VILLAGE of ROSCOE

# Meeting Agenda

**Location:**

Village Hall -
10631 Main Street
Roscoe, IL 61073

## Committee of the Whole

Tuesday, October 20, 2026
[immediately following Village Board Meeting]

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF THE MINUTES**

1. **Approval of the Minutes** for the meeting of the Committee of the Whole from **October 6, 2026.**

**PUBLIC COMMENT (limited to 3 minutes per speaker)**

**PRESENTATIONS**

**EXECUTIVE SESSION (IF NECESSARY)**

2. Main Street & Village Center Project
3. Revisions to Title 2 of the Roscoe Village Code

**PUBLIC COMMENT (limited to 3 minutes per speaker)**

**ADJOURNMENT**

VILLAGE of ROSCOE

# Meeting Minutes

**Location:**
Village Hall -
10631 Main Street
Roscoe, IL 61073

## Committee of the Whole
Tuesday, October 06, 2026

### CALL TO ORDER

Trustee Wright called the meeting to order at 8:04 pm.

### ROLL CALL

PRESENT
Trustee William Babcock
Trustee John Broda
Trustee Molly Butz
Trustee Dayne Mead
Trustee Michael Sima
Trustee Michael Wright
Village President Carol Gustafson

### APPROVAL OF THE MINUTES

**Approval of the Minutes for the meeting of the Committee of the Whole from September 15, 2026.**

Trustee Wright asked for a motion to approve the Minutes.

Motion was made by Trustee Mead, second by Trustee Broda. Voting yes: Sima, Babcock, Wright, Broda, Mead. Abstain Trustee Butz 5-0-1.

### PUBLIC COMMENT (limited to 3 minutes per speaker)

No Public comment.

### DISCUSSION & ACTION ITEMS

1. **Use of Tax Increment Financing/RFP for TIF Consulting Services.**

   Scot Wrighton Village Administrator recommended moving forward with the process of hiring a Tax Increment Financing (TIF) consultant to support the village's economic development goals. TIF was identified as an important tool that could help fund redevelopment projects, support business growth, and provide incentives for properties throughout the village. Rather than focusing solely on the Main Street area, the administrator suggested exploring the possibility of establishing one larger TIF district that could include industrial, commercial, Main Street, and residential development areas.

Tom Green Village Attorney explained that, under Illinois law, at least 51% of a proposed TIF district must meet applicable statutory eligibility requirements. A consultant would evaluate potential areas and properties to determine eligibility, recommend appropriate district boundaries, and assist with the planning and review process involving other taxing bodies. Scot Wrighton Village Administrator presented a draft request for proposals (RFP) to solicit competitive proposals from qualified TIF consultants. The preliminary map would not be included in the RFP to avoid creating misconceptions about the proposed boundaries before the necessary evaluations are completed.

Trustee Broda expressed support for moving forward, noting that TIF had been discussed and studied approximately a year earlier and that it was time to begin the process. One member referenced a consultant with experience establishing TIF districts in Machesney Park, Loves Park, and Rockford, while acknowledging the importance of allowing other qualified consultants an equal opportunity to submit proposals. Scot Wrighton Village Administrator clarified that a formal motion was not required at this stage and that the committee's general consensus, documented in the meeting minutes, would provide sufficient direction to issue the RFP. The board would later consider and vote on selecting a consultant. The committee reached a consensus to proceed with issuing the RFP.

**2. Discussion of Administrative Code Revisions (cont'd from September 15, Meeting).**

Trustee Wright suggested laying over discussion of Administrative Code Revisions until the next Village Board Meeting on October 20, 2026.

Motion Was made by Trustee Broda, second by Trustee Butz. All in Favor yea, none opposed.

**PUBLIC COMMENT (limited to 3 minutes per speaker)**

No Public Comment

**PRESENTATIONS**

None

**ADJOURNMENT**

Trustee Wright asked for a motion to Adjourn the meeting.

Motion was made by Trustee Mead, second by Trustee Broda. All in favor yea, no opposed.

Meeting Adjourned at 8:15 pm.

October 15, 2026

TO: President Gustafson & Roscoe Village Trustees

FROM: Scot Wrighton, Interim Village Administrator

RE: October 20, 2026 - Committee-of-the-Whole Agenda

**Main Street & Village Center Project**

It is requested that the governing body provide direction leading to a restart of the Village's Main Street development goals and objectives, specifically the creation of a mixed use and walkable "village center" district, beginning with parcels adjoining Main Street between Bridge Street and Williams Street, or perhaps as far north as Glenn or Reimer Drives. By way of background:

- The Village retained Place Foundry to conduct market analysis, project phasing and designate best land uses for a Main Street project (see attached)
- As a companion initiative to the Place Foundry work, the Village contracted with Vandewalle & Associates to create new zoning district overlays (and to rezone selected parcels) to provide a legal and regulatory mechanism for consistently implementing the project's goals over time
- The Village separately retained Fehr-Graham to design reconstructed public spaces on the Main Street right-of-way to match & enhance adjacent private property developments they hoped to incentivize into a new Roscoe village center. This engineering assignment was halted at the 85% completion point, but it is sufficiently advanced to serve as a guide to adjacent developers about how they should tie-in their private developments with public spaces
- At different times, the Village acquired three (3) separate and disconnected land tracts, all on the east side of Main Street. While these parcels now serve as public green space, they can be sold or discounted as part of an economic development agreement with a prospective developer(s) if project proposals are found to be compatible with the Village Board's goals & vision
- In May 2025 the Village released a Request for Proposal (RFP) for prospective development of the 2.57-acre lot at 11243 Main Street (the LaBree site). However, while the Village received two proposals, it was not able to reach an agreement with any developer at that time.

Before recommencing efforts to recruit one or more developers to Roscoe's Main Street, it would be useful to discuss the following points:

1. Fehr-Graham's draft design of public right-of-way improvements was intended to attract adjoining private development in the Main Street District. It includes new decorative street lights, new sidewalks, drainage, a different parking arrangement, bump-outs and other streetscape enhancements from Bridge Street to Elevator Road. The current estimated cost of this reconstruction is about $22 million. This amount of capital investment {even if grants were secured to defray part of the cost} is not feasible at this time, and would take years to realize. Furthermore, some of the project's design features and access cuts would be based on guesswork, as village leaders do not yet know how or where many adjacent public and non-public parcels will eventually be developed—meaning additional infrastructure work would be required later to fully integrate right-of-way improvements with new adjoining private projects.

2. Because of this first point (#1 above), and to jump-start the Main Street Village Center project, it may be more appropriate to begin by incentivizing private development now, and then, when the shape and "vibe" of an altered Main Street becomes clearer, the Village can reconstruct the public right-of-way in phases [this is now conceptually envisioned in the new Capital Improvement Plan (CIP) recently discussed at a Committee-of-the-Whole meeting].

3. The work of Place Foundry included reasonable and practical recommendations for phasing Main Street improvements, and for the siting and placement of different land uses which, in the aggregate, would eventually comprise a new Main Street Village Center. Although the Village of Roscoe is no longer using the consulting services of Place Foundry, the Village Board need not reinvent this work; the Place Foundry work product is owned by the Village, and it is still a good point from which to re-launch Main Street development at this time. However, Place Foundry's work did not adequately bring the Village Board to a consensus about what the "look and feel" of any new private building facades should be, and therefore, the May 2025 RFP did not sufficiently communicate to potential developers parameters of the Village's Main Street-facing building appearance expectations. Developers were largely left to devise for themselves what their Main Street-facing private building facades should look like. If the Village wants some semblance of compatible building styles with common setbacks, only the Village can enforce such broad design parameters.

4. In the 4th Quarter of 2026, the Village Board directed staff to begin the process of creating a new tax increment financing (TIF) district in Roscoe to include all or most

of the Main Street village center project area—as laid out by Place Foundry. The Village has advertised for TIF development consultants, and hopes to formally launch a new TIF district during the 2nd Quarter of 2027. Having all or most of the ***Main Street village center*** in a new TIF district will also give the Village government greater legal flexibility to acquire, sell and transfer land for development projects aligned with the new TIF Redevelopment Plan.

Since the governing body wishes to move forward with Main Street District development as soon as possible, it is recommended that the Village Board take the following two steps:

- Complete a force-choice exercise, as a group, that will give staff a better idea of the kind of Main Street-facing private building facades they believe should be incorporated into RFPs for development of village-owned tracts. This information can subsequently be incorporated into RFPs, and be stipulated in development agreements for projects incentivized with TIF and other economic development inducements. During the October 20 committee-of-the-whole meeting, Hilary Rottmann will conduct this group survey exercise, and a subsequent discussion, intended to produce a list of broad parameters for building setbacks, façade appearances and overall style of private developments such that it conveys to pedestrians and developers the general "look and feel" the Board desires. Reduced to words, these parameters will be added to development RFPs.

