

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

NOTICE

PUBLIC AFFAIRS COMMITTEE

Monday, August 27, 2018
7:30 A.M. – Council Chambers

AGENDA

1. Call to Order, Roll Call, and Establishment of a Quorum
2. Approval of Minutes
 - A. Public Affairs Committee of June 25, 2018
3. Public Participation / Presentations
4. Items for Consent
 - A. Ordinance No. 18-O-0047 – An Ordinance amending Chapter 8, Article I, ADMINISTRATIVE ADJUDICATION SYSTEM of the West Chicago Code of Ordinances
 - B. Resolution 18-R-0070 – Revised DuPage County Natural Hazards Mitigation Plan
5. Items for Discussion
6. Unfinished Business
7. New Business
8. Reports from Staff
 - A. West Chicago Police Department June and July Monthly Reports
9. Adjournment

DRAFT

MINUTES

PUBLIC AFFAIRS COMMITTEE

Monday June 25, 2018 7:30 A.M.

1. Call to Order, Roll Call, and Establishment of a Quorum.

Chairman Chassee called the meeting to order at 7:30am. Roll Call found Hallett, Garcia, Birch Ferguson, Meissner and Gagliardi.

Alderman Brown was not present.

2. **Approval of Minutes.**

A. Public Affairs Committee Minutes of May 29, 2018. Alderman Garcia made a motion, seconded by Alderman Birch Ferguson to approve the minutes of the Public Affairs Committee meeting with no changes. Voting Aye: Chairman Chassee, Alderman Hallett, Garcia, Birch Ferguson, Meissner and Gagliardi. Voting Nay: 0. Motion carried.

3. **Public Participation / Presentations.**

4. **Items for Consent.**

A. Ordinances No. 18-O-0035 – Authorizing the Disposal of Surplus Equipment, Stock Inventory, and/or Personal Property Owned By the City of West Chicago. Alderman Gagliardi made a motion, seconded by Alderman Hallett to direct this item to City Council for approval. Voting Aye: Chairman Chassee, Alderman Hallett, Garcia, Birch Ferguson, Meissner and Gagliardi. Voting Nay: 0. Motion carried.

B. West Chicago Community High School – Homecoming Parade. Alderman Gagliardi made a motion, seconded by Alderman Hallett to direct this item to City Council for approval. Voting Aye: Chairman Chassee, Alderman Hallett, Garcia, Birch Ferguson, Meissner and Gagliardi. Voting Nay: 0. Motion carried.

C. Wheaton Academy – Homecoming. Alderman Gagliardi made a motion, seconded by Alderman Hallett to direct this item to City Council for approval. Voting Aye: Chairman Chassee, Alderman Hallett, Garcia, Birch Ferguson, Meissner and Gagliardi. Voting Nay: 0. Motion carried.

5. Items for Discussion.

6. Unfinished Business.

7. New Business.

8. Reports from Staff.

A. West Chicago Monthly and Annual Police Report

B. Demonstration of Crime Reports – Chief Uplegger was unable to demonstrate the reports because the City system was down for maintenance.

9. Adjournment. Alderman Brown made a motion to adjourn, seconded by Alderman Garcia. The motion was approved by voice vote, and the meeting adjourned at approximately 7:36am.

Respectfully submitted,

Yahaira Bautista
Administrative Assistant to Chief of Police
West Chicago Police Department

CITY OF WEST CHICAGO

PUBLIC AFFAIRS COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE: Ordinance No. 18-O-0047
An Ordinance amending Chapter 8, Article I,
ADMINISTRATIVE ADJUDICATION SYSTEM of the West
Chicago Code of Ordinances

AGENDA NO. 4.A.

FILE NO. _____

AGENDA DATE: August 27, 2018

COUNCIL AGENDA DATE: September 4, 2018

STAFF REVIEW: Michael Uplegger, Chief of Police

SIGNATURE _____

APPROVED BY CITY ADMINISTRATOR: Michael Guttman

SIGNATURE _____

ITEM SUMMARY:

Staff would like to revise the Ordinance to reflect the addition of the following offenses for which a driver could be issued a compliance citation.

Chapter/Section	Title/Offenses	Minimum Fine/ Fine Paid Before Hearing	Maximum Fine
5/12-202	Clearance, identification and side marker lamps	\$50	\$100
5/12-205	Lamps on other vehicles and equipment	\$50	\$100
5/12-205.1	Implements of husbandry or slow moving vehicles-display of amber signal lamp	\$50	\$100
5/12-208(a)	No stop lights	\$50	\$100
5/12-208(b)	No turn signal (vehicle)	\$50	\$100
5/12-208(c)	No turn signal (trailer or semitrailer)	\$50	\$100
5/12-209(a)	Other lighting violation	\$50	\$100
5/12-209(b)	Other lighting violation	\$50	\$100
5/12-212(a)	Restrictions on lamps	\$50	\$100
5/12-212(b)	Flashing lights	\$50	\$100
5/12-215	Oscillating, Rotating of flashing lights	\$50	\$100
5/12-218	Illegal auxiliary accent lighting on motorcycle	\$50	\$100
5/12-501(a)	No windshield	\$50	\$100
5/12-503(e)	Defective windshield, side or rear windows	\$50	\$100
5/12-601(b)	Horns and warning devices violation	\$50	\$100
5/12-604(a)	Video devices violations	\$50	\$100
5/12-606	Miscellaneous tow truck violations	\$50	\$100
5/12-607	Illegal suspension (first division vehicle)	\$50	\$100
5/12-607.1(a and b)	Illegal suspension (second division vehicle)	\$50	\$100
5/12-610(a)	Illegal use of headset	\$50	\$100
5/12-709(a)	No slow moving vehicle emblem	\$50	\$100
5/13-111	Operation without valid certificate of safety	\$50	\$100
5/15-316(c)	Violation of local weight restrictions	\$50	\$100

ACTIONS PROPOSED:

Staff recommends adoption of Ordinance No. 18-O-0047.

COMMITTEE RECOMMENDATION:

ORDINANCE NO. 18-O-0047

AN ORDINANCE AMENDING CHAPTER 8, ARTICLE I, ADMINISTRATIVE ADJUDICATION SYSTEM, OF THE WEST CHICAGO CODE OF ORDINANCES

WHEREAS, the City of West Chicago (hereinafter referred to as “City”) is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the City is authorized and empowered, under the Illinois Municipal Code, 65 ILCS 5/11-20-5 to regulate for the public health; and

WHEREAS, the City is authorized, pursuant to its police power, 65 ILCS 5/11-1-1, to carry out the powers delegated to it under its grants of authority; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of West Chicago, DuPage County, Illinois, as follows:

Section 1: That Chapter 8, ADMINISTRATIVE ADJUDICATION SYSTEM, Article I. ADMINISTRATIVE ADJUDICATION SYSTEM of the Code of Ordinances of the City of West Chicago be amended to read as follows:

Chapter 8 ADMINISTRATIVE ADJUDICATION SYSTEM

“ARTICLE I. - ADMINISTRATIVE ADJUDICATION SYSTEM

Sec. 8-1. - Creation of administrative adjudication system.

- (a) Pursuant to Division 2.1 of the Illinois Municipal Code, 65 ILCS 5/1-2.1-1, *et seq.*, which authorizes municipalities to implement a system of administrative adjudication, there is created a system of administrative adjudication of charges of Code violations for the City of West Chicago. The system will authorize an administrative law judge to conduct adjudicatory hearings of cases instituted by city departments.
- (b) The city adopts Division 2.1 of the Illinois Municipal Code, 65 ILCS 5/1-2.1-1, *et seq.*, as it may be amended from time to time. In the event of a conflict between said statutes and this article, this article shall prevail.
- (c) The adoption of this article does not preclude the city from using other lawful methods to enforce the provisions of this Code.

~~(Ord. No. 07-O-0061, § 2, 8-6-2007)~~

Sec. 8-2. - Purpose.

The purpose of the administrative adjudication system for Code violations is to provide a procedure by which charges of Code violations can be equitably and efficiently adjudicated administratively by an administrative law judge.

~~(Ord. No. 07-O-0061, § 2, 8-6-2007)~~

Sec. 8-3. - Jurisdiction.

Those matters subject to the administrative adjudication system provided for by this article are charges of violation of any regulation of the City of West Chicago, excluding traffic violations that regulate the movement of vehicles, so long as the relief sought is not a penalty of incarceration or a total fine in excess of fifty thousand dollars (\$50,000.00), excluding allowable costs. The fifty thousand dollars (\$50,000.00) limitation shall not apply to those cases brought to enforce the collection of any tax imposed and collected by the city.

(Ord. No. 07-O-0061, § 2, 8-6-2007)

Sec. 8-4. - Administrative hearings supervisor.

- (a) There is hereby established the office of administrative hearings. That office shall be directed by an administrative hearings supervisor, who shall be the city administrator, or his/her designee. The administrative hearings supervisor's function is to expedite the prosecution and/or correction of Code violations subject to the jurisdiction of the administrative adjudication system. The administrative hearings supervisor is authorized to manage the administrative adjudication process in the manner provided for in this article, which shall include determining the qualifications of administrative law judges, appointing administrative law judges, upon the appointment by the mayor and with the advice and consent of the city council; and establishing such rules and regulations, as may be necessary for the effective operation of the administrative adjudication system. The city administrator may also appoint other persons to assist with the administrative adjudication system provided for in this article.
- (b) Any violation prosecuted under administrative adjudication which is not listed in the below table is subject to the general penalty provisions of Chapter 1 Section 1.8 of this Code.
- (c) Any offense listed in the below table of this Chapter may be settled, comprised and paid in the respective amounts and within the respective time frames set forth in the below Table of Offenses and Fines.

