

**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE VILLAGE COUNCIL MEETING  
OCTOBER 2, 2007 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Proposed Ethical Standards – Motion to approve Exhibit 2 of proposed Council Policy	Resolution Ordinance ✓ Motion Discussion Only	Cara Pavlicek Village Manager

**SYNOPSIS**

An ordinance and resolution have been prepared regarding proposed ethical standards. A second resolution has been prepared repealing obsolete Village Council Policies. Staff has attempted to insert alternative comments provided by the Village Council to the proposed ethical standards that were requested at the Village Council Meeting.

**STRATEGIC PLAN ALIGNMENT**

The Five Year Plan and Goals for 2006-2011 identified *Exceptional Municipal Organization*. Supporting these goals are the objectives *Village Government Trusted and Respected by Residents*.

**FISCAL IMPACT**

The FY 08 budget will make available nominal funds to be used should the Village contract with a person or entity to perform the duties of Ethical Officer.

**RECOMMENDATION**

This item was discussed at the September 25, 2007 Workshop meeting. Based upon the discussion of the Council, the following changes have been made by the Village Attorney's Office:

- Section 7 of the ordinance amending the Village's Ethics Act has been modified to include specific penalty procedures.
- A separate motion has been prepared for consideration of Exhibit 2 of the Council Policy.
- Exhibit 2 of the Council Policy has been modified with the proposed language discussed at the September 25, 2007 Workshop meeting in addition it shows those changes subsequently proposed by Commissioner Tully.

Approval is recommended on the October 2, 2007 active agenda.

**BACKGROUND**

At the September 11 Council Meeting, the Mayor requested all comments regarding the proposed ethical standards be given to the Village Manager. Alternative and additional language have been added in the attached proposed ethical standards, when the proposed language was deemed legally permissible as an alternative by the Village Attorney's Office.

At the August 14 Council Workshop, the Mayor proposed changes to the Municipal Code and Village Council Policies regarding ethics:

- An ordinance amending the Municipal Code to adopt the State Official and Employees Ethics Act in its entirety, rather than by reference
- A resolution to establish an official Village Policy to include the following ethical standards:
  1. Standards of Village Governance (this document establishes new standards as well as incorporates standards from existing Village Policies that can be rescinded upon its adoption)
  2. Standards of Village Council Campaign Practices
  3. Standards for Village Council Participation in Outside Organizations (this document establishes new standards as well as incorporates standards from existing Village Policies that can be rescinded upon its adoption)
  4. Standards to Prohibit Interest in Contracts (this document establishes new standards as well as incorporates standards from existing Village Policies that can be rescinded upon its adoption)

The Mayor and Commissioners have discussed the need for changes to existing provisions of the Municipal Code as well as existing Village Council Policies in order to clarify and enhance the regulations that govern conduct to ensure that the activities of elected officials, board and commission members and Village employees meet generally accepted Ethical Standards as defined in the proposed ordinance amendment and Village Council Policies.

**VILLAGE OF DOWNERS GROVE**  
**COUNCIL ACTION SUMMARY**

**INITIATED:** Village Manager **DATE:** October 2, 2007  
(Name)

**RECOMMENDATION FROM:** \_\_\_\_\_ **FILE REF:** \_\_\_\_\_  
(Board or Department)

**NATURE OF ACTION:**

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☐ Other

**STEPS NEEDED TO IMPLEMENT ACTION:**

Motion to adopt Exhibit 2 of the official Village policy regarding Ethical Standards entitled "Standard for Village Council Campaign Finance Practices".

**SUMMARY OF ITEM:**

This motion shall authorize the adoption of the "Standards for Village Council Campaign Finance Practices" attached as Exhibit 2 to the Village Council Policy regarding Ethical Standards.

**RECORD OF ACTION TAKEN:**

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## EXHIBIT 2

### **STANDARDS FOR VILLAGE COUNCIL CAMPAIGN FINANCE PRACTICES**

As used herein, the term “elected officials” shall include the Mayor and Village Council of the Village of Downers Grove.

As used herein the term “vendor” shall include both individuals and entities that are a named party to a Village contract.

1. Elected officials shall close their campaign accounts within three (3) months of the date they are sworn into office.
2. Elected officials shall not open campaign accounts until six (6) months prior to the date of the next municipal election for the municipal office for which they are seeking election.
3. Elected officials shall file all campaign disclosures required by the State electronically with the State Board of Elections in order for the Village to provide a link on the Village’s website to enable the public to access campaign disclosure filings. Alternatively, an elected official may choose to have such information scanned and placed on the Village’s website.
4. Elected officials shall disclose the receipt of any campaign contribution as defined in Section 9-1.4 of the Election Code (10 ILCS 5/9-1.4) which is in excess of one hundred and fifty dollars (\$150.00) and which was received within one year prior to any vote involving directly the party that made the contribution. The elected official shall disclose such contributions by announcing his/her receipt of such in an open meeting prior to such vote.
5. Elected officials shall not solicit or knowingly accept a campaign contribution from a Village employee or an immediate family member of a Village employee.
6. Elected officials or their agents may not knowingly approach any Village employee to seek their signature on a nominating petition.
7. Elected officials are prohibited from knowingly seeking and/or accepting campaign contributions, as defined in Section 9-1.4 of the State Election Code, from: (a) vendors currently doing business with the Village; or (b) individuals or entities with petitions, requests, bid proposals and/or RFP/RFQ submissions pending before the Village and requiring Village Council approval or similar action.
8. All vendor contracts to which the Village is a party shall contain a provision wherein the vendor agrees to refrain from making campaign contributions, as

defined in Section 9-1.4 of the Election Code, to elected officials and any challengers seeking to serve as elected officials. As part of the Village RFP/RFQ process, potential vendors shall be required to disclose any campaign contributions made by them to elected officials within the two (2) year period preceding the date of the current RFP/RFQ.

9. All challengers seeking to serve as elected officials are urged to voluntarily comply with the terms contained herein.