- Help staff to make final revisions to a new RFP intended to solicit development proposals for both the LaBree and Liberty lots. A draft RFP document is attached. It is shorter than the May 2025 version, and was written to give prospective developers wide flexibility in designing and building new projects on land currently owned by the Village, so long as they conform to a fairly short list of design guidelines. These are likely to include:

    - Minimum of 2 stories, and a maximum of 4 stories
    - Maximum setback from the ROW of 15 feet (and minimum of zero feet)
    - Mixed uses, with residential and commercial on the same site
    - Constructed so as to complement the Village's general design scheme for the Village Center District and to protect adjacent property investment
    - Encourage more off-street parking
    - Allow developer flexibility as to number of buildings, construction materials and stylized designs so long as it conforms to the general concepts approved by the Village Board
    - Preferred mix of condo vs. rental residential (e.g., 50/50)

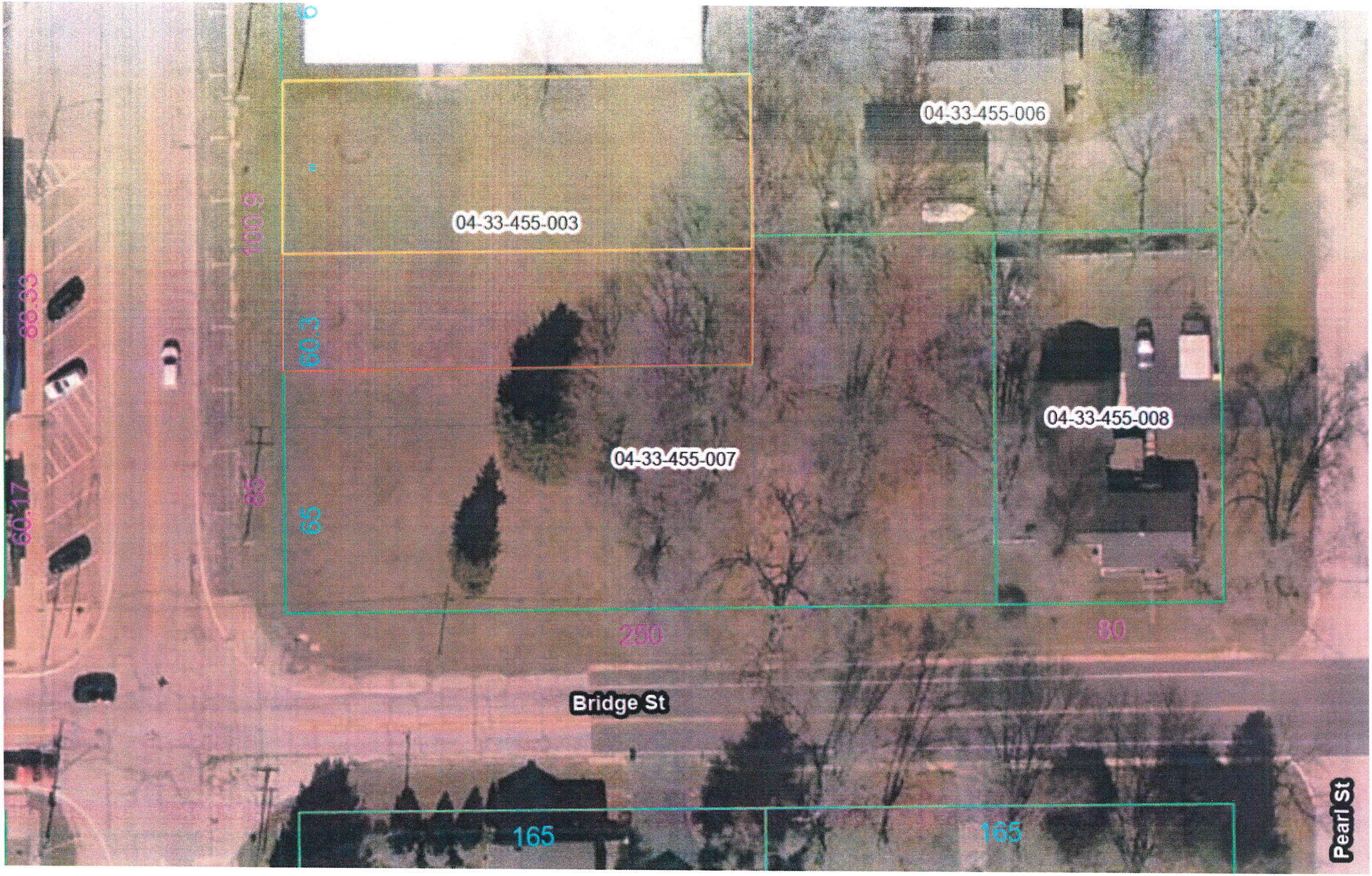
# Main Street Core District
## Medium Term Plan 3–6 YEARS




04-33-129-009
04-33-129-017
04-33-129-018
04-33-129-019
04-33-129-020
04-33-129-012
04-33-179-001
04-33-179-002
04-33-179-005
Main St
329.91
340.84
339.19
329.22
240
204.5
100
134
145
128.94
114.44
77
90.08
170.63
129.69
63.07
163.91
174.38
C-78.13
C-47.72
C-47.77
C-52.21
C-51.21



LaBree Lot


04-33-455-006
04-33-455-003
04-33-455-008
04-33-455-007
100.9
60.3
88.33
60.17
85
65
250
80
Bridge St
165
165
Pearl St

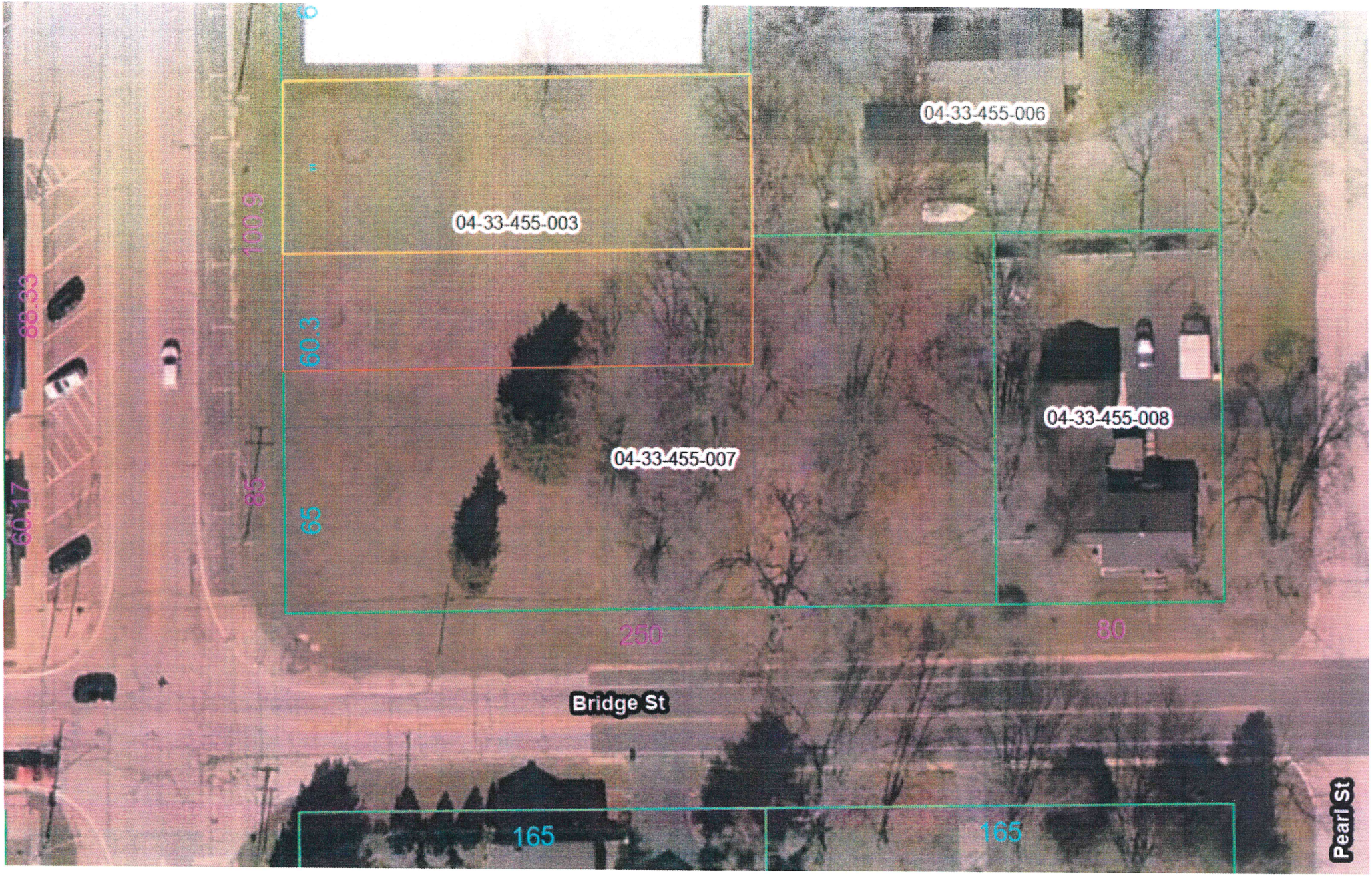
Liberty Lot

# Main Street Core District
# Medium Term Plan 3–6 YEARS




04-33-129-009
04-33-129-017
04-33-129-018
04-33-129-019
04-33-129-020
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04-33-179-001
04-33-179-002
04-33-179-005
Main St
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339.19
329.22
240
204.5
100
134
145
128.94
114.44
77
170.63
163.91
63.07
129.69
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153
174.38
C-78.13
C-47.12
C-47.77
C-52.21
C-51.21

LaBoee Lot


04-33-455-006
04-33-455-003
04-33-455-008
04-33-455-007
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Bridge St
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165
Pearl St

Liberty Lot

# PUBLIC NOTICE
# VILLAGE OF ROSCOE
# PROPERTY REDEVELOPMENT PROPOSALS

Sealed proposals will be received by the Village of Roscoe, Illinois, on or before 12:00 p.m., local time, Friday, December 4, 2026 for the improvement and development of one or both of the parcels described below. Both parcels are owned by the VILLAGE OF ROSCOE. The Village may modify this RFP prior to the bid submittal date by sending addenda to potential bidders. Addenda will be numbered consecutively as a suffix to the RFP title. It is the Proposer's responsibility to ensure they have incorporated all addenda items. Failure to acknowledge and incorporate addenda will not relieve the Proposer of the responsibility to meet all terms and conditions of the RFP and any subsequent addenda.