Chapter/Section	Title/Offenses	Minimum Fine/ Fine Paid Before Hearing	Maximum Fine
Chapter 17 Article I. Sec. 17-1	West Chicago Vehicle and Traffic Code. Adoption by Reference of the Illinois Vehicle Code (IVC)		
5/3-401	No Valid Registration	\$50	\$100
5/3-413(a)	No front/rear registration plate	\$50	\$100
5/3-413(b)	Improper display of license plate	\$50	\$100
5/3-413(f)	Operation of vehicle w/expired registration	\$50	\$100
5/3-413(g)	Use of license plate cover	\$50	\$100
5/3-701	Inoperable odometer under mileage plates	\$50	\$100
5/1-100 et. Seq.	Miscellaneous Traffic Code Violations	\$50	\$100

5/6-112	Driver's license not on person	\$50	\$100
5/6-116	Failure to notify Secretary of State— Change of address	\$50	\$100
5/12-713	Improperly marked vehicles—Contractor	\$50	\$100
5/12-101	Unsafe equipment	\$50	\$100
5/12-201(a)	Driving motorcycle w/out lighted headlight	\$50	\$100
5/12-201(b)	Driving w/out lights when required	\$50	\$100
5/12-201(b)	Only one tail light	\$50	\$100
5/12-201(c)	No rear license plate light	\$50	\$100
<u>5/12-202</u>	<u>Clearance, identification and side marker lamps</u>	<u>\$50</u>	<u>\$100</u>
5/12-204	Improper lamp or flag on projected load	\$50	\$100
<u>5/12-205</u>	<u>Lamps on other vehicles and equipment</u>	<u>\$50</u>	<u>\$100</u>
<u>5/12-205.1</u>	<u>Implements of husbandry or slow moving vehicles-display of amber signal lamp</u>	<u>\$50</u>	<u>\$100</u>
5/12-207	Improper use of spot lamp/aux driving lamps	\$50	\$100
5/12-208(a)	No stop lights	\$50	\$100
5/12-208(b)	No turn signal (vehicle)	\$50	\$100
5/12-208(c)	No turn signal (trailer or semitrailer)	\$50	\$100
5/12-209(a)	Other lighting violation	\$50	\$100
5/12-209(b)	Other lighting violation	\$50	\$100
5/12-209(c)	Defective back-up lights	\$50	\$100
5/12-210	Failure to dim headlights	\$50	\$100
5/12-211	Only one headlight	\$50	\$100
5/12-212(a)	Restrictions on lamps	\$50	\$100
5/12-212(b)	Flashing lights	\$50	\$100
5/12-215	Oscillating, Rotating of flashing lights	\$50	\$100
5/12-218	Illegal auxiliary accent lighting on	\$50	\$100

	<u>motorcycle</u>		
5/12-301	Defective brakes	\$50	\$100
5/12-405(c)	Use of unsafe tire	\$50	\$100
<u>5/12-501(a)</u>	<u>No windshield</u>	<u>\$50</u>	<u>\$100</u>
5/12-502	No rear view mirror	\$50	\$100
5/12-503(a)	Illegally Tinted Windows	\$50	\$100
5/12-503(c)	Obstructed windshield	\$50	\$100
5/12-503(d)	Obstructed windows—Snow, ice, moisture	\$50	\$100
5/12-503(d)	No windshield clearing device (wipers)	\$50	\$100
<u>5/12-503(e)</u>	<u>Defective windshield, side or rear windows</u>	<u>\$50</u>	<u>\$100</u>
5/12-601(a)	Defective or no horn	\$50	\$100
<u>5/12-601(b)</u>	<u>Horns and warning devices violation</u>	<u>\$50</u>	<u>\$100</u>
5/12-602	Loud muffler—Excessive noise	\$50	\$100
5/12-603.1	Failure to Wear Properly Adjusted Seat Belt	\$50	\$100
<u>5/12-604(a)</u>	<u>Video devices violations</u>	<u>\$50</u>	<u>\$100</u>
<u>5/12-606</u>	<u>Miscellaneous tow truck violations</u>	<u>\$50</u>	<u>\$100</u>
<u>5/12-607</u>	<u>Illegal suspension (first division vehicle)</u>	<u>\$50</u>	<u>\$100</u>
<u>5/12-607.1(a and b)</u>	<u>Illegal suspension (second division vehicle)</u>	<u>\$50</u>	<u>\$100</u>
5/12-608	No bumper or unlawful bumper height	\$50	\$100
<u>5/12-610(a)</u>	<u>Illegal use of headset</u>	<u>\$50</u>	<u>\$100</u>
5/12-610.2	Use of Mobile Telephones	\$50	\$100
5/12-611	Illegal operation of sound amplification—75'	\$50	\$100
5/12-702	No flags, flares, warning devices carried	\$50	\$100
<u>5/12-709(a)</u>	<u>No slow moving vehicle emblem</u>	<u>\$50</u>	<u>\$100</u>
5/12-710	Inadequate or no splash guards (mud flaps)	\$50	\$100

5/13-111	Operation without valid certificate of safety	\$50	\$100
5/15-316(c)	Violation of local weight restrictions	\$50	\$100

~~(Ord. No. 07-O-0061, § 2, 8-6-2007)~~

Sec. 8-5. - Qualifications of administrative law judge.

Prior to conducting administrative adjudication proceedings under this article, the administrative law judges shall have successfully completed a formal training program that includes the following:

- a. Instruction on the rules of procedure of the administrative hearings over which the administrative law judges shall preside;
- b. Orientation to each subject area of the code violations they will adjudicate;
- c. Observation of administrative hearings; and
- d. Participation in hypothetical cases, including ruling on evidence and issuing final orders.

In addition, an administrative law judge must be an attorney licensed to practice law in the State of Illinois for at least three (3) years, and be in good standing with the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois. An administrative law judge may not be a resident of the City of West Chicago.

~~(Ord. No. 07-O-0061, § 2, 8-6-2007)~~

Sec. 8-6. - Scope of authority of administrative law judges.

Administrative law judges shall preside over adjudicatory hearings. The authority of an administrative law judge shall encompass all acts necessary to conduct fair and impartial adjudicatory hearings, including, but not limited to:

- (a) Hearing testimony and accepting evidence that is relevant to the existence of the code violation.
- (b) Administering oaths and affirmations to witnesses.
- (c) At the request of any party or on the administrative law judge's own motion, issuing subpoenas for the attendance of relevant witnesses and/or the production of relevant books, records, or other information. Subpoena issuance shall be at the discretion of the administrative law judge, where it is determined that the requested witness or document is material to the defense of the allegations and does not constitute a needless presentation and that the elements of the defense sought to be proved could not otherwise be established without the production of the requested evidence.
- (d) Preserving the record of the hearing, including all exhibits and evidence admitted into the record at the hearing.
- (e) Issuing a determination based upon a review of the notice of violation, citation, other charging document (hereinafter, "charging document") and on the evidence admitted, which determination shall be final for purposes of judicial review under the Illinois Administrative

Review Act. The determination shall be in writing, shall be signed by the administrative law judge, shall be designated as findings(s), decision, and order, and shall include the fine, penalty or action with which the respondent must comply.

- (f) Upon finding a respondent liable for violating one (1) or more charged Code provisions:
 - (1) Imposing penalties as provided by the governing penalty provision, except, however, that in no event shall an administrative law judge have authority to (i) impose a penalty of incarceration, or (ii) impose a fine in excess of fifty thousand dollars (\$50,000.00), excluding allowable costs. When applicable, each day a Code provision is found to have been violated by the respondent shall constitute a separate offense, and each separate offense subjects the respondent to the penalty provided by the governing penalty provision.
 - (2) Imposing, in addition to fines, administrative and/or enforcement costs and, when applicable, imposing costs incurred by the city for effecting compliance with Code provision(s) for which a respondent has been found liable.
 - (3) Ordering, notwithstanding fines imposed or costs assessed, the respondent to comply with Code provision(s) found to have been violated, and, if appropriate, ordering the respondent to post a compliance bond as provided by subsection 8-11(b).
 - (4) Ordering, regardless of fines imposed or costs assessed, the respondent to perform a term of community service.
- (g) Adhering to the policies, procedures, and legislation set forth in the City Code, except where discretion is specifically vested in the administrative law judge. However, an administrative law judge is authorized to waive the fine and/or costs that otherwise would be imposed upon finding a respondent liable for one (1) or more Code violations when the administrative law judge specifically finds as a matter of fact that the violation(s) occurred under such circumstances that, as a reasonable person, would constitute an excuse for the violation(s).
- (h) Asking questions of the parties and witnesses, if necessary, to ensure the clarity and completeness of the testimony and the record.
- (i) Regulating the course of the hearing in accordance with this article, the rules adopted by the administrative hearings supervisor for the conduct of administrative hearings, and other applicable law.
- (j) Hearings on appeals from the orders of the administrative hearings supervisor, or his designee.

~~(Ord. No. 07-O-0061, § 2, 8-6-2007)~~

Sec. 8-7. - Administrative hearings.

- (a) All administrative hearings conducted by an administrative law judge are open to the public and shall be presided over by a duly appointed administrative law judge who is charged with providing the parties a full and fair opportunity to be heard.
- (b) The city shall not be represented by an employee or other representative of the office of administrative hearings. However, documentary evidence, prepared by another department of the city and submitted to the administrative law judge, may be presented at the hearing by the administrative hearing supervisor.
- (c) All administrative hearings shall be conducted on the date set for hearing. In rare instances and for good cause shown, a continuance may be granted at the discretion of the administrative law judge. The purpose of administrative hearings is to provide a prompt resolution of alleged Code violations.

Accordingly, the request for, and the grant of, continuances shall be curtailed to the extent fairness permits. Lack of preparation shall not be grounds for a continuance. Continuances shall not be granted for more than two (2) months or twice per case, unless good cause is shown.

