	30	57.7%	25	5	4	26	2	8,038.11	117,363.56	123,779.86	241,143.42	52.0%
08	400 Manager's Office	1	1.9%	0	1	0	1	0	0.00	0.00	0.00	0.00	0.0%
08	4 General Government	1	1.9%	0	1	0	1	0	0.00	0.00	0.00	0.00	0.0%
08	700 Patrol	6	11.5%	4	2	1	5	0	2,263.51	6,167.97	7,413.08	13,581.05	2.9%
08	701 Investigations	1	1.9%	0	1	1	0	1	91,783.79	53,114.17	38,669.62	91,783.79	19.8%
08	703 Tactical	1	1.9%	1	0	0	1	0	737.96	737.96		737.96	0.2%
08	704 Traffic	1	1.9%	0	1	0	1	0	8,049.19	8,049.19		8,049.19	1.7%
08	705 Canine	1	1.9%	0	1	0	1	0	5,940.13	5,940.13		5,940.13	1.3%
08	7 Police	10	19.2%	6	4	2	8	1	12,009.21	74,009.42	46,082.70	120,092.12	25.9%
08	800 Streets	3	5.8%	3	0	2	1	0	313.80	941.40		941.40	0.2%
08	801 Water & Sewer	4	7.7%	3	1	1	3	0	283.95	1,135.80		1,135.80	0.2%
08	804 Forestry	2	3.8%	1	1	2	0	1	50,315.51	64,772.04	35,858.98	100,631.02	21.7%
08	8 Public Works	9	17.3%	7	2	5	4	1	11,412.02	66,849.24	35,858.98	102,708.22	22.1%
08	01 Village of Hoffman Estates	52	100.0%	39	13	11	41	4	8,922.00	258,222.22	205,721.53	463,943.75	100.0%
Totals for 2008 Claims:													
		52	100.0%	39	13	11	41	4	8,922.00	258,222.22	205,721.53	463,943.75	100.0%

EMPLOYER'S CLAIM SERVICE, INC.  
 POLICY YEAR (12/31 - 12/30) CUMULATIVE CLAIM SUMMARY  
 From: 12/31/1999 Through: 01/31/2009

Year Code	Description	Claim Cnt	% of Total	Med			Comp	Open	Cisd	Legl	Avg Cost/ Claim	Paid	Outstanding	Total Incurred	% Of Total
				Only	Open	Cisd									
09 303	Emergency Medical Services	1	50.0%	0	1	1	0	0	0	38,842.13	0.00	38,842.13	38,842.13	96.3%	
09 3	Fire	1	50.0%	0	1	1	0	0	0	38,842.13	0.00	38,842.13	38,842.13	96.3%	
09 700	Patrol	1	50.0%	0	1	1	0	0	0	1,500.00	0.00	1,500.00	1,500.00	3.7%	
09 7	Police	1	50.0%	0	1	1	0	0	0	1,500.00	0.00	1,500.00	1,500.00	3.7%	
09 01	Village of Hoffman Estates	2	100.0%	0	2	2	0	0	0	20,171.07	0.00	40,342.13	40,342.13	100.0%	
Totals for 2009 Claims:		2	100.0%	0	2	2	0	0	0	20,171.07	0.00	40,342.13	40,342.13	100.0%	
250	Village of Hoffman Estates	453		297	156	32	421	77		13,253.91	4,991,460.99	1,012,562.32	6,004,023.31		

Open Medical: 7  
 Open Comp: 5  
 Open Legal: 20