**PARCEL #1:** Redevelopment Proposal for Village-Owned Property at 11243 Main Street (called the "LaBree Lot")
2.57-acre tract (PIN #04-33-129-012), aerial photo attached
**PARCEL #2**: Redevelopment Proposal for Village-Owned Property at 10517 Main Street (called the "Liberty Lot")
0.97-acre tract (PIN#s 04-33-455-007 & 04-33-455-003), aerial photo attached

Respondents may submit proposals for only one of the above sites, ***or*** both sites separately, ***or*** both sites together as a consolidated project. Respondents shall submit their proposals (with 5 copies) in a sealed envelope with a USB flash drive, plainly marked **"PARCEL #1: 11243 Main Street Property Development Proposal for Village of Roscoe"** or marked **"PARCEL #2: 10517 Main Street Property Development Proposal for Village of Roscoe"** and delivered to:

Office of the Village Administrator
**10631 Main Street**
**Roscoe, IL 61073**
**Phone: (815) 623-2829**
Additional information may be secured by contacting **Scot Wrighton, Interim Village Administrator**, at 815-623-2829 or at 815-830-2059. Or use email: villageadministrator@roscoeil.gov

**Request for Proposals**
The Village of Roscoe, Illinois has been planning the creation of a new Main Street Village Center for some time, and now seeks to advance this vision by making two sites available for private development on a competitive basis.

The Village's vision is to create a dynamic "Village Center" environment that maximizes commercial potential, enhances public spaces, fosters community interaction and complements nearby amenities to catalyze future Village Center growth. Proper development of these parcels is central to our community development efforts and is supported by market analysis and community backing. We seek a development partner who can create enduring value for residents and visitors.

**Why Roscoe?** All of Roscoe is strategically located near the Rockton Road & I-90 Tollway interchange; it is a growing community with one of the best school districts in Winnebago County, a Village government willing to discount all or a portion of the purchase cost of one or both parcels, place these parcels into a tax increment financing district, and expedite plan approvals, staff reviews and development agreements

## Section 1: Project Context & Vision

### 1.1 Main Street District Context

These two Village owned properties sit within Roscoe's developing Main Street District, an area poised for transformation. The Village is establishing the Main Street District Roscoe Alliance ("Business District Alliance"), a 501(c)(3) non-profit organization representing a collaboration between businesses, property owners, and community members to create a vibrant downtown area. The Alliance's mission encompasses promoting, preserving, and enhancing the Main Street District through initiatives that drive economic growth while maintaining Roscoe's distinctive character. It will focus on fostering a thriving business environment alongside engaging community spaces that celebrate local culture and promote sustainable development.

### 1.2 Development Vision

The Village envisions that development of these and other lots in the Main Street District will embody the principles of a walkable mixed use village center development, characterized by some of these elements:
- **Gathering Place**: Create welcoming public spaces where community members can connect, accommodating everyday interactions and special events.
- **Vibrant Economy**: Support diverse businesses that provide opportunities for local entrepreneurs and established businesses, responding to market needs while creating a dynamic environment.

- **Choice Destination**: Incorporate distinctive elements that position Roscoe as a regional destination, drawing visitors from beyond our immediate community.
- **Seamlessly Connected**: Prioritize pedestrian-friendly design with thoughtful connections to surrounding properties, enhancing walkability and accessibility.
- **Celebrate Heritage**: Honor Roscoe's history while embracing contemporary design, strengthening community identity and pride of place.

### 1.3 Alignment with Current & Future Initiatives

The Village anticipates making other improvements that will add value to whatever is constructed on the parcels which are the subject of this RFP, such as:
• A new public plaza and park at Main Street and Hodges Run that can also host pop-up retail, or another nearby site
• Streetscape and public realm improvements enhancing connectivity and local vibe

## Section 2: Site Information

### 2.1 Existing Conditions – Parcel #1

Parcel #1 is currently vacant. Adjacent properties include:
• Main Street Square
• Single-Family Residential
• Small and Medium-sized Commercial Businesses
• Village-owned property at Hodges Run
• Kinnikinnick Elementary School (District 131)

### 2.2 Existing Conditions – Parcel #2

Parcel #2 is currently vacant, and located at a key road junction. Adjacent properties include:
• Engineering office
• Small retail shops
• Village Hall and Village Police Station
• Historic structure

### 2.3 Zoning and Land Use

The Village-Owned Properties are currently zoned CR Retail and Service Commercial District, which allows for various commercial uses. However, the village is open to considering zoning modifications through a Planned Unit Development (PUD) designation to allow greater flexibility in achieving the desired mixed-use development vision. Permitted uses in the CR district include:
• Retail shops and stores
• Personal and professional services
• Restaurants and entertainment venues
• Office spaces
• Other compatible commercial uses

## Section 3: Development Goals and Requirements

### 3.1 Vision and Objectives

The Village of Roscoe envisions transforming the Village-Owned Property into a vibrant, mixed-use development that will catalyze the revitalization of the Main Street District. We seek a development that responds to community needs while demonstrating exceptional design quality. The project should create a uniquely Roscoe sense of place that:
• Creates a walkable, human-scale environment prioritizing the pedestrian experience
• Maximizes retail and commercial opportunities for businesses
• Integrates public spaces that facilitate social engagement and community interaction
• Mixes commercial and residential uses
• Complements existing developments while increasing economic activity and job opportunities
• Enhances the local tax base through sustainable commercial and residential development

### 3.2 Development Program

Based on the market analysis and site vision outlined in the Village of Roscoe’s Main Street District Blueprint, the preferred development should include:
• Commercial/retail space mixed with residential
• Potential for office or residential uses on upper floors, and a greater residential component in the rear (non-street facing)
• Integrated public gathering spaces

• Pedestrian-oriented design with strong connections to surrounding areas
• Appropriate parking that doesn't dominate the site's Main Street facing areas
Developers are encouraged to propose innovative concepts that align with these elements while potentially introducing additional complementary uses.

### 3.3 Design Guidelines

Key design elements could include:
• Pedestrian-friendly features including wide sidewalks, street furniture, and appropriate lighting
• High-quality architectural standards that establish a distinctive identity
• Varied building types and scales creating visual interest and accommodating diverse uses, 2 to 4 floors in height
• Integrated green spaces and landscaping with native plantings
• Parking designed to minimize visual impact through strategic location and screening
• Sustainable design features and energy-efficient systems
• Setback from the right-of-way between zero and fifteen feet only
• Quality materials emphasizing durability and authenticity

## Section 4: Transaction Structure

### 4.1 Proposed Deal Structure

The Village of Roscoe proposes the following transaction structure for the redevelopment of the Village-Owned Property:

• **LAND DISPOSITION:** The Village of Roscoe intends to sell the property to the selected developer (via the Rockford Area Land Bank) at a negotiated price, with the potential for a below-market value or even a no-cost conveyance, contingent upon the proposed development's alignment with the Village's Main Street development goals, taking into account the developer's site design, building designs, and development proforma.

• **DEVELOPMENT RIGHTS:** The selected developer will acquire full ownership and development rights for the site, subject to agreed-upon development conditions and community benefit requirements.

• **PHASED DEVELOPMENT:** The project may be implemented in phases, subject to market conditions and the developer's proposed timeline.

• **PUBLIC-PRIVATE PARTNERSHIP:** The Village seeks a collaborative relationship with the selected developer to ensure the project meets public and private objectives. The Village reserves the right to negotiate the final sale price based on the strength of the proposal and its alignment with the Village's long-term vision.

### 4.2 Key Terms and Conditions

• **DEVELOPMENT AGREEMENT:** The sale will be contingent on executing a Development Agreement.
A comprehensive Development Agreement will be negotiated with the selected developer, addressing:
• Project scope and design
• Development timeline and milestones
• Public improvement requirements
• Community benefits and local hiring commitments
• Ongoing operational standards
• Reporting and compliance requirements
• Reverter clause or repurchase option if development milestones are not met

**Phasing and Timeline**

The developer should propose a realistic timeline for the following project phases:
• Due Diligence and Entitlements: 6-12 months
• Design and Permitting: 6-12 months
• Construction: 12-24 months (may be implemented in sub-phases)
• Lease-up and Stabilization: 12-24 months

### 4.3 Financial Terms

**Developer Investment**

The selected developer will be responsible for:
• All predevelopment costs
• Project design and construction costs
• Tenant improvements and leasing costs

• Ongoing operations and maintenance

**Village Investment**

The Village may consider the following forms of support, subject to negotiation and approval:

• Infrastructure improvements that benefit the project and the surrounding area
• Expedited review and approval process for the project

**Financial Projections**

Developers should provide detailed financial projections, including:

• Development budget
• Sources and uses of funds
• Operating pro forma (minimum 10-year projection)

# Section 5: Submission Requirements

Respondents should submit a comprehensive proposal that addresses all aspects of the project. Proposals must include the following components:

## 5.1 Cover Letter and Executive Summary (2 pages maximum)

• Provide a brief overview of the development team, proposed project, and key financial terms
• Confirm willingness to accept the proposed transaction structure or outline any proposed modifications
• Must be signed by an authorized representative of the lead development entity

## 5.2 Development Team (5 pages maximum)

• Key team members: Lead developer, architects, engineers, contractors, property managers, consultants
• Organizational chart showing team relationships
• Description of the team's experience with similar projects

## 5.3 Relevant Experience and Qualifications (10 pages maximum)

Provide detailed information on comparable projects completed within the last ten years.