- (d) The administrative law judge may issue subpoenas.
- (e) The formal and technical rules of evidence may be waived in the conduct of the hearing. Evidence, including hearsay, may be admitted only if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs.
- (f) The administrative law judge shall permit persons to contest the merits of an alleged violation subject to the administrative adjudication procedures of this article without attending a hearing. Any person, who wishes to contest a vehicular violation, must file a notarized statement of facts specifying grounds for contesting the violation notice, which must be filed with the office of administrative hearings, postmarked within ten (10) days of the issuance of the notice of violation. The request shall be deemed filed, if postmarked by such due date. The submission of a notarized statement of facts is a waiver of the person's right to a personal appearance and the administrative law judge will make his/her decision based upon the notarized statement of facts submitted by the person and the facts contained in the notice of violation(s).
- (g) No violation may be established except upon proof by a preponderance of the evidence. However, the original or a legible copy of the charging document, issued in accordance with the applicable provisions of this Code, shall be prima facie evidence of the correctness of the facts specified in the document.
- (h) The administrative hearings supervisor shall determine the manner in which the record shall be preserved. Such preservation may be made by tape recording or other appropriate means, in accordance with the Illinois Open Meetings Act. Recording by any means by any member of the public is prohibited unless expressly authorized by the administrative hearings supervisor. The record of all hearings before an administrative law judge shall include a copy of the findings, decision, and order of the administrative law judge's final determination.
- (i) At the conclusion of a hearing, the administrative law judge shall issue his/her final determination. If the administrative law judge issues a final determination of liability, he or she may impose fines, assess costs, and make orders, all as provided by subsection 8-6(f), and as are consistent with the specific Code provision(s) found to have been violated.
- (j) At the conclusion of the hearing, the administrative law judge shall inform the parties orally and in writing of his determination. Such determination shall constitute a final determination for purposes of judicial review and is subject to review under the Illinois Administrative Review Act. Based on the charging document and the evidence admitted, the administrative law judge may issue the following determinations: liable, not liable, or liable upon a plea of no contest. The administrative law judge also may dismiss the case with or without prejudice or grant a properly made motion by the city voluntarily dismissing the case.

~~(Ord. No. 07-O-0061, § 2, 8-6-2007)~~

Sec. 8-8. - Procedure.

All matters to be adjudicated by the administrative law judge shall be commenced against the party alleged to have violated one (1) or more Code provisions by issuing and serving upon that party a charging document and shall be conducted in accordance with the following procedures:

- (a) The charging document shall be issued by a city officer or employee so authorized and served as provided for in subsection 8-8(c).

- (b) (1) Any charging document issued pursuant to this section 8-8 shall contain the following information:
- a. The name; city department; position; and identification number, if applicable, of the person issuing the charging document;
 - b. The name and address of the person or entity being charged with one (1) or more Code violations ("respondent");
 - c. The name and address of the person to whom the charging document is given if that person is not the respondent;
 - d. The section(s) of the Code alleged to have been violated;
 - e. The date, time, and place of the alleged violation(s);
 - f. A legally sufficient description of the activity or conduct alleged to constitute a violation of each Code section set forth in the charging document or a legally sufficient description of the facts giving rise to the allegations set forth in the charging document;
 - g. The complainant's name if the complainant is not the issuing city officer or employee.
- The city officer or employee shall certify the correctness of the information required by this subsection (b)(1) by signing his/her name to the charging document to be issued. Compliance with this subsection (b)(1) shall establish a prima facie case.
- (2) A charging document issued pursuant to subsection (b)(1) also shall set forth (a) the date, time and place of the adjudicatory hearing to be held with respect to the violation(s) alleged in the charging document and (b) the legal authority and jurisdiction under which the hearing will be held.
- (c) (1) The hearing shall be scheduled with reasonable promptness, provided that for hearings scheduled in all nonemergency situations, the respondent shall have at least fifteen (15) days after service of process to prepare for a hearing, if requested by the respondent. For purposes of this subsection, "non-emergency situation" means any situation that does not reasonably constitute a threat to the public interest, safety or welfare.
- (2) The respondent named in a charging document shall be given notice of the date of the adjudicatory hearing which may appear on the face of the notice of violation, citation, or other charging document. Notice of the hearing date may be given in any of the following ways: (i) by first class mail or by overnight or two-day commercial delivery service at the respondent's last known address or if the respondent is a business entity, at any address identified for its registered agent or at its principal place of business; or, (ii) by personal service, (iii) by posting upon the property that is the site of the alleged violation(s) when the respondent is the owner or person in control of the property, or (iv) by any other means permitted by law for service of civil summons.
- (3) If service is provided by first class mail or by overnight or two-day commercial delivery service, the fifteen-day period shall begin to run on the day that the notice is deposited in the mail or given to the commercial delivery service, as applicable.
- (d) The original or a legible copy of the notice of violation, citation, or other charging document shall be filed with the office of administrative hearings as soon as practicable at the place and in the manner as the administrative hearings supervisor directs. Upon receiving the original or legible copy of the charging document, the administrative hearings supervisor shall select a hearing date and give respondent notice of the date, time, and place of the hearing in the manner

set forth in subsection (c), unless the charging document sets forth the date, time, and location of the hearing and was served on the respondent as provided in subsection (c)(2).

- (e) Parties to an adjudicatory hearing may be represented by an attorney, present witnesses, and cross-examine opposing witnesses. Parties may request the administrative law judge to issue subpoenas according to the authority granted in subsection 8-6(c).

~~(Ord. No. 07-O-0061, § 2, 8-6-2007)~~

Sec. 8-9. - Representation at hearings.

- (a) *City representation:* The case for the city may be presented by a city employee, or by an attorney designated by the city attorney, but not by an employee or other representative of the office of administrative hearings except as allowed by subsection 8-7(b).
- (b) *Respondent representation:* The case for the respondent may be presented by the respondent or by an attorney or agent of the respondent. An attorney or agent appearing at an adjudicatory hearing on behalf of a respondent shall present the administrative law judge with a signed appearance form stating, on oath or affirmation, that he or she has been authorized by the respondent to represent the respondent at the hearing.

~~(Ord. No. 07-O-0061, § 2, 8-6-2007)~~

Sec. 8-10. - Default.

- (a) If at the time set for hearing, the respondent, or his/her attorney or agent of record, fails to appear, the administrative law judge may enter a default judgment of liability against the respondent and impose fines and assess costs. A copy of the order of default shall be served in any manner permitted by this article and applicable to the violation. The order shall advise the respondent of the procedure for setting aside the default judgment and shall also apprise the respondent of the availability of an appeal of the default judgment to the Circuit Court of DuPage County. The default judgment shall be mailed promptly to the respondent as provided by subsection 8-8(c)(1). The default judgment constitutes a final determination for purposes of judicial review and is subject to review under the Illinois Administrative Review Act.
- (b) A respondent against whom a default judgment has been entered may file a motion with the office of administrative hearings to set aside the default judgment and request a new hearing. A motion to set aside a default judgment may be filed at any time if the respondent alleges lack of subject matter or personal jurisdiction. In all other cases, the motion must be filed within twenty-one (21) days of entry of the default judgment. A motion to set aside a default judgment shall set forth the reason(s) the respondent failed to appear on the original hearing date. The administrative law judge shall hear and rule on the motion. If the administrative law judge grants the motion, a hearing will be held immediately on the alleged Code violation(s) set forth in charging document unless the respondent requests another hearing date and presents good cause for continuing the hearing.
- (c) If any default judgment is set aside pursuant to this section 8-10, the administrative law judge shall have authority to enter an order extinguishing any lien which has been recorded for any debt due and owing the city as a result of the vacated default judgment.

~~(Ord. No. 07-O-0061, § 2, 8-6-2007)~~

Sec. 8-11. - Fines; compliance bond.

- (a) All fines and other payments must be made within ten (10) calendar days from the date of the final determination.
- (b) If the administrative law judge issues an order of compliance, the administrative law judge may order the respondent to post either a cash bond or other security bond to ensure respondent's timely compliance. Any non cash security bond shall name the city as beneficiary and shall be in the amount specified by the administrative law judge. Any bond issued as a result of an administrative law judge's order is subject to review and approval for sufficiency of the bond by the city administrator. If the respondent fails to timely remedy the Code violation(s) for which a bond has been issued and the city undertakes remediation or otherwise expends funds related to the Code violation(s), the administrative law judge, after giving the parties notice and opportunity to be heard, may issue an order permitting the city to draw against the bond in an appropriate amount. The administrative law judge shall order the bond amount, less the reasonable costs incurred by the city, returned to the respondent upon proof of compliance. Upon failure to achieve compliance, the administrative law judge shall, upon written petition of the city, increase the assessed fine by ten (10) percent for each day beyond the original compliance date that compliance has not been achieved.
- (c) Nothing in this article shall prevent the administrative hearings supervisor from issuing citations which are payable to the city without a hearing.

~~(Ord. No. 07-O-0061, § 2, 8-6-2007)~~

Sec. 8-12. - Enforcement of administrative law judge's order.

- (a) Any fine and any administrative, enforcement, or compliance costs imposed by an administrative law judge's order that remain unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures, unless stayed by a court of competent jurisdiction, shall be a debt due and owing the city and may be collected in accordance with applicable law.
- (b) After the expiration of the period for which judicial review may be sought, unless stayed by a court of competent jurisdiction, the determination of liability of an administrative law judge may be enforced in the same manner as a judgment entered by a court of competent jurisdiction. At such time, the administrative hearings supervisor shall send a notice of final determination of liability to respondent.
- (c) Any fine, penalty, and/or cost remaining unpaid after the notice of final determination of liability is sent shall constitute a debt due and owing the city. Failure of the respondent to pay such fine or penalty within twelve (12) days of the notice may result in a lien against the respondent's property (and foreclosure of such a lien) or such other remedies as may be available by law, including the denial of the issuance or renewal of licenses or permits from the city.
- (d) In any case in which a respondent fails to comply with an administrative law judge's order to correct a Code violation, any expenses incurred by the city to enforce the administrative law judge's order, including but not limited to attorney's fees, court costs and costs

related to property demolition or foreclosure, shall be a debt due and owing the city. Prior to any expenses being fixed by an administrative law judge pursuant to this subsection (d), the respondent shall be provided with notice that directs the respondent to appear at a hearing before an administrative law judge to determine whether the respondent has failed to comply with the administrative law judge's order. The notice shall set the place and the time for the hearing, which shall not be less than seven (7) days from the date the notice is served. Notice may be served by first class mail or by an overnight or two-day commercial delivery service and the seven-day period shall begin to run on the date that the notice was personally served, deposited in the mail or placed with the overnight or commercial delivery service.

