



# Village of