For each project, include:

• Project description, size, and total development cost
• Photos or renderings
• Development team's role
• Financial structure, including public/private partnerships if applicable
• Timeframe for completion
• Economic and community impacts

## 5.4 Project Approach and Concept (15 pages maximum)

• Provide a narrative description of the proposed development concept
• Include conceptual site plans, elevations, and renderings
• Describe how the proposal meets or exceeds the development goals outlined in this RFP and the Village's plans
• Detail the proposed program mix, including:
  ○ Types and sizes of commercial spaces
  ○ Public space and amenities
  ○ Parking strategy
• Outline the approach to sustainable design and green building practices
• Describe the proposed phasing plan, if applicable
• Provide a preliminary development timeline
• Provide a detailed project schedule, including key milestones for:
  ○ Due diligence
  ○ Government and loan approvals
  ○ Design and engineering
  ○ Financing
  ○ Construction
  ○ Leasing and occupancy
• Describe the team's approach to project management and risk mitigation

## 5.5 Financial Capacity and Project Economics (10 pages maximum)

• Demonstrate the financial capacity to undertake the project
• Outline the proposed financial structure, including:
  ○ Total development budget

- Sources and uses of funds
- Equity commitment and source
- Debt financing strategy

• Include high-level operating pro forma (e.g., Projected revenues by source, operating expenses, Debt service, Net operating income, vacancy rates)
• Identify potential anchor tenants or types of tenants being targeted
• Outline strategies for attracting and retaining tenants
• State the proposed purchase price for the property
• Outline any requested Village financial assistance or incentives

# Section 6: Selection Process and Criteria

## 6.1 Evaluation Process

The Village will review all submittals and select at least two for interviews and preliminary negotiations. The Village will enter into exclusive negotiations with the top-ranked respondent. If an agreement cannot be reached, the Village reserves the right to terminate negotiations and move to the next-ranked respondent. The final selection and development agreement will be subject to approval by the Roscoe Village Board.

## 6.2 Evaluation Criteria

Proposals will be evaluated based on the following criteria:

1. Qualifications and Experience
2. Development Concept and Design
3. Financial Proposal and Economic Impact
4. Implementation Strategy

## 6.3 Selection Timeline

The Village anticipates moving quickly with its review process so that the selected development partner can begin work in the Spring of 2027.

# Section 7: Terms and Conditions

## 7.1 RFP and Proposal Conditions

**Proposal Submission**
By submitting a proposal, respondents agree to be bound by the terms and conditions of this RFP. The Village may extend the deadline for proposal submission based on written requests from developers.
**Proposal Costs**
The Village of Roscoe will not be responsible for respondents' costs of preparing and submitting proposals or participating in the selection process.
**Proposal Validity**
Proposals are valid for 180 days from the submission deadline. If necessary, the village may request an extension of this period.
**Modification or Withdrawal of Proposals**
Respondents may modify or withdraw their proposals by written notice before the submission deadline. All modifications will be accepted before the deadline.

## 7.2 Village Rights and Reservations

**RFP Modifications**
The Village reserves the right to modify or cancel this RFP anytime. Any changes will be posted on the Village's website and communicated to all registered respondents.
**Additional Information**
The Village reserves the right to request additional information or clarification from respondents during the evaluation process.
**Rejection of Proposals**
The Village reserves the right to reject all proposals and waive any irregularities or informalities in the proposals received.
**Negotiation of Terms**
The Village reserves the right to negotiate the terms of the development agreement with the selected respondent.
**No Obligation**
This RFP does not obligate the Village to enter into a contract with any respondent or

proceed with the development described in this RFP.

## 7.3 Miscellaneous Provisions

**Public Records**

All submitted proposals become the property of the Village and are subject to applicable open records laws. Respondents should mark any proprietary or confidential information.

**Questions and Clarifications**

Questions regarding this RFP should be submitted in writing to Scot Wrighton at villageadministrator@roscoeil.com The Village will post responses to all questions on its website and distribute them to all registered RFP recipients.

October 15, 2026

TO: President Gustafson & Village Trustees

FROM: Scot Wrighton, Interim Village Administrator

RE: Administrative Code Revisions (cont'd)

It is requested that the Village Board continue discussion and review of proposed revisions to Title II, picking up where they left off on September 15. Those portions of Title II, not already approved and recommended to the Village Board for adoption on October 6, have been resubmitted and attached to this memo, and utilize the same ~~green strikeouts~~ for language proposed for deletion, ***red bold italics*** for proposed new language, and smaller font **bold blue text** for my commentary and discussion of background, options and rationale for changes. Commentary and options are not intended to ever be ordinance language, nor will they be included final versions for adoption by the Board.

The sections attached include Standing Committees, Village Departments, Village Officials, gift acceptance, boards & commissions, the fire & police commission, and ethics. When the Board has completed work on these sections of the Village Code, they will have gone through Chapters 20, 21, 22 and 23 of Title II. At a later date, I will present revisions to travel and other policies, purchasing & procurement policies, finance and taxation ordinances, fair housing, code enforcement policies and other policies of the Village in Chapters 24 through 27 of Title II (Part 2). As they did on September 15, the Board can postpone or table parts of this project if they need additional time to study them.

# ROSCOE CODE OF ORDINANCES – Proposed Revisions & Amendments

- **ARTICLE III. - STANDING COMMITTEES**

- **Sec. 2-56. - Committee of the whole.**

(a) *Creation.* The village has established a committee of the whole, of the village board of trustees.

(b)*General purpose.* The committee of the whole shall be ***used primarily for the following purposes: (i) to discuss broad policy initiatives for which further direction from the Board is required before an item can be readied and finalized for a vote by the Board at a future meeting, and (ii)*** ~~responsible~~ for investigating and issuing recommendations on any issues pertinent to village business or governance, including, but not limited to, matters of capital improvements, finance, village personnel, public safety, public works and parks, economic development, and zoning, ***where at least three Board members have communicated to the village president or the village administrator in writing of their desire to add an item to a committee of the whole agenda at least one week before the next scheduled committee of the whole meeting.***

(c) *Membership and voting.* The committee of the whole shall consist of all six members of the village board of trustees, who shall be full voting members. The village president shall be an ex officio member of the committee, and shall serve in an advisory, non-voting role. In the case of a tie-vote, any such motions, if presented to the village board, shall be presented with neither the positive nor negative recommendation of the committee.

(d) *Selection of chairperson.* The chair of the committee of the whole shall be selected as follows. The chair of the committee shall be ***a village trustee*** selected after nomination made by any member of the committee, and approval of a majority vote of all voting committee members. The chair's term shall run a maximum of two years. However, irrespective of the chair's tenure of service, a new chairperson shall be selected as soon as practicable after the seating of those trustees elected to office at each biennial municipal election taking place within the village. Should the chair resign, a replacement chair shall be selected in the same manner as the original selection. Should a chair be absent from any particular meeting, the members of the committee shall nominate and select a temporary chair to serve for that meeting.

~~(e) *Agenda items.* Upon the request of the village administrator, the village president, or any village trustee, the village clerk shall place upon the committee agenda any item for discussion that pertains to, or is relevant to, the business or governance of the village.~~

~~(f) *Reports to the board.* The committee of the whole shall submit for action, its findings and recommendations to the village board of trustees. Such findings shall specifically reflect a positive recommendation, a negative recommendation, or no recommendation.~~

**COMMENTARY & OPTIONS: I believe paragraphs "e" and "f" above are not necessary or practical. The Village Clerk produces agendas, but the Village Clerk does not decide what is to be placed on the agenda. When the committee of the whole is utilized as a working group to give clarity and direction to the staff, this direction often will not take the form of "a positive recommendation, a negative recommendation, or no recommendation." Proposed revisions to the village administrator sections of the Code (below) make the**

**administrator principally responsible for formulating and assembling Board agendas, in consultation with the village president and village trustees.**

(g) *Meetings and schedule.* The committee of the whole shall convene immediately following each regularly scheduled meeting of the village board of trustees, or at such other times as shall be deemed necessary to carry out the functions and duties of the committee.

(Code 2007, § 30.15; Ord. No. 2015-17, 5-21-2015)

**COMMENTARY & OPTIONS: A central tenet of local board governance is that it is a group activity—policy decisions are the result of 'group process,' and therefore "lone-wolf" members and vocal minority factions should not be able to take decision-making down paths unlikely to enjoy support when they come before the full Board of Trustees. However, trustees must still have recourse to deal with unresponsive village administrators and village presidents who fail to address, or do not recognize, the concerns of a significant number of trustees, and who may attempt to deny access to governing body members who want to discuss topics of major concern. Therefore, the revisions above provide a mechanism for going around the village president and village administrator, if and when necessary, in a manner consistent with the tenets of democratic group decision-making. At the same time, the process of insisting on an agenda item against the wishes of the village president and/or village administrator should not be implemented without sufficient notice for staff to prepare documentation and research on a topic, or be used as a mechanism for last-minute "gotcha" moves intended to embarrass village officials (appointed or elected). The recommended changes implement a balanced approach.**

- **Sec. 2-57. - Collective bargaining.**

~~(a) The village has established a collective bargaining committee that shall consist of the village president, the village administrator, and two village trustees selected by the village president.~~

~~(b) One of the selected trustee members shall be designated as a primary member of the committee, and the other trustee member designated as an alternate member of the committee. The alternate trustee committee member shall participate in committee functions in the absence of the designated primary trustee.~~

~~(c) The terms of the committee membership shall be for duration of the bargaining of each collectively bargained contract.~~

~~(Code 2007, § 30.19; Ord. No. 2006-37, 7-20-2006; Ord. No. 2015-17, 5-21-2015; Ord. No. 2018-14, § 1, 9-18-2018)~~

**COMMENTARY & OPTIONS: Proposed revisions to this Administrative Chapter delegate responsibility for conducting collective bargaining on behalf of the president and village trustees to the village administrator. Accordingly, the village administrator must obtain from the president and village trustees in advance parameters for negotiating contract revisions to be sought through collective bargaining, and must subsequently obtain the approval of the president and village trustees for enactment of any labor contract. In negotiations, the village administrator represents the collective interests of all seven (7) members of the governing body, and not just one or two of them. Having no members of the governing body routinely engaged in collective bargaining also gives the entire Board the ability to distance itself from initial results obtained by the village administrator, and greater freedom to instruct him/her to return to the bargaining table to obtain different results. Therefore, my preferred Option (#1) is for there to be no elected officials participating in collective bargaining. At all times the village administrator is accountable to the entire Board for collective bargaining decisions and processes. However, if the governing body would nonetheless like one elected representative to participate, the ordinance could name the village president to perform this role (Option #2). Alternatively, the ordinance could allow the governing body's representative to be a trustee selected by majority vote of the Board (Option #3).**

- **Secs. 2-58—2-87. - Reserved.**

- # CHAPTER 21. - VILLAGE DEPARTMENTS

- ## Sec. 2-88. - Created.