- (e) Nothing in this section shall prevent the city from enforcing or seeking to enforce any order of an administrative law judge in any manner provided by law.

~~(Ord. No. 07-O-0061, § 2, 8-6-2007)~~

Sec. 8-13. - Drivers license suspension for unpaid parking violations.

- (a) A notice of impending suspension of a person's drivers license shall be sent to any person determined to be liable for the payment of any fine or penalty that remains due and owing on ten (10) or more vehicular standing or parking regulation violation(s):
 - (1) The notice shall state that the failure to pay the fine or penalty owing within forty-five (45) days of the date of the notice will result in the municipality's notifying the Secretary of State that the person is eligible for initiation of suspension proceedings under Chapter 625 ILCS 5/6-306.5, which section is incorporated herein by reference.
 - (2) The notice of impending drivers license suspension shall be sent by first class mail, postage prepaid, to the address recorded with the Secretary of State.
 - (3) The notice shall also state that the person may obtain a photostatic copy of an original ticket imposing a fine or penalty by sending a self addressed, stamped envelope to the municipality along with a request for the photostatic copy.
- (b) Upon a failure to pay fines and penalties deemed due and owing the municipality after the exhaustion of administrative procedures set forth in Chapter 8, Article I, for ten (10) or more vehicular parking violations, the hearings supervisor, or his/her designee, shall make a certified report to the secretary of state stating that the owner of a registered vehicle has failed to pay any fine or penalty due and owing the municipality as a result of ten (10) or more violations of municipal vehicular standing or parking regulations and thereby cause the suspension of that person's driver's license.
- (c) The hearings supervisor shall take no further action unless and until the fines and penalties due and owing the municipality are paid or upon determination that the inclusion of the person's name on the certified report was in error. At such time, the hearings supervisor shall submit to the secretary of state a notification which shall result in the halting of a driver's license suspension proceedings. The person named therein shall receive a certified copy of such notification upon request and at no charge.
- (d) Persons may challenge the accuracy of the certified report by completing a form provided by the hearings supervisor or his/her designee. The form shall specify the grounds on which such challenge is based. Grounds for challenge shall be limited to the following:
 - (1) The person was neither the owner nor the lessee of the vehicle so receiving ten (10) or more violation notices on the date or dates such notices were issued; or
 - (2) The person has paid the fine and/or penalty for the ten (10) or more violations indicated on the certified report.
- (e) The hearings supervisor shall render a determination within fourteen (14) business days of receipt of the objection form and shall notify the objector of the determination.

~~(Ord. No. 07-O-0042, § 3, 6-4-2007; Ord. No. 08-O-0020, § 3, 3-17-2008)~~

Sec. 8-14. - Election of remedies.

In no case may an administrative law judge conduct an adjudicatory hearing for an alleged Code violation where the remedy is a punishment of imprisonment.

Nothing in this article, however, shall preclude the city from petitioning a court of competent jurisdiction to adjudicate any ordinance violation or an ordinance violation, which provides the remedy of imprisonment, or from petitioning a court of competent jurisdiction to impose the remedy of imprisonment for failure to comply with an order of an administrative law judge.”

~~(Ord. No. 07 O 0042, § 3, 6 4 2007; Ord. No. 07 O 0061, § 2, 8 6 2007; Ord. No. 08 O 0020, § 4, 3 17 2008)~~

Section 2. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed

Section 3. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 3rd day of September 2018.

Alderman J. Beifuss	_____	Alderman L. Chassee	_____
Alderman J. Sheahan	_____	Alderman H. Brown	_____
Alderman A. Hallett	_____	Alderman Ferguson	_____
Alderman Birch Ferguson	_____	Alderman S. Dimas	_____
Alderman K. Meissner	_____	Alderman M. Garling	_____
Alderman R. Stout	_____	Alderman G. Garcia	_____
Alderman N. Ligino-Kubinski	_____	Alderman B. Gagliardi	_____

APPROVED as to form: _____
City Attorney

APPROVED this 3rd day of September 2018.

Mayor, Ruben Pineda

ATTEST:

City Clerk, Nancy M. Smith

PUBLISHED: _____

CITY OF WEST CHICAGO

**PUBLIC SAFETY COMMITTEE
AGENDA ITEM SUMMARY**

ITEM TITLE: Resolution 18-R-0070

REVISED DUPAGE COUNTY NATURAL HAZARDS
MITIGATION PLAN.

AGENDA NO. 4.B.

FILE NO. _____

AGENDA DATE: August 27, 2018

COUNCIL AGENDA DATE: September 4, 2018

STAFF REVIEW: Michael Uplegger, Chief of Police

SIGNATURE _____

APPROVED BY CITY ADMINISTRATOR Michael Guttman

SIGNATURE _____

ITEM SUMMARY: The Mitigation Plan is a requirement for Federal mitigation funds. Section 104 of the Disaster Mitigation Act of 2000 (42 USC 5165) states that local governments applying for *pre*-disaster mitigation funds must have an approved local mitigation plan. Also, a plan is needed for *post*-disaster mitigation funds under the Hazard Mitigation Grant Program. These requirements are contained in 44 CFR (Code of Federal Regulations) Part 201A.

In 2013, the City adopted the DuPage County Natural Hazards Mitigation Plan (13-R-0052). The Plan has been recently rewritten and needs to be formally adopted by the City.

The 2018 DuPage County Natural Hazard Mitigation Plan is attached as Exhibit "A".

ACTIONS PROPOSED:

Staff recommends approval of Resolution No. 18-R-0070.

COMMITTEE RECOMMENDATION:

RESOLUTION NO. 18-R-0070

A RESOLUTION ADOPTING THE REVISED DUPAGE COUNTY NATURAL HAZARDS MITIGATION PLAN

WHEREAS, the City is subject to natural hazards, such as, floods, severe summer and winter storms tornadoes, extreme heat events, and

WHEREAS, natural hazards can damage property, close businesses, disrupt traffic, can threaten lives, and present public health and safety hazards; and

WHEREAS, the DuPage County Natural Hazards Mitigation Workgroup has prepared a recommended *DuPage County Natural Hazards Mitigation Plan* that reviews the City's options to protect people and reduce damage from the hazards; and

WHEREAS, the City has participated in the development of the *DuPage County Natural Hazards Mitigation Plan*; and

WHEREAS, the recommended *DuPage County Natural Hazards Mitigation Plan* has been presented for review by residents, federal, state and regional agencies.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Chicago, in regular session assembled, the revised *DuPage County Natural Hazards Mitigation Plan* is hereby adopted as an official plan of the City of West Chicago a copy of which, in substantially the form, is attached as Exhibit "A".

APPROVED this 4th day of September, 2018.

AYES: _____

NAYES: _____

ABSTAIN: _____

ABSENT: _____

Mayor Ruben Pineda

ATTEST:

City Clerk Nancy M. Smith

WEST CHICAGO POLICE DEPARTMENT MONTHLY REPORT



[JUNE 2018]

Michael Uplegger Chief of Police

WEST CHICAGO POLICE DEPARTMENT MONTHLY REPORT

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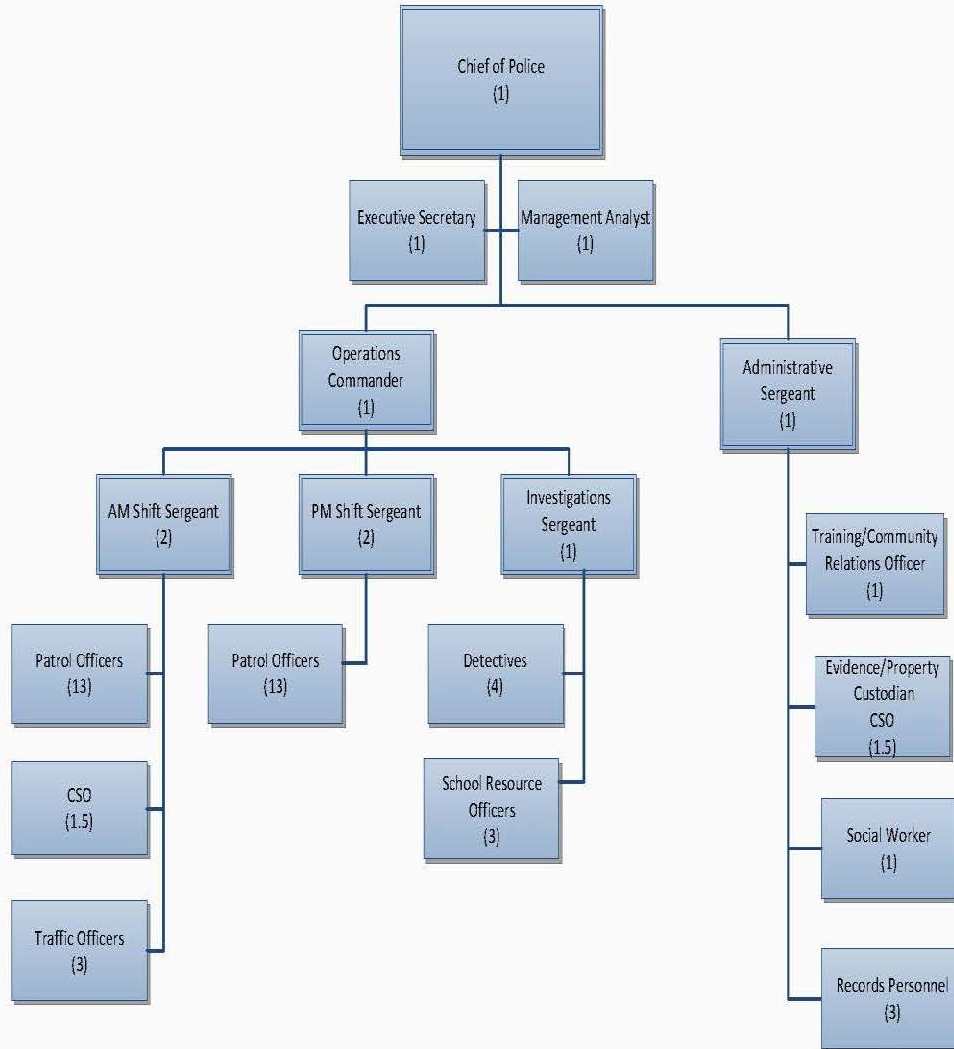
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WEST CHICAGO POLICE DEPARTMENT
ORGANIZATIONAL CHART



DEPARTMENT OVERVIEW

The Mission of the West Chicago Police Department is to Protect Life and Liberty, Provide Quality Police Services, and Forge Community Partnerships with Integrity and Professionalism.