(a) The village has created a ***police department, a public works department, an administrative department and a*** planning department, under the executive branch of the village government, ***and*** consisting of ~~a planning director, a plat officer and of~~ such other officials as shall be authorized by the village board of trustees.

(b) The village's zoning administrator shall serve ex officio as planning director and plat officer.

***(c) The village's administrator shall serve as head of the Administrative Department, and as budget officer.***

(Code 2007, § 37.01; Ord. No. 2007-67, 12-20-2007; Ord. No. 2015-49, 12-15-2015)

**COMMENTARY & OPTIONS: Nowhere does the Village Code provide a complete listing of village departments. The amendments above correct this deficiency.**

- ## Sec. 2-89. - Appointment of employees.

All ~~officers of the planning department~~ ***village department heads*** shall be appointed by the village president with the advice and consent of the village board of trustees.

~~(Code 2007, § 37.02; Ord. No. 2007-67, 12-20-2007; Ord. No. 2015-49, 12-15-2015)~~

- ## Sec. 2-90. - Report of department.

The ~~planning~~ departments shall provide a report to the president and the board of trustees quarterly and annually in relation to the department's work activities for each quarter and calendar year.

(Code 2007, § 37.03; Ord. No. 2007-67, 12-20-2007)

- ~~## Sec. 2-91. - Powers and duties.~~

~~The powers and duties of the planning department shall be those enumerated in 65 ILCS 5/11-12-5 through 5/11-12-7 and such further duties as are assigned to it by the village president.~~

~~(Code 2007, § 37.04; Ord. No. 2007-67, 12-20-2007)~~

- ## Sec. 2-92. - Subdivisions to comply with official plans.

Following the adoption of the official plan by the village board of trustees, which plan may be amended from time to time, no plat or subdivision or re-subdivision presented for recordation affecting land within the corporate limits of the village, as now or hereafter existing, or in contiguous unincorporated territory outside of and distant not more than 1½ miles from the corporate limits, shall be entitled to recordation or shall be valid unless the plat, subdivision or re-subdivision thereon shall provide for streets, alleys, ways for public service facilities, storm or floodwater runoff channels and basins and public grounds in conformity with the requirements applicable thereto of the offici

plan and compliance with all applicable sections of this Code, and the planning department sh
responsible for the monitoring of compliance of this section. (Code 2007, § 37.05; Ord. No. 2007-67, 12-20-2007)

- **Secs. 2-93—2-112. - Reserved.**

**COMMENTARY & OPTIONS: In some other village documents there are references to a "community development department" that includes planning, zoning, code enforcement and economic development. The Village Code does not provide for a Community Development Department, although this title is the one most commonly used to aggregate planning, zoning, code enforcement, neighborhood improvement and economic development. As I understand it, the village president, with the advice and consent of the Board of Trustees, has historically appointed department heads, but not appointed other employees—except for those called out in statute as being appointed by the village president with the advice and consent of the Board of Trustees, such as the village attorney, village treasurer, village engineer and deputy village clerk. The Village Code does not contain a complete listing of all village departments, so it has been added here. The village is at liberty to create or abolish departments in the future; it would just require an ordinance amendment to implement such a decision.**

# CHAPTER 22. - VILLAGE OFFICIALS

## ARTICLE I. - IN GENERAL

### Sec. 2-113. - Board to prescribe duties, powers, term of appointed officers.

The board of trustees, by ordinance not inconsistent with state law, may prescribe the duties, define the powers and fix the term of office of all appointed officers of the village ***who are appointed by the village president with the advice and consent of the village trustees***, but the term of office shall not exceed that of the president. (Prior Code, § 2-1; Code 2007, § 31.01)

### Sec. 2-114. - Village clerk.

(a) *Office created; election and term; compensation.* The village clerk shall be elected for a four-year term. The clerk shall receive compensation as follows:

(1) The compensation of the village clerk shall be established at $16,000.00 annually and shall be considered a part-time position.

(2) The village clerk, or the clerk's duly appointed deputy clerk, shall receive as an additional compensation, $40.00 for each village board meeting, liquor commission meeting and public hearing attended in furtherance of his official duties in the capacity of village clerk.

(3) The village clerk, or ***a*** ~~the clerk's~~ duly ***appointed and*** authorized **deputy village clerk** ~~designee, for all committee meetings,~~ where the clerk is required to attend, in his***/her*** official capacity, and in furtherance of his***her*** official duties as village clerk, shall receive as an additional compensation, $40.00 per meeting for committee meetings organized under the village's committee of the whole structure, or $14.00 per hour for meetings of committees of the village board for which committee membership is made up of less than the whole of the village board of trustees, such amount which shall not exceed $40.00 per day regardless of the number of individual meetings attended.

(4) The village clerk shall not receive any other benefits or compensation, including, but not limited to, health insurance, pension contributions and life insurance, for performance of their duties.

(5) The village clerk's pay shall be made in equal installments, payable biweekly, less any appli deductions.

(b) *Oath; bond.* The village clerk, before entering upon the duties of his***/her*** office, shall take the oath of office prescribed by law, and shall execute a bond to the village in the penal sum of $3,000.00, with security as shall be approved by the president and board of trustees, conditioned for the faithful performance of the duties of his office, and the payment of all moneys that may be received by him***/her***, according to law and ordinance. The bond shall be filed with the treasurer.

(c) *Office location.* The village clerk shall keep his***/her*** office in the municipal building or at such other place as the board of trustees may direct.

(d) *Powers and duties.* The village clerk has those powers and duties provided for by state law. Such duties shall include as follows:

(1) The clerk shall keep the corporate seal, as provided by the corporate authorities, and shall affix its impression of documents whenever this may be required.

(2) The clerk shall keep and maintain all papers belonging to the municipality, except those where the custody and control of which have been given to other officers of the village and shall keep and maintain copies of all papers duly filed in the clerk's office.

(3) The clerk shall attend all meetings of the corporate authorities, including executive sessions, and keep a full record of their proceedings in the journal, except if the clerk is the subject matter of the meeting and his presence creates a conflict of interest.

(e) *Deputy clerk.*

(1) *Authorization; appointment; term.* From time to time, as is determined necessary by the president and board of trustees for the village, there may be hired ***and appointed by the president and board of trustees*** a deputy village clerk ***from among existing and qualified full-time village employees*** to perform the functions of the village clerk in the clerk's absence. ~~The village clerk is authorized to appoint one deputy clerk~~. Any such appointment of a deputy clerk may be revoked at any time, and a new appointment may thereafter be made if desired. Any such appointment, however, shall run concurrently with the village clerk's term of office unless sooner terminated.

(2) *Authority.* The powers and duties of a deputy clerk shall only be exercised:

a. In the absence of the clerk from the place where the clerk's office is maintained, and only when written direction has been given by the clerk to that deputy to exercise a power; or

b. When the president and board of trustees have determined by resolution that the clerk is temporarily or permanently incapacitated to perform a specific, enumerated function.

(3) *Designation; oath; bond.* An original of the instrument making an appointment of a deputy ~~by the~~ village clerk shall be filed and shall remain on file in the office of the village clerk. Any person accepting an appointment as deputy ~~of the~~ village clerk hereunder shall take and subscribe the same oath or affirmation as is required of village officers and such oath or affirmation shall be filed and

remain on file in the office of the village clerk. The deputy clerk shall be bonded in the same m as the village clerk.

(4) *Powers and duties.* When duly authorized, the deputy clerk shall have the power and duty to execute all documents, papers, receipts, orders, checks and other instruments required by any law to be executed by the village clerk, to affix the corporate seal thereto whenever required, and to make such records and perform any and all duties and functions performed by the village clerk. In signing any documents, the deputy clerk shall sign the name of the clerk with the word "by" and the deputy clerk's own name and the words "deputy clerk."

~~(5) *Pay; hours.* Upon authorization for appointment, and annually thereafter until such authorization for appointment has been withdrawn, the president and board of trustees shall establish or modify the pay scale and appropriation for the deputy clerk position as part of the passage of the village's appropriation ordinance. However, the deputy clerk shall not be authorized to work more than 15 hours during any given work week, or in such a manner as to exceed the amount appropriated for that position by the village board of trustees.~~

(Prior Code, §§ 2-2, 2-3; Code 2007, § 31.02; Ord. No. 1986-4, 11-6-1986; Ord. No. 2000-19, 11-2-2000; Ord. No. 2004-24, 11-4-2004; Ord. No. 2004-27, 11-18-2004; Ord. No. 2011-36, 8-18-2011; Ord. No. 2012-7, 1-20-2012; Ord. No. 2016-23, 11-1-2016)

- **Sec. 2-115. - Village treasurer.**

(a) *Office established.* The village has established the office of village treasurer.

(b) *Bond.* The treasurer, before entering upon the duties of his office, shall execute a bond in the amount of $5,000.00 to be provided by the village.

(c) *Deposits; bank designated, liability of treasurer.* The treasurer shall keep all funds and money in his custody belonging to the village in such places of deposit as may be designated by ordinance, and, when requested by the treasurer, the corporate authorities shall designate a bank or banks in which may be kept the funds and money of the village, in the custody of the treasurer. When a bank has been designated as a depository, it shall continue as such until ten days have elapsed after a new depository is designated and has qualified by furnishing the statements of resources and liabilities as required by subsection (d) of this section. When a new depository is designated, the corporate authorities shall notify the sureties of the village treasurer of that fact, in writing, at least five days before the transfer of funds. The village treasurer shall be discharged from responsibility for all funds or money which he deposits in a designated bank while the funds and money are so deposited. If village funds or money is deposited in a designated bank, the amount of the deposits shall not exceed 75 percent of the bank's capital stock and surplus, and the treasurer shall be responsible for funds or money deposited in the bank in excess of this limitation.

(d) *Qualifications of bank.* No bank shall be qualified to receive village funds or money until it has furnished the corporate authorities with copies of the last two sworn statements of resources and liabilities which the bank is required to furnish to the state commissioner of banks and trust companies or to the state comptroller of currency. Each bank designated as a depository for the funds or money shall, while acting as the depository, furnish the corporate authorities with a copy of

all statements of resources and liabilities which it is required to furnish to the commissioner o comptroller.

(e) *Term.* The treasurer shall serve for a term of four years, commencing on May 1 of the year in which he is appointed. (Prior Code, § 2-4; Code 2007, § 31.03)

- **Sec. 2-116. - Village attorney.**

(a) *Appointment; term.* The president, with the advice and consent of the board, shall appoint a qualified, competent person to be the attorney for the village. The village attorney shall serve in office until his successor has been appointed and has qualified.

(b) *Duties.* The village attorney shall:

(1) Be the legal adviser of the president, the board of trustees and each department of the village in all matters wherein the business of the village is involved. He shall, at all times, carefully guard and protect the interests of the village;

(2) Attend all regular meetings of the board, ***unless excused,*** and all special meetings when requested by the board;

**COMMENTARY & OPTIONS: It is not essential that the village attorney attend every village board meeting. This requirement drives up the village's legal costs. The village attorney should be asked to attend those meetings where his/her legal analysis, opinion, updates on particular legal topics, or discussion on an agenda item is needed and/or anticipated. If a legal question comes up at a village board meeting and the village attorney is not present, the question can be referred to the village attorney for discussion at a future meeting, or by other communication to the Board.**

(3) Prepare such ordinances as the board may from time to time direct, present them to the board and be prepared to answer any legal questions that may arise in and about the passage of the same and any legal effect and interpretation of the ordinances. All contracts in which the village is a party and all ordinances or resolutions of the village concerning or authorizing the making of a contract shall be drawn by the village attorney, or the draft thereof examined and upon by him before the same is made or adopted. All bonds in which the village is a party or interested shall be referred to the village attorney for approval before being approved by the board;

(4) Prosecute and defend, for and on behalf of the village, all suits and proceedings in any court. He shall not be required to prosecute any suit or proceeding when, upon investigation of all the facts in the case, he becomes satisfied that there is no cause of action on the part of the village, unless he is required to do so by the president ***and/or the Board of Trustees***. The village attorney may discontinue any suit or proceeding upon any terms as he shall deem just and equitable, provided that the president may require him to prosecute any suit that he shall deem necessary to the well-being of the village. When in his opinion the public interest requires it, he may appeal any proceeding from the judgment of the circuit court;

(5) Cause execution to issue on all judgments in favor of the village and see that all collections are made. He shall have referred to him all court fee bills and other bills of courts for his approval before the same are paid; and

(6) Perform all other duties incidental to his office which may be required of him by law.

(c) *Substitute.* In case of temporary absence or disability, the village attorney may, with the approval of the president, appoint or employ some competent person to act in his place. No person shall be appointed or act on behalf of the village as village attorney who is not duly licensed as an attorney under the laws of the state. (Prior Code, § 2-5; Code 2007, § 31.04)

- **Sec. 2-117. - Village engineer.**

The president, with the advice and consent of the board, shall appoint a qualified, competent person or firm to be the engineer for the village, who shall serve until his successor has been appointed and has qualified. The village engineer or a representative from his office shall render engineering services for the village or its officials on a consultant basis. (Prior Code, § 2-6; Code 2007, § 31.05)

- **Sec. 2-118. - Retirement.**

The village shall participate in the state municipal retirement fund. The standard for participation therein shall be a position normally requiring performance of duty for 1,000 hours per year.
(Prior Code, § 2-8; Code 2007, § 31.06; Ord. No. 1982-4, 8-5-1982)

- **Sec. 2-119. - Commencement of terms for newly elected officers.**

The term of village officers shall begin with the second meeting in April following the proclamation of the results of the regular municipal election at which the officers were elected. (Code 2007, § 31.07; Ord. of 4-21-2005)

- **Sec. 2-120. - Administrative hearing officer.**

(a) *Creation of position; duties generally.* The position of administrative hearing officer is created to hear and adjudicate allegations of code violations brought by the village and to impose fines, costs and penalties for such violations as are proven.

(b) *Appointment.* The administrative hearing officer shall be appointed by the village president and the village president is authorized and empowered to appoint, with the advice and consent of the village board of trustees, an individual or firm to provide the services of administrative hearing officer as an independent contractor on a part-time basis with such individual or firm to serve as the pleasure of the village president. The position of administrative hearing officer shall not be a civil service position and the village president shall have the authority to remove, replace or reappoint such individual or firm from time to time as he, in his sole discretion, may choose with any new appointment subject to the advice and consent of the village board of trustees.

(c) *Qualifications.* Every hearing officer must be an attorney licensed to practice law in the state for at least three years. Prior to conducting any proceedings, the hearing officers shall successfully complete a formal training program that includes the following:

(1) Instruction on the rules of procedure of the hearing that they will conduct;

(2) Orientation to each subject area of the code violations that they will administer;

(3) Observation of administrative hearings; and

(4) Participation in hypothetical cases, including rules on evidence and issuing final orders.

(d) *Other duties.* The administrative hearing officer shall additionally act as a hearing officer under the Public Safety Employee Benefits Act, 820 ILCS 320/1 et seq. He shall hold a hearing and make a determination if an employee subject to the Act is entitled to the benefits provided by the Act. The decision may be appealed to the circuit court under the provisions of 735 ILCS 5/3-101 through 5/3-113.

(Code 2007, § 31.08; Ord. No. 2011-24, 7-7-2011; Ord. No. 2011-41, 10-6-2011)

- **Sec. 2-121. - Village administrator.**

(1) **Creation of position.**

**There is hereby created the position of village administrator, who shall be the chief administrative officer of the village. Any references in the Village Code of Ordinances or any other ordinance or document to the title of director of village services and personnel shall mean village administrator.**

**(2) Appointment and selection of village administrator.**

**(a) The village administrator shall be chosen solely on the basis of executive and administrative qualifications with special reference to actual experience in, and knowledge of, accepted practices with respect to the duties as set forth herein and in the position description as established from time to time by the village president and village board.**

**(b) The village president shall appoint the village administrator with the advice and consent of the village board. The appointment shall be dependent upon the applicant's acceptance of the terms of a "letter of agreement — conditions of employment" that will be negotiated between the applicant and the village president. Such letter shall be approved by majority vote of the village board. The "letter of agreement — conditions of employment" will further define and explain conditions of employment, but may not override, circumvent or subvert any parts of this article.**

**(c) At the time of appointment, the village administrator need not be a resident of the Village of Roscoe. During the tenure of the appointment, the village administrator may be required to reside within the corporate boundaries of Village of Roscoe, or outside those boundaries, solely in conformance with the terms of the "letter of agreement — conditions of employment."**

**(d) In the event of the short-term and temporary absence of the village administrator, the village administrator may appoint a member of the village staff as acting village administrator. In the event of the extended absence of the village administrator, or the death, disability, or abandonment of position by the village administrator, or in the event the position becomes permanently vacant for any other reason, the village president may act as village administrator or may appoint an interim village administrator who shall serve until the village administrator returns or until a new permanent village administrator appointment is made.**

(3) Tenure of position.

**The village president may remove the village administrator at any time with the advice and consent of the village board.**

(4) Compensation.

**The village administrator shall receive such compensation as the village president and village board shall fix from time to time by ordinance, or in the "letter of agreement—conditions of employment" document approved by the Village Board.**

(5) Powers and duties—Generally.

**The village administrator shall be the chief administrative officer of the village and shall be responsible for supervising and coordinating the work of all departments of the village. To that end, the village administrator shall have the authority and shall be required to:**

**(a) Enforce all the laws and ordinances of the village.**

**(b) Attend all meetings of the corporate authorities unless excused by the village president. Provide the corporate authorities all information related to matters under consideration as well as matters that come to the attention of the village administrator that require policy consideration by the corporate authorities. In consultation with the village president and trustees, the village administrator shall be responsible for preparing the agenda for all regular, committee of the whole and special meetings of the village board and shall be entitled to notice of all regular or special meetings of the village board.**

**(c) Recommend to the village president and board of trustees, adoption of such measures deemed necessary or expedient for the health, safety or welfare of the community, or for the improvement of services to the community.**

**(d) At the request of the village president and village board, recommend officers of the village who are required to be appointed and recommend the removal or suspension of any such officer to the village president and village board when such removal or suspension will be consistent with the best interests of the village. All recommendations for appointment or removal shall be based upon merit and upon qualifications or disqualifications of such officer. Supervise all appointed officers of the village and all village employees, and all persons shall perform their duties subject to the village administrator's direction, except as otherwise provided or required by statute. At the request of the village president and village board, the village administrator will make reports concerning appointed officers and employees of the village.**

**(e) Appoint, discipline, and remove all appointed employees of the village provided that this authority shall not extend to the chief of police, or to sworn officers in the police department, or department heads, or other employees appointed by the village president with the advice and consent of the village board, but the village administrator may recommendations to the village president and village board as to appointment, discipline or removal of such excluded appointed employees.**

**(f) Settle questions as to the respective powers or duties of any appointed officer of the village and to delegate to any such officer any duty which is to be performed when no specific officer has been directed to perform the duty. Unless otherwise directed by the village president and village board, the village administrator shall exercise the power, authority, and duties of any department head during the time when the office of such department head is vacant, except in the police department.**

**(g) Direct, supervise, and coordinate the administration of all departments, offices, and agencies of the village ensuring that all municipal services and programs are efficiently and effectively managed, except as otherwise provided by law, including the direction and coordination of all village-wide and interdepartmental projects, programs, policies, and administrative matters which are applicable to all departments.**

**(h) Make recommendations to the village president and village board concerning compensation for each appointive office and position in the village not otherwise provided for by statute or ordinance of the village.**