There are three divisions in the Police Department: Office of the Chief of Police, Support Services Division, Patrol Division.

The Office of the Chief of Police's primary responsibility is to provide general management direction and control for the Department. The Office of the Chief of Police consists of the Management Analyst, and the Executive Secretary.

The Support Services Division consists of the Evidence/Property, Community Relations, Vehicle and Building Maintenance, Records, and Social Services.

The Operations Division consists of Uniformed Patrol, Traffic Safety Unit, the Investigations Unit, School Resource Officers and Community Service Officers.

PERSONNEL

On June 2nd, Officer Rosenwinkel and staff in conjunction with the West Chicago Park District hosted the Touch a Truck event at the Turtle Splash Water Park parking lot. This free family event is a collaborative effort between the City and the West Chicago Park District. During the two-hour event, children and families can explore, discover and climb on a variety of construction and public works trucks including big rigs, fire engines, police cars, excavating equipment and more.

In conjunction with the Touch a Truck event, Officers Bertany, Jones, and Perry and Community Service Officer Garcia conducted child safety seat inspections. Thirteen car seats were checked.



WEST CHICAGO POLICE DEPARTMENT MONTHLY REPORT

PERSONNEL

On June 10th, Department members, Mayor Pineda, Special Olympians, and residents joined other law enforcement organizations across the state and participated in the Annual Law Enforcement Torch Run for Special Olympics Illinois. Runners left City Hall and continued to La Chiquita at Roosevelt Road and Joliet Street. Chief Uplegger carried the torch over the 1.2 mile route.



CRIMINAL ACTIVITIES

Criminal Damage to Motor Vehicle:

A neighbor scratched the paint on the rear driver's side door of a car parked in the 100 block of Garden St. The offense was captured on surveillance video. When the offender returned, she was issued a local Ordinance citation for Criminal Damage to Property.

Person(s) unknown damaged a vehicle parked in a lot in the 800 block of Burr Oaks Dr. The windshield and driver's side windows to the pickup truck had been broken by a rock.

Person(s) unknown damaged a vehicle parked in the 500 block of Kenwood Ave. The paint had been scratched on the car.

Criminal Damage to Property:

Person(s) unknown damaged an above ground swimming pool in the backyard of a residence in the 600 block of E. Grand Lake Blvd. Four cuts had been made in the side of the pool.

Residential Burglary:

Person(s) unknown removed \$60.00 from the victim's residence in the 500 block of Kenwood Ave. The victim suspects a boarder of the theft.

Burglary:

Person(s) unknown used a brick to break the front window to a business in the 200 block of S. Neltnor Blvd. The offender entered the store through the broken window and took an Apple watch. Investigation is ongoing.

Burglary to Motor Vehicle:

Person(s) unknown entered an unsecured vehicle in the 200 block of High St. and removed a handicap placard.

Person(s) unknown entered an unsecured vehicle in the 1200 block of S. Oak St. and removed a kids' pool, a new set of brake pads and a wallet which contained a driver's license, state ID, an unknown amount of cash, and three credit/debit cards.

Telephone Harassment:

A known suspect made repeated phone calls to a victim in the 500 block of E. Pomeroy St. The reason for the multiple calls were because the suspect was unhappy with work performed by the victim.

CRIMINAL ACTIVITIES

Criminal Defacement:

Person(s) unknown spray painted non-gang related graffiti on a vehicle parked in the 200 block of W. Roosevelt Rd.

Person(s) unknown spray painted non-gang related graffiti in the George St. tunnel.

Person(s) unknown spray painted non-gang related graffiti on a for sale sign at the intersection of Charles Ct. and Washington St.

Person(s) unknown spray painted non-gang related graffiti on a fence in the 300 block of Clayton St.

Person(s) unknown spray painted gang-related graffiti on a light cover in the Main St. tunnel.

Person(s) unknown spray painted gang-related graffiti on a fence near the 1200 block of Kings Cir.

Person(s) unknown spray painted non-gang related graffiti in the Turner Court tunnel.

Person(s) unknown spray painted gang-related graffiti on the fence, wall, sidewalk and dumpster behind a building in the 100 block of N. Neltnor Blvd.

Person(s) unknown spray painted gang-related graffiti on a fence in the area of Joliet St. and Augusta Ave.

Criminal Trespass to Property :

A known individual was observed sitting on the front steps of the West Chicago Train Depot located at 508 Main St. The individual had minor cuts and appeared highly intoxicated. The West Chicago Fire Protection District was called to the scene and subsequently transported the individual to Central DuPage Hospital. As the individual had previously been banned from the Depot, a warrant for Criminal Trespass was obtained for her arrest. The suspect was arrested on June 29th. Due to the individual being uncooperative, she was transported directly to the DuPage County Jail.

A neighbor reported that she saw a subject dressed all in black exit an open garage in the 800 block of E. Elmwood Ave. and leave the area walking eastbound. The garage was checked by the owner, and nothing is believed to be missing. Officers developed a suspect, who is also a suspect in an earlier burglary at this residence, and met with him and his father at their house. The individual admitted to entering the garage, but denied removing anything. Officers were granted permission to search the basement of the house. During the course of the search, Officers located drug paraphernalia and a small amount of cannabis. The suspect was issued local Ordinance citations for Possession of Cannabis and Possession of Drug Paraphernalia. No charges were filed for entering the garage.

CRIMINAL ACTIVITIES

A known suspect had set up a tent to the rear of a business in the 300 block of S. Neltnor Blvd. The owner wanted the suspect removed from the property and advised not to come back. Officers were unable to locate the suspect and will serve him with a Criminal Trespass to Property Letter at a later date.

Criminal Trespass to State Supported Land:

A known suspect was harassing individuals at the West Chicago Public Library located at 118 W. Washington St. When confronted by security, the suspect used profanities and fled the area. Officers located the subject and served him with a Criminal Trespass to Property Letter.

Criminal Trespass to Property/Criminal Damage to Property:

Person(s) unknown entered the Harry Kuhn property located at 1266 E. North Ave. and damaged a window to building number one and a door handle on building number seven.

Theft Under \$500.00:

A known suspect is alleged to have removed 300 Wheat Pennies and 37 prescription pills from a residence in the 600 block of Parkside Ave. Investigation is ongoing.

A known suspect entered an unsecured residence in the 600 block of Parkside Ave. and allegedly removed a set of headphones valued at \$120.00.

Person(s) unknown removed a package containing a watch from the doorstep of an apartment in the 900 block of Gary's Mill Rd. Cost of the watch was \$10.99.

Person(s) unknown removed two trailers for wave runners from a lot in the 2000 block of W. Roosevelt Rd. Loss is estimated at \$1,310.00.

Theft Over \$500.00:

Person(s) unknown removed a go-cart from the yard of a residence in the 100 block of Plumtree Ln. The owner valued the go-cart at \$4,000.00.

Retail Theft:

Person(s) unknown exited the Thornton's gas station located at 1330 S. Neltnor Blvd, with a sandwich and drink without paying for the items. Cost of the food was about \$6.00.

Person(s) unknown exited the Walgreens located at 125 N. Neltnor Blvd., with a case of tweezers without paying for them. Cost of the item was \$28.00.

CRIMINAL ACTIVITIES

Credit Card Fraud:

The victim was advised by Capital One of suspicious charges on her Menards charge card. A total of \$10,470.94 in unauthorized transactions were made on the card beginning in January 2018. A former contractor admitted to using the credit card and agreed to pay back the amount charged to the credit card. No charges will be filed at this time.

Person(s) unknown used the victim's US Bank debit card to make several fraudulent purchases totalling \$1,084.00. There is no suspect information at this time.

Person(s) unknown used the victim's Credit Union Credit Card to make a fraudulent purchase totalling \$1,385.68. There is no suspect information at this time.

Person(s) unknown placed a credit card skimming device on a gas pump at the Shell gas station located at 184 W. North Ave. A second pump had a seal removed indicating it had also been tampered.

Fraud/Theft:

Person(s) unknown entered the drive-through lane at Fifth Third Bank located at 1800 N. Neltnor Blvd. and attempted to cash a check. The suspect presented a debit card and driver's license as identification in order to cash the check. Upon checking the debit card, bank personnel learned the debit card had been flagged as stolen. The branch manager called the person whose name is on the driver's license and learned the debit card and driver's license had been reported stolen. The manager was able to take a photo of the suspect vehicle's license plate as it fled the scene. Upon checking the license plate, officers learned the license plate had been previously reported stolen. Investigation is ongoing.

Aggravated Assault:

Person(s) unknown attempted to run the victim over as he stood in his driveway in the 600 block of Joliet St. The victim stated he got out of the way of the vehicle, and ran into his residence because he was scared. The victim stated that upon returning to the driveway, where his vehicle was parked, he found that four windows on his vehicle had been broken. During the course of this investigation, four suspects were identified. Complaints and Warrants for Criminal Damage to Property and Mob Action were obtained for three of the suspects. The fourth suspect, who is a juvenile, will have charges filed against him filed on in Juvenile Court.