**(i) Recommend to the village president and village board, the creating, consolidating and combining of offices, positions, departments or units of the village.**

**(j) Monitor the affairs of the village or any department or division thereof. Investigate or provide for the investigation of all complaints in relation to matters concerning the administration of the government of the village, and in regard to service maintained by the public utilities in the village, and see that all franchises, permits or privileges granted by the village are faithfully observed.**

**(k) Supervise the purchase of all services, materials, supplies and equipment for which the funds provided are included in the annual budget; let contracts for operation and maintenance of village services for amounts less than twenty thousand dollars ($20,000.00) so long as they are authorized by the village budget; receive, open and review bids for purchases or service contracts in amount or delegate this responsibility to the appropriate department head; and advise the village board on the advantages and/or disadvantages of a contract or vendor proposal on which bids have been received. No purchase shall be made, contract let, or obligation incurred that first requires the village board approving a budget amendment authorizing supplemental funds. No purchase, acquisition, construction or any contract of any type shall be made in excess of twenty thousand dollars ($20,000.00) except by approval of the village board or in the case of public emergency when affirmed by the village president and subsequently ratified by the village board. A public emergency shall mean an unexpected event which places human safety or property in immediate risk of harm. The village administrator shall issue such rules governing purchasing.**

**(l) The village administrator, in cooperation with the village treasurer, shall prepare for consideration of the village president and village board on or before January 1 each year, an annual operating and capital budget which shall include a five-year capital improvements program (CIP); prepare the annual budget adoption ordinance for consideration and enactment; and prepare for consideration and enactment the annual tax levy ordinance and appropriations ordinance. For the purpose of preparing the annual budget and ordinances, the village administrator is authorized to require all officers and department heads to submit statements of the condition and expenses of**

**their respective offices or departments; a description of proposed village improvements and the probable costs for these improvements, a description of all unperformed contracts; and a statement of all unexpended appropriations of the preceding year. The village administrator shall be responsible for the administration of the annual operational and capital budget.**

**(m) Submit to the village president and village board, a monthly report highlighting activities of each department.**

**(n) Represent the village in collective bargaining negotiations, determine from the Village Board appropriate parameters of labor contracts, and return tentatively agreed-upon contracts for the final approval or rejection by the Village Board.**

**(o) Supervise such other administrative agencies and departments and officers as may be hereafter created by the village board of trustees unless the administration and control of such departments and officers is expressly delegated elsewhere.**

**(p) Devote full time to the duties of village administrator and shall not engage in any other employment without the written consent of the village board.**

**(q) Perform such other lawful duties as may be required by resolution, ordinance or direction of the village president and village board.**

**(6) Conflict of interest.**

**The village administrator shall not be financially interested, directly or indirectly, in any contract, work or business of the village, or in the sale of any article to the village, or in the purchase of any property belonging to the village, or sold for taxes or assessments, or sold by virtue of legal processes initiated by or with the village.**

**(7) Performance evaluation.**

**An initial performance evaluation of the village administrator will be completed by the village president and village board within six (6) months following the first six months of initial appointment. Another performance evaluation will be completed by the village president and village board on the first anniversary of the village administrator's hiring, and thereafter an annual evaluation of the village administrator's performance will be conducted for the duration of the village administrator's appointment. At a minimum, the performance evaluation process will include a written evaluation of the village administrator's work performance during the previous year's rating period, a meeting and discussion with the village president and board of trustees, a review of the village administrator's goals and objectives for the next year's rating period, and a written summary of the evaluation results. This section shall not be interpreted to grant any substantive employment rights in the village administrator and shall not alter the employment status of the village administrator as set forth in the "letter of agreement — conditions of employment."**

**COMMENTARY & OPTIONS: The village administrator ordinance language above is intended to completely replace and supplant the existing village administrator ordinance language below. While the use of an executive recruitment firm like MGT is recommended when there is a vacancy in the office of village administrator, it is inappropriate to proscribe a specific selection process in law, and thereby eliminate the Board's discretion in the matter. Besides the fact that the existing village administrator ordinance is far from best practice, there are**

**too many vague words in the existing language like: "oversee" and "assist" and "encourage" which fall sh clarifying that the administrator is the chief administrative and operations officer of the village's departments and their service delivery apparatus, and that these management functions are separate and distinct from the village's policy-makers, to whom the administrator is fully accountable, i.e., the village president and board of trustees.**

~~(a) *Establishment.* The village has created by the president and board of trustees of the village the full-time position of the village administrator, who shall be an employee of the village, and who shall be charged with the implementation of the policies and directives of the president and board of trustees of the village.~~

~~(b) *Selection and appointment; term; removal.*~~

~~(1) Upon a vacancy occurring in the village administrator position, a selection committee consisting of the village president and all village trustees in office at the time of the vacancy ("selection committee") shall initiate the recruitment process of qualified candidates to fill the position.~~

~~(2) The selection committee shall then seek out proposals from, and contract with, a qualified executive recruiting firm with knowledge and experience in the area of municipal recruiting. The firm shall be charged with the recruitment of candidates and the preparation of an initial list of no more than five eligible persons qualified for the position to be presented to the selection committee.~~

~~(3) The human resources administrator shall then coordinate interviews with the listed candidates to be scheduled with, and at such times that are convenient to the candidate, the village president, the board of trustees, village department heads, and other any other such staff deemed necessary by the village board of trustees.~~

~~(4) The selection committee shall then, in consultation with the firm, and in light of and taking into full consideration any responses and comments from the trustees and staff, review and rank the candidates.~~

~~(5) The village president and one village trustee selected by a vote of the village board of trustees, and the village's human resources administrator, shall then proceed to negotiate the terms of employment with the top candidate (within those parameters set by the village board of trustees), and bring the name of the candidate and the terms of employment to the village board for approval.~~

~~(6) The village board shall then, by an affirmative vote of two-thirds of the village board of trustees then serving, select and appoint the candidate brought before it, or approve the candidate but with conditions to the terms of employment, select an alternate candidate from the list, or reject the full list of candidates, and request that the selection committee recruit and prepare a list of additional candidates.~~

~~(7) Once selected, the village administrator shall serve at the pleasure of the village board of trustees and may be removed with or without cause by an affirmative vote of two-thirds of the village board of trustees then serving.~~

~~(c) *Duties and responsibilities.* The primary duties and responsibilities of this position shall be set by the village president and board of trustees, and shall include, but not be limited to, the following:~~

(1) Carrying out the directives and policies of the village president and board of trustees that r administrative implementation, and promptly reporting to the village president and board of trustees any difficulties encountered with such implementation.

(2) Preparation and overseeing the implementation of the annual operating budget in accordance with all statutory requirements and the needs of the village.

(3) Administration of the day-to-day operation of the village.

(4) Increasing the efficiency of the village government according to the best practices in local government.

(5) Promoting the economic and business development of the village through public and private sector cooperation.

(6) Overseeing all aspects of personnel and benefits administration, including, but not limited to, discipline, pay and wage recommendations, health insurance claims, and when necessary, collective bargaining negotiations.

(7) Overseeing the engagement of outside consultants, reviewing bids and proposals, and making selection recommendations for final approval by the village president and board of trustees.

(8) Facilitating and encouraging open communication between village residents and village officials to address complaints, grievances, and other matters of public concern.

(9) Assisting in the preparation of agendas of meeting of the village board and committees.

(10) Assisting as necessary, the president and board of trustees in the carrying out of their statutory duties and responsibilities.

(11) Regularly reporting to the president and board of trustees on the status of projects and activities occurring under the purview of office of the village administrator.

(12) Overseeing the development and maintenance of an organized and informative village website.

(13) Assisting the village president and the village board of trustees in the recruitment of residents for service on appointed village boards and committees (e.g., zoning board of appeals, police and fire commission).

(14) Performing such other duties that may be assigned from time to time by the village president and board of trustees.

(d) *Qualifications/required knowledge and abilities.* Possession of, at a minimum, a bachelor's degree from an accredited college or university in the field of business administration, public administration, finance, or the equivalent in experience and education in a related field.

(e) *Review of performance; evaluation.* The village administrator shall be subject to an annual or semi-annual performance review by the village president and board of trustees, as set forth in the village's personnel handbook, as may be amended from time to time.

~~(f) *Compensation and benefits.*~~

~~(1) The president and village board shall, from time-to-time, review and adjust as necessary the compensation of the village administrator, which shall take into consideration knowledge, qualifications and experience of the person then holding the position.~~

~~(2) The village administrator shall be entitled to all benefits for which full-time employees of the village are eligible.~~

~~(Code 2007, § 31.09; Ord. No. 2013-43, 11-7-2013; Ord. No. 2023-18, § 2(Exh. A), 12-19-2023; Ord. No. 2025-25, § 2(Exh. A), 12-2-2025; Ord. No. 2026-04, § 2(Exh. A), 3-18-2026)~~

**COMMENTARY & OPTIONS:**

- **Sec. 2-122. - Village comptroller.**

(a) *Office established.* The village has established the office of the village comptroller.

(b) *Appointment; qualifications.*

(1) ~~Unless some person is otherwise appointed and confirmed to serve in such capacity, the village treasurer shall serve ex officio as village comptroller.~~ ***The village president shall appoint a qualified member of the current village administrative staff to serve as village comptroller, with the advice and consent of the Board of Trustees. The village comptroller will be supervised by the village administrator and assist the village treasurer in executing and performing his/her duties.***

~~(2) In such cases where the office of the village comptroller and village treasurer are to be filled by separate individuals, the village comptroller shall be appointed by the village president with the advice and consent of the village board of trustees.~~

(3) The comptroller shall have knowledge or experience in budgeting and financial control procedures and practices.

(c) *Compensation.* The comptroller shall receive such compensation for services as may be set from time to time by the village board of trustees. ~~Should the comptroller also serve concurrently in the office of village treasurer, the comptroller shall receive no additional compensation than that received for service as village treasurer.~~

(d) *Bond.* The village comptroller shall furnish a surety bond in the amount of $2,500.00 to be approved by the village board, the bond to be conditioned on the faithful performance of his***/her*** duties. The premium of the bond shall be paid by the village.

(e) *Duties.* The comptroller shall have the following duties:

(1) *Generally.* All duties as set forth in state law.

(2) *Supervision and financial controls.* In relation only to their duties as set forth herein, the village comptroller shall exercise a general supervision over ~~all the officers and employees of the village charged in any manner with~~ the receipt, collection or disbursement of village revenues and the collection and return of all such revenues into the treasury and shall supervise and control such other officers and employees as the corporate authorities shall, from time to time, authorize, ***in***

***coordination with the village treasurer. The village comptroller shall also assist the village administrator in the preparation of the annual budget and appropriations ordinance.***

~~(3) *Annual budget.*~~

~~a. The comptroller shall prepare the budget annually and submit it to the corporate authorities together with a message describing the important features and be responsible for its administration after adoption.~~

~~b. The village comptroller shall, before the time of making the annual appropriations, to be made by the board of trustees, submit to the president and board of trustees, a report of estimates, as nearly as may be, of monies necessary to defray the expenses of the village during the current fiscal year.~~

(4) *Financial activities.*

a. The comptroller, ***in coordination with the village treasurer,*** shall prepare and submit to the corporate authorities, as of the end of the fiscal year, a complete report on the finances and financial activities of the village for the preceding year.

b. The village comptroller shall, in the report, class the different objects and classes of expenditures, giving as nearly as may be, the amount required for each. For the purpose of making such report, the village comptroller is authorized to require from all officers a statement of the condition and expenses of their respective offices and departments, with any proposed improvements and all probable expense thereof, all contracts made and unfinished, and the amount of any and all unexpended appropriations of the preceding year.

(5) *Financial conditions and future needs.* The village comptroller shall keep the corporate authorities advised of the financial condition and future needs of the village and make recommendations as he may deem desirable.

(6) *Documents; books.* The village comptroller shall have the charge, custody and control of all municipal documents, books, and papers of any kind, related to the financial activities of the village, except those of which the custody and control have been given to another officer of the village.

(7) *Accounts.* The village comptroller shall keep strict, accurate and detailed accounts in books to be provided for that purpose, of all the monies of the village received and disbursed, having the same so classified and arranged under proper heading, that the proper debits and credits of each particular fund or account will clearly show from whom and for what account the same was received, or to whom and what account the same was paid. The comptroller's books shall also show the several funds or appropriations of the village, the unexpended balance of each, and the indebtedness of the village, whether bonded or otherwise, and the general financial condition of the village as far as it is ascertainable. The village comptroller shall countersign all vouchers and deliver the same when called, taking a receipt for the same.

(8) *Bonds.* The village comptroller shall keep in the village hall in books kept expressly for such purpose a correct list of all the outstanding bonds of the village, showing the number and amount of each, for and to whom the bonds are issued. When any village bonds are paid or canceled, the books shall show that fact. The comptroller's annual report shall describe particularly the bonds sold during the year and the terms of sale with each and every item of expense thereof.

(9) *Village funds; public money to be kept separate.* The village comptroller shall keep all monies belonging to the village that may be in the comptroller's possession, separate and distinct from the comptroller's own monies, and is prohibited from using either directly or indirectly, the village money or property in the comptroller's custody or keeping for the comptroller's own or that of any person's benefit or use whatsoever, and shall turn over to the village all interest which shall accrue on monies in the comptroller's hands.

(10) *Other duties.* In addition to the duties specifically enumerated in this section, the village comptroller shall perform any other duties which the board of trustees may prescribe by ordinance, resolution or otherwise.

(f) *Special assessments.*

(1) *Warrants.* The village comptroller shall prepare, collect and execute all special assessments and other warrants which by law, this Code or other ordinances of the village may be executed by a village comptroller.

(2) *Delinquent.* The village comptroller shall annually, within the time required by law, make a written report or list of all delinquent special assessments on all lands, town lots and real property in the village on which the comptroller has been unable to collect the special assessments, with the amount of each, so remaining unpaid, together with the comptroller's warrant, or description of the nature of the warrant, by which the comptroller is authorized to collect the special assessment, to the county collector. (Code 2007, § 31.10; Ord. No. 2017-10, 6-6-2017)

**COMMENTARY & OPTIONS: Presently, the Roscoe Village Treasurer serves simultaneously as the Village Comptroller. However, the village's human resources manager/office manager serves as an assistant to the treasurer. While the simultaneous appointment of the same person to serve as both treasurer and comptroller is not a violation of any laws, it is not compatible with accounting policies and practices requiring rigorous separation of duties in financial transactions and financial oversight. While both posts are technically appointed by the village president and board of trustees, one is accountable to, and supervised by, the Board of Trustees, and the other is accountable to, and supervised by, the village administrator. This, revised arrangement along with other changes to the village's financial policies will satisfy audit and accounting principles, and provide appropriate checks and balances.**

- **Secs. 2-123—2-142. - Reserved.**

- **ARTICLE II. - GIFTS**

- **Sec. 2-143. - State officials and employees' ethics.**

(a) The regulations of 5 ILCS 430/5-15 and 430/10-10—430/10-40 of the State Officials and Employees Ethics Act, 5 ILCS 430/1-1 et seq. (herein "SOEEA"), are adopted by reference and made applicable to the officers and employees of the village to the extent required by 5 ILCS 430/70-5.

(b) The solicitation or acceptance of gifts prohibited to be solicited or accepted under SOEEA, by any officer or any employee of the village, is prohibited.

(c) The offering or making of gifts prohibited to be offered or made to an officer or employee of the village under the SOEEA is prohibited.

(d) The participation in political activities prohibited under the SOEEA by any officer or employ the village is prohibited.

(e) For purposes of this section, the terms officer and employee be defined as set forth in 5 ILCS 430/70-5.

(f) The penalties for violations of this section shall be the same as those penalties set forth in 5 ILCS 430/50-5 for similar violations of the SOEEA.

(g) This section does not repeal or otherwise amend or modify any existing ordinances or policies that regulate the conduct of village officers and employees. To the extent that any such existing ordinances or policies are less restrictive than this section, however, the provisions of this section shall prevail in accordance with the provisions of 5 ILCS 430/70-5.

(h) Any amendment to the SOEEA that becomes effective after the effective date of the ordinance from which this section is derived shall be incorporated into this section by reference and shall be applicable to the solicitation, acceptance, offering, and making of gifts and to prohibited political activities. However, any amendment that makes its provisions optional for adoption by municipalities shall not be incorporated into this section by reference without formal action by the corporate authorities of the village.

(i) If the state supreme court declares the SOEEA unconstitutional in its entirety, then this section shall be repealed as of the date that the court's decision becomes final and not subject to any further appeals or rehearings. This section shall be deemed repealed without further action by the village if the SOEEA is found unconstitutional by the state supreme court.

(j) If the state supreme court declares part of the SOEEA unconstitutional but upholds the constitutionality of the remainder of the Act, or does not address the remainder of the SOEEA, then the remainder of the SOEEA as adopted by this section shall remain in full force and effect; however, that part of this section relating to the part of the SOEEA found unconstitutional shall be deemed repealed without further action by the village. (Code 2007, § 31.20; Ord. No. 2004-5a, 5-6-2004)

- **Secs. 2-144—2-169. - Reserved.**

- # CHAPTER 23. - BOARDS, COMMISSIONS, AND SIMILAR BODIES

- ## ARTICLE I. - IN GENERAL

- **Secs. 2-170—2-191. - Reserved.**

- ## ARTICLE II. - BOARD OF FIRE AND POLICE COMMISSIONERS

- **Sec. 2-192. - Creation.**

The village has created a board of fire and police commissioners, consisting of three members whose terms of office shall be three years and until their respective successors are appointed and have qualified. (Prior Code, § 2-80; Code 2007, § 32.20; Ord. No. 1990-9, 4-18-1991)

- **Sec. 2-193. - Qualifications.**

  The members of this board shall possess the qualifications required of other offices of the village, shall take oath or affirmation of office, and give bond in the same manner as other appointive officers of the village. They shall be subject to the removal from office as the other officers.
  (Prior Code, § 2-81; Code 2007, § 32.21; Ord. No. 1990-9, 4-18-1991)

- **Sec. 2-194. - Appointment of board.**

  The board of fire and police commissioners shall appoint all full-time officers of the police department of the village. All appointments made by the fire and police commissioners shall be from the rank next below that to which the appointment shall be made, other than that of the lowest rank.
  (Prior Code, § 2-82; Code 2007, § 32.22; Ord. No. 1990-9, 4-18-1991; Ord. No. 1991-11, 12-5-1991)

- **Sec. 2-195. - Rules.**

  The board of commissioners shall make such rules and make appointments and removals except those herein reserved to the president and board of trustees and shall have any other and further powers as is provided by state law. (Prior Code, § 2-83; Code 2007, § 32.23; Ord. No. 1990-9, 4-18-1991)

- **Sec. 2-196. - Secretary.**

  The board may employ a secretary or may designate one of its own members to act as such. The secretary shall keep the minutes of the board's proceedings, shall be custodian of all papers pertaining to the business of the board, shall keep a record of all examinations held, and shall perform any other duties as the board shall prescribe. (Prior Code, § 2-84; Code 2007, § 32.24; Ord. No. 1990-9, 4-18-1991)

- **Sec. 2-197. - Compensation.**

  The board of commissioners shall each be compensated $60.00 per meeting attended, except that the chairperson of the board of commissioners shall be compensated $80.00 per meeting attended.
  (Code 2007, § 32.25; Ord. No. 2012-49, 6-21-2012; Ord. No. 2021-29, § 1, 12-21-2021)

- **Secs. 2-198—2-217. - Reserved.**

**END OF PART ONE RECOMMENDED REVISIONS TO THE ADMINISTRATIVE TITLE OF THE ROSCOE VILLAGE CODE**