Assault:

A known person threw two chairs at a victim in a facility in the 200 block of W. North Ave. The victim was not injured. There are no complaints to be signed.

CRIMINAL ACTIVITIES

Criminal Sexual Assault:

A known suspect drove the victim to a residence in the 400 block of Harrison St. where he sexually assaulted her. Investigators interviewed both parties and screened the case through the DuPage County State's Attorney's Office. Criminal charges were declined.

Criminal Sexual Abuse

A known suspect sexually abused the victim at a facility in the 200 block of W. North Ave. The suspect pulled his pants down and pressed his genitals against the victim's buttocks. Investigation is ongoing.

Child Abuse:

A known suspect bruised the victim's left shoulder in the 2300 block of Elm Rd. DCFS was contacted to investigate.

Predatory Criminal Sexual Assault of a Child:

A 19 month-old child was allegedly sexually assaulted by his father. DCFS was notified, and the DuPage County Children's Center will be investigating this incident.

Possession of a Controlled Substance:

Officers responded, along with the West Chicago Fire Protection District, to the Burger King located at 340 S. Neltor Blvd. for a report of an unresponsive female in the restroom. Upon arrival, officers observed that West Chicago Fire Protection personnel were treating the victim who was ultimately transported to Central DuPage Hospital. Officers confiscated drug paraphernalia and a white powdery substance that was found within the vicinity of the victim. Investigation is ongoing.

WEST CHICAGO POLICE DEPARTMENT MONTHLY REPORT

MONTHLY PERFORMANCE

Activities	Mar 2018	Aor 2018	May 2018	Jun 2018	YTD 2018	YTD 2017	Total 2017
Calls for Service (911 Calls)	746	730	859	835	4,602	5,117	10,276
Officer Generated Activity	1,967	1,761	1,780	1,822	11,287	11,574	23,472
Traffic Stops	867	912	753	633	4,835	4,597	9,032
Traffic Citations	486	584	474	362	2,811	1,757	3,563
Traffic Warnings	490	492	475	383	2,807	3,332	6,296
Parking Citations	202	181	194	172	1,312	1,523	3,026
Traffic Crashes	60	61	74	61	429	452	886
Incident Reports	312	300	330	285	1,794	1,864	3,720

WEST CHICAGO POLICE DEPARTMENT MONTHLY REPORT

UNIFORM CRIME REPORT

State law mandates Illinois law enforcement agencies report the occurrence of selected offenses and arrests within specific Index Crime categories. The State then forwards the data to the Federal Bureau of Investigation. The Uniform Crime Reporting (UCR) Program has been the starting place for law enforcement executives, students of criminal justice, researchers, members of the media, and the public at large seeking information on crime in the nation.

Crime	<u>2016 Total</u>	<u>2017 Total</u>	<u>2018 YTD</u>
Murder	0	0	0
Robbery/Armed Robbery	10	11	5
Criminal Sexual Assault	2	7	3
Aggravated Assault/ Battery	17	12	10
Burglary	46	53	16
Theft	241	250	100
Arson	2	1	0
Motor Vehicle Theft	14	15	0
Human Trafficking Commercial Sex Acts	1	0	0
Human Trafficking Involuntary Servitude	0	0	0
Total UCR	333	349	134

SUPPLEMENTAL CRIMES

Criminal Damage to Motor Vehicle	103	68	26
Criminal Damage to Property	59	54	41
Criminal Defacement	92	34	46
Simple Assault/Battery	81	67	42
Total Supplemental	335	223	155

OFFICER ACTIVITIES

On June 2nd, Officers Calabrese and Flanigan and Sergeant Langelan responded to a residence in the 300 block of Harrison St. for a suspected overdose. The victim, unconscious and not breathing, was located lying in the garage. A dose of Narcan was administered and CPR begun. The victim began agonal breathing. West Chicago Fire Protection District personnel arrived and took over care of the victim, who regained consciousness and was transported to Central DuPage Hospital. Located near the victim was drug paraphernalia commonly used to melt heroin powder into a liquid so it can be injected.

On April 5th, Officer Fearon was dispatched to a residence in the 500 block of Harrison St. for an ambulance assist. Upon arrival, a subject was observed lying in a bed with a number of injuries. The victim was uncooperative and refused transport to the hospital by West Chicago Fire Protection District Paramedics. The victim was eventually transported to Central DuPage Hospital by one of his parents, where he was admitted to ICU for bleeding on the brain. On April 15th, Sergeant Gaztambide and Officer Flanigan met with the victim at Central DuPage Hospital. The victim stated he was struck on the head with a brick while at a party in the 1200 block of Bishop St. Detective Herbert interviewed a number of attendees at the party who provided a name for the suspect. On May 31st, Detective Herbert interviewed the suspect at the DuPage County Jail. The suspect admitted to being at the party and admitted to throwing a rock, but stated it was done in self-defense. On June 4th, a complaint and warrant for Aggravated Battery was obtained. The paperwork was delivered to the DuPage County Jail so the offender could be served and processed.

On May 25th, Officer Bertany responded to Central DuPage Hospital for the report of an individual who had been battered in West Chicago and was currently receiving care at the hospital. Upon arrival, Officer Bertany met with the victim and that the victim was in the area of Clayton St. and Wilson St. when an individual struck him with a rock on the left side of his head. Upon release from the hospital, the victim was shown a photo lineup of possible suspects. The victim identified the offender. On June 8th, Detective Bowers contacted the DuPage County State's Attorney's Office, who approved a charge of Aggravated Battery. A complaint and warrant were obtained. The suspect has not yet been located.

In regards to the bank robbery at the Fifth Third Bank on July 5, 2016, Detective Bowers received notification from the FBI that two individuals had been charged with the bank robbery as well as several other's.

OFFICER ACTIVITIES

During the month of June, a known suspect spray painted graffiti in the George Street tunnel and the skate park at Reed-Keppler Park. There was a total of five reported incidents. On June 13th, Detectives Bowers and Herbert captured the suspect at the skate park. Upon speaking with the suspect, he admitted to having spray paint in his backpack and to having spray painted graffiti at the skate park on a number of occasions. Due to the offender's age, his parents were contacted. The juvenile's mother responded to the scene and was advised of the offenses her son committed. The parents have agreed to repay the West Chicago Park District (\$175.00) and the City of West Chicago (\$1,124.46) the cost to remove the spray paint. The juvenile will be placed on a Formal Station Adjustment with the Police Department, with the terms to be determined at a later date.

On June 12th, Officer Sauseda initiated a traffic stop on a vehicle in the area of Washington St. and Wood St. Upon approaching the vehicle, Officer Sauseda observed that the front-seat passenger appeared to be placing something under the seat. Officer Sauseda requested assistance and Officers Flanigan, Fearon and Zepeda arrived on scene to assist. A records check was initiated on the driver and passenger. Officers learned that the driver had a suspended Illinois drivers license, and the passenger was wanted on an arrest warrant out of Kane County. Both individuals were placed under arrest. Upon searching the passenger, officers found a small piece of a bag in the passenger's right front shorts pocket. Several small crystalline, rock-like substances were found inside the bag. Upon searching the vehicle, additional drugs and paraphernalia were located. Both subjects were transported to the Station. The rock-like substances were field tested and came back positive for amphetamine/methamphetamine. The DuPage County State's Attorney's Office approved a charge of Possession of a Controlled Substance against the passenger. He was processed, given copies of his paperwork and transported to the DuPage County Jail. The driver was issued traffic citations for Driving on a Suspended License and No Taillights. The driver was provided with his copies of the paperwork and released.

On June 12th, Officer Calabrese, along with Officers Fearon and Flanigan, initiated a traffic stop on a vehicle in the area of Dayton Ave. near Neltor Blvd. While speaking with the occupants of the vehicle, officers detected an odor of cannabis coming from the vehicle. Officer Calabrese asked the driver if the vehicle contained anything illegal, after which the driver handed over a sandwich bag containing cannabis. A subsequent search of the vehicle resulted in the finding of items consistent with the selling and possession of cannabis. The driver and passenger were placed under arrest and transported to the Station. Upon arrival, the driver was charged with Possession of Cannabis with Intent to Deliver (more than 10 grams but less than 30 grams) and Possession of Drug Paraphernalia. He was processed, provided with copies of paperwork and released. The passenger, a juvenile, was also processed for the same charges and released to his parents. Charges will be filed against the passenger in juvenile court.

WEST CHICAGO POLICE DEPARTMENT MONTHLY REPORT



[JULY 2018]

Michael Uplegger, Chief of Police

WEST CHICAGO POLICE DEPARTMENT MONTHLY REPORT

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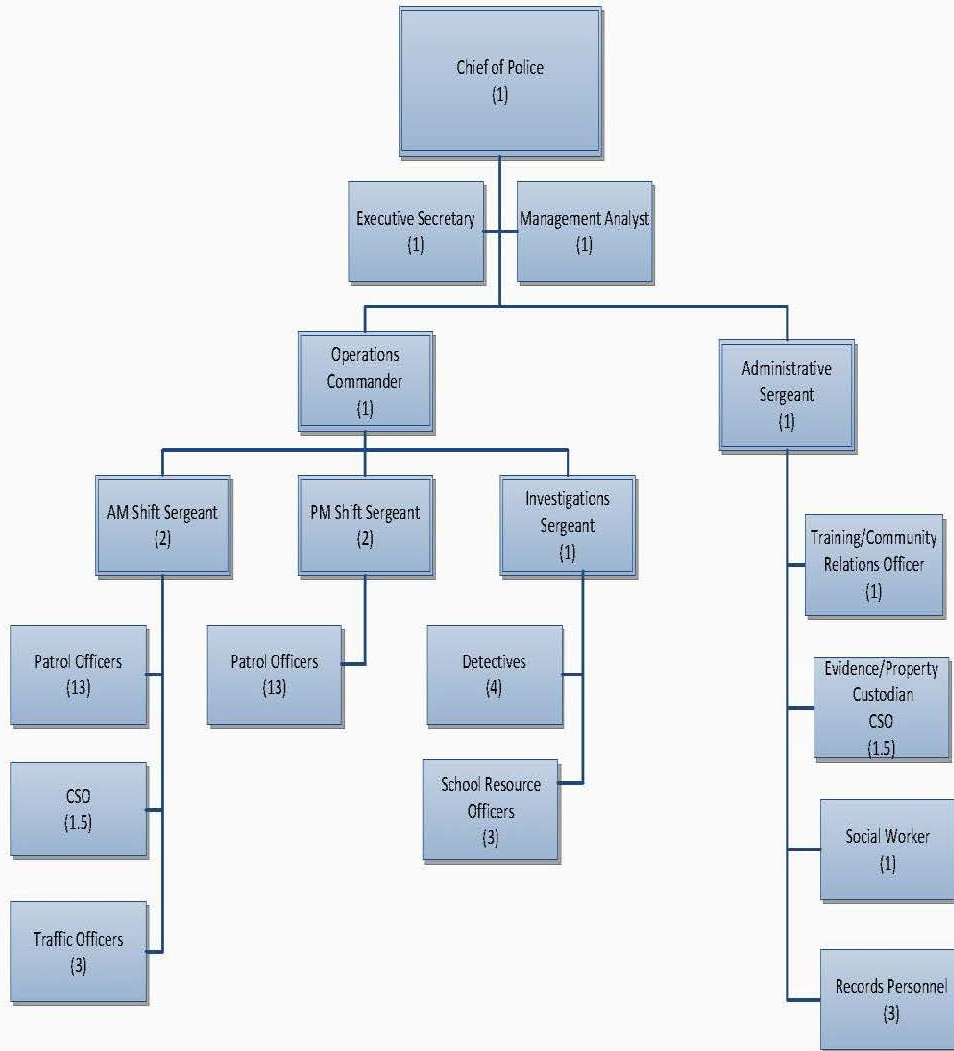
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WEST CHICAGO POLICE DEPARTMENT
ORGANIZATIONAL CHART



DEPARTMENT OVERVIEW

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The Support Services Division consists of Community Relations, Evidence/Property, Vehicle and Building Maintenance, Records, and Social Services.

The Operations Division consists of Uniformed Patrol, Investigations Unit, School Resource Officers, Traffic Safety Unit, and Community Service Officers.

PERSONNEL

On July 6th, Officer Rigler graduated from the Suburban Law Enforcement Police Academy. In addition to his certificate, Officer Rigler was awarded the DuPage County Senior Police Management Leadership award.



The Department participated in the Operation Warrior Wishes First Responder Escort on July 16th. Operation Warrior Wishes' mission is to honor heroes, keep legacies alive and provide once in a lifetime experiences to warriors from the Battlefields to the Ballfields. The Department Honor Guard also presented the Nation's colors before the start of the golf outing at St. Andrew's Golf & Country Club



WEST CHICAGO POLICE DEPARTMENT MONTHLY REPORT

PERSONNEL

On July 23rd, Margaret Sollis started with the Department as a Community Service Officer.



On July 29th, the West Chicago Police Department and West Chicago Fire Protection District held a charity softball game as a fundraiser for Special Olympics Illinois. The Police put out the Fire 18-10 in a hard fought and well played game to reclaim the trophy.



Detective Robbi Peterson and his family were honored at the Pig Roast following the game with a certificate and plaque for all their hard work they contribute to Special Olympics.



CRIMINAL ACTIVITIES

Criminal Damage to Motor Vehicle:

Person(s) unknown damaged a vehicle parked in the 200 block of Glen Ave. The paint from the driver's side front quarter panel to the rear passenger side door had been scratched.

Person(s) unknown damaged a vehicle parked in the 500 block of Harrison St. The driver's side tires had been punctured.

Criminal Damage to Property:

A known suspect broke a window at a church in the 500 block of N. Neltnor Blvd. to gain entry to the building. The suspect was issued a Criminal Trespass to Property Letter and advised not to come back on the property. No charges were filed in this matter.

Person(s) unknown damaged a mailbox in the 2300 block of Fairchild Ln. Fireworks had been placed in the mailbox causing the damage. No suspect information available.

Person(s) unknown damaged a window on the front of a business in the 200 block of Main St. The glass had been cracked by unknown means.

Criminal Defacement:

Person(s) unknown spray painted gang-related graffiti on electrical boxes on a building in the 100 block of N. Neltnor Blvd.

Person(s) unknown spray painted non-gang related graffiti at the skate park at Reed-Keppler Park. Park District personnel stated the offense was captured on its surveillance system. Additionally, a witness at the skate park captured the offender and the offender's vehicle's license plate on her cell phone. On July 25th, the offender came into the Station and admitted to doing the damage. The offender was issued a local Ordinance citation for Criminal Defacement of Property and released.

Person(s) unknown spray painted gang-related graffiti on a fence in the 700 block of Hampton Course.

Retail Theft:

Person(s) unknown removed a beach bag and over-the-counter medications without paying for the items from Walgreens located at 125 N. Neltnor Blvd. The value of the items taken was estimated to be \$1,000.00. Investigation is ongoing.

Person(s) unknown concealed a bag of candy under his shirt and exited the Walgreens located at 125 N. Neltnor Blvd. without paying for the item.

CRIMINAL ACTIVITIES

Theft Under \$500:

Person(s) unknown removed a bicycle from in front of Midcity Cocktail and Supper Club located at 124 Main St. The owner left his unsecured bike on the sidewalk in front of the business and when he returned, it was missing. Loss is estimated at \$50.00.

Person(s) unknown removed four pieces of aluminum fencing from a driveway in the 200 block of E. Stimmel St. After filing the report, the victim believed he located his fencing at a property in the 400 block of E. Blair St. The suspect was identified as a resident of the home where the fencing was found. The victim took possession of his fencing and wanted the suspect arrested. The suspect was issued a local Ordinance citation for theft.

Person(s) unknown removed \$30.00 from the victim's pants that were left unattended in a room at a facility in the 200 block of W. North Ave.

Person(s) unknown removed two bicycles from the lawn of a residence in the 200 block of E. Stimmel St. Loss is estimated at \$259.00.

Person(s) unknown entered a residence in the 100 block of W. Brown St. through the unlocked front door and removed a pair of Air Jordan gym shoes worth \$200.00. A suspect was interviewed and although he knew the location of the shoes, he denied taking them. The individual promised to return the shoes by Friday August 3rd. The victim stated as long as the shoes are returned, he would not press charges.

Theft of Lost/Mislaid Property:

Person(s) unknown removed a cell phone from the Jewel located at 177 E. Roosevelt Rd. The victim believes the phone was lost in the produce section. Loss is estimated at \$100.00.

Theft Over \$500.00:

Person(s) unknown removed landscaping equipment from trailers parked behind a business in the 1000 block of Town Rd. Removed were three pole trimmers, two weed eaters and a backpack blower. Value of the items is estimated at \$2,500.00.

Person(s) unknown removed \$800.00 from the victim's bedroom in the 200 block of W. Pomeroy St. A suspect was interviewed, but denied taking the money.

An individual entered a business in the 100 block of S. Neltnor Blvd., purchased some ice cream and left the store. After the individual had left, the store employee noticed her cell phone was missing from the front counter. Surveillance video and a credit card receipt were used to establish the suspect's identity. The suspect was contacted by officers, and agreed to come to the Station. Once at the Station, the suspect admitted to taking the phone because he thought it was his. The suspect put both phones on the table, and they looked identical. The individual turned the phone over to officers so it could be returned to the victim. No charges filed.

CRIMINAL ACTIVITIES

Person(s) unknown removed two bicycles from a detached garage in the 100 block of Glen Ave. The overhead garage door was closed, but not locked. Total estimated loss of the two bikes is \$800.00.

Person(s) unknown removed a cell phone from a residence in the 1900 block of Whispering Oaks Ct. The victim, who was working at an Estate Sale at the address, had left the phone unattended for a short period and when he returned, it was missing. The phone is estimated to cost \$500.00.

Burglary from Motor Vehicle:

Person(s) unknown entered an unsecured vehicle parked in the lot at the Jewel located at 177 E. Roosevelt Rd. and removed a wallet, which contained \$1,500.00, a drivers license and a cell phone.

Fraud:

A known person forged the victim's name on a check for \$1,100.00 and cashed it. The victim did not wish to pursue this matter criminally and will work with his bank on the matter.

Person(s) unknown tried cashing a check issued by the victim's company located in the 400 block of W. Roosevelt Rd. A representative from Chase Bank called the victim due to the amount of the check. The victim told the representative the check was not issued by his company. The victim learned that a total of eight fraudulent checks had been cashed by three offenders on the same date. The checks totaled \$7,556.95. Investigation is ongoing.

Person(s) unknown called the victim alleging his nephew was being detained at O'Hare Airport for bringing \$20,000.00 cash into the country. The victim was told he needed to pay a fee to have the nephew released. The victim was given instructions on how to wire money to persons in Mexico. Three transactions were made totaling \$4,247.00. The victim later learned his nephew was never at the Airport and had been home the entire time. Investigation is ongoing.

Person(s) unknown used the victim's credit card without her knowledge to make purchases in Florida. The victim reported \$1,378.44 in charges were made using her Macy's and JC Penney credit cards.

Person(s) known agreed, over the Internet, to sell the victim a puppy. The initial price agreed upon was \$670.00. The victim wired the money to the breeder. The following day the victim received an email stating she needed to purchase a climate controlled crate. The victim wired another \$800.00. The following date, the victim received another email stating she needed to purchase \$1,800.00 in travel insurance for the puppy. The victim became suspicious and called the airline, and learned they had no record of a puppy scheduled to be shipped to her. Investigation is ongoing.

CRIMINAL ACTIVITIES

Identity Theft:

Person(s) unknown opened a Nicor account in another city in the victim's name. The victim learned of the fraudulent account when they contacted Nicor to update account information. The victim disputed this other account and was told she would not be held accountable for outstanding charges of the fraudulent account.

Person(s) unknown transferred \$2,490.00 out of the victim's checking account. The victim learned about the transfer when he was notified by his bank that his checking account was over drafted. Investigation is ongoing.

Residential Burglary:

Person(s) unknown entered the unsecured garage of a residence in the 1200 block of Elizabeth St. and removed two leaf blowers and a trimmer. Loss is estimated at \$810.00.

Battery:

A known suspect struck the victim on the back of the neck at a facility in the 200 block of W. North Ave. The victim was uninjured and due to the mental capacity of both subjects involved, no charges will be pursued.

A known suspect pushed the victim and prevented her from leaving a residence in the 900 block of Hahn Place. The suspect also took \$7.00 and an iPad charger from the victim. Investigation is ongoing.

A known suspect punched the victim in the mouth breaking one of the victim's teeth while at the West Chicago Community High School soccer field. An arrest warrant was obtained for the suspect, and he was later arrested by a Carol Stream Police Officer. The offender was transported to the West Chicago Police Station where he was processed, provided with his copies of the paperwork and released after he posted the required bond.

Online Intimidation:

The victim reached out to an unknown female through an app called Hot or Not on his cell phone after which the two began messaging each other. The unknown female then asked for his phone number, which he provided, so they could begin texting. The victim also provided the female with his Facebook username for future use. The victim was then asked to set up a Skype account, which he did, so the two could video chat. The victim stated the conversations turned sexual, and he ended up naked on the webcam. The unknown female then stated the incident had been recorded and if the victim did not wire her money, the video would be sent to his family and friends who were on his Facebook page. The victim wired \$200.00 to the Philippines per the suspect's instructions.

CRIMINAL ACTIVITIES

Telephone Harassment:

The victim had received numerous annoying and harassing phone calls from her ex-boyfriend. The suspect was issued a local Ordinance citation for Disorderly Conduct and instructed to stop calling the victim.

Person(s) unknown has been sending vulgar and sexual snapchat messages to the victim. Investigation is ongoing.

A known person called the victim and threatened to kill the victim and his family. The suspect has also shown up at the victim's home and posted videos on Twitter threatening the victim. The victim does not wish to pursue criminal charges against the suspect.

Telephone Threat:

The victim and an employee engaged in an argument over the phone. While arguing, the employee's mother got on the phone and threatened to come to the business and kick his ass. No charges will be filed, and the employee is going to be terminated.

WEST CHICAGO POLICE DEPARTMENT MONTHLY REPORT

MONTHLY PERFORMANCE

Activities	Apr 2018	May 2018	Jun 2018	Jul 2018	YTD 2018	YTD 2017	Total 2017
Calls for Service (911Calls)	730	859	835	884	5,486	6,120	10,276
Officer Generated Activity	1,761	1,780	1,822	1,681	12,968	13,273	23,472
Traffic Stops	912	753	633	719	5,554	5,329	9,032
Traffic Citations	584	474	362	463	3,274	2,074	3,563
Traffic Warnings	492	475	383	408	3,224	3,804	6,296
Parking Citations	181	194	172	297	1,609	1,752	3,026
Traffic Crashes	61	74	73	68	509	441	886
Incident Reports	300	330	285	290	2,084	2,213	3,720

OFFICER ACTIVITIES

On May 2nd, the West Chicago Community High School received a phone call that seven bombs were placed inside the building and, if the School did not do anything, the caller was going to show up with an AK47. Detective Bowers learned that the phone number came back to a voice over Internet provider. The provider advised that an investigator from the Fuquay-Varina Police Department in North Carolina had inquired about the same phone number. When contacted, the investigator stated a high school in its jurisdiction had received an identical threat from the same phone number. The Federal Bureau of Investigation was also working on the North Carolina case. Detective Bowers was able to obtain subscriber information for an IP address that came back to an address in Scottsburg, Virginia. On May 21st, the FBI executed a search warrant at the juvenile suspect's residence. The suspect admitted to making the bomb threat(s). The suspect was charged in Virginia as a juvenile with two counts of Communicating a Bomb Threat.

On May 29th, Officer Alaniz was dispatched to a residential burglary in the 800 block of E. Elmwood Ave. The homeowner stated when she arrived home, the front and rear doors to the residence were found open. Minor damage was observed on both doors. Drawers were found open with clothes thrown on the floor and a marijuana cigarette was found in a bedroom. \$400.00 was determined to be missing from a second bedroom and a cell phone was gone from the kitchen. Neighbors provided a description of a suspect who was seen in the area of the house. On June 28th, Officer Winton and Detective Bowers interviewed a suspect who admitted to entering the home and taking the \$400.00. The DuPage County State's Attorney's Office approved a charge of Residential Burglary against the offender, who is a juvenile.

On June 7th, Officers responded to a disturbance to the rear of the 600 block of Joliet St. Person(s) unknown occupying a grey vehicle drove at the victim as he stood in his driveway. The victim ran into his residence and when he returned to the driveway, four windows were found broken on the victim's van. Surveillance video of the incident was obtained from a neighboring business. After reviewing the video, Detective Herbert was able to identify three suspects who exited the offending vehicle. The DuPage County State's Attorney's Gang Prosecution Unit was contacted and approved felony charges of Criminal Damage to Property and Mob Action against four suspects, one of whom is a juvenile. On July 13th, Commander Calabrese and Officer Flanigan arrested the juvenile offender at Pioneer Park. He was transported to the Station where he denied involvement in this incident. The suspect was transported to the Kane County Youth Home. As of August 13th, two of the three adult offenders have been arrested.

On July 6th, Officers Bertany, Kowalik and Nielsen responded to the area of Brown St. and Lyman St. for the report of an individual in cardiac arrest. The victim was found unconscious in the grass with a friend performing CPR. Officers were told the victim has a history of using Xanax and Fentanyl. The subject was administered two doses of Narcan after which he began to regain consciousness. West Chicago Fire Protection District personnel transported the subject to Central DuPage Hospital.

OFFICER ACTIVITIES

On July 7th, Officers Bertany, Nielsen, Gelsomino and Kowalik responded to the Ace Hardware located at 319 S. Neltnor Blvd. for a report of an attempted retail theft that just occurred. A suspect had taken a \$500.00 wrench kit and ran out of the store and entered the passenger side of a car in the parking lot. The owner and another employee of Ace Hardware ran after the suspect and tried to get the wrench kit back. The suspect threw the wrench kit from the car, and left the area. While investigating this case suspect information was developed. The suspect was contacted and agreed to come to the Station and speak with Officer Bertany. Upon arrival at the Station, the suspect was interviewed and admitted to the theft. The offender was issued a local Ordinance citation for Retail Theft and a Criminal Trespass to Property Letter banning him from the Ace Hardware. The offender was provided with his copies of the paperwork and released.

On July 13th, West Chicago Police Officers made contact with a suspect and arranged to purchase heroin from him. Officers later met with the suspect and bought three kilograms of heroin. The suspect was taken into custody and a search of his home was conducted. Officers found another two kilograms of heroin and one kilogram of a substance suspected to be Fentanyl. The street value of the drugs recovered was estimated to be more than \$900,000.00. The offender was charged with one count of Possession of a Controlled Substance with Intent to Deliver and one count of Delivery of a Controlled Substance. He was processed and transported to DuPage County Jail.

On July 16th, Officer Calabrese observed an individual walking in the parking lot of the closed Walgreens located at 125 N. Neltnor Blvd. Officer Flanigan arrived to assist and located two subjects in the parking lot sitting on a retaining wall. Both individuals had a strong odor of cannabis coming from them. A knife and lighter were found on the top of the retaining wall where the subjects were sitting. One of the individuals pulled his hat off, and a rolled-up piece of paper towel fell out. The paper towel contained a small baggie of cannabis. A search was conducted of the second subject. Two small blue baggies were found in his jacket that was wrapped around his waist. One baggie contained a white substance and the other baggie had a white powder residue inside of it. A third baggie containing a small amount of cannabis was also located. The second subject stated the baggies were his, contained heroin, and he used the drug about an hour ago. The subject was placed under arrest and transported to the Station. The white powder tested positive as heroin. The DuPage County State's Attorney's Office approved a charge of Possession of a Controlled Substance. The offender was processed, provided with his copies of the paperwork and transported to the DuPage County Jail.

OFFICER ACTIVITIES

On July 24th, Officer Calabrese observed a vehicle driving south through the intersection of Ann St. and Wood St. without stopping for the stop sign. Officer Calabrese initiated a traffic stop on the vehicle to the rear of La India located at 635 Joliet St. Officer Calabrese recognized two of the occupants of the vehicle, with one of them being a juvenile who was reported missing earlier in the evening by his mother. Officers Flanigan, Mielke and Sauseda arrived to assist. Visible in the back seat of the vehicle were credit cards and boxes of cigars in a Thorntons bag. The driver stated the cigars belonged to her father and the credit cards probably belonged to her parents. Officers asked and were denied consent to search the vehicle. All three juveniles were placed in custody for curfew violations. The owner of the vehicle was contacted and stated the cigars were not his. The owner of the vehicle granted consent to enter the vehicle and obtain the cigars and credit cards. Officers were able to contact one of the individuals whose name was on one of the credit cards found in the vehicle. She stated the card and other items including a black backpack had been taken from her vehicle. Additionally, three purchases had been made on the credit card that were not made by the victim. Two purchases were made at the Thorntons in West Chicago. Detectives Peterson, Bowers and Herbert interviewed the juveniles. One of the juveniles admitted that she was given the credit cards by another of the youths and used one of the cards to purchase cigars at Thorntons gas station. The suspect admitted she believed the card was stolen. The victim's backpack was recovered from the driver's house. Charges of Burglary to Motor Vehicle were approved for two of the offending juveniles. They were transported to the Kane County Youth Home. The driver of the vehicle was charged with Unlawful Use of a Credit Card and released to a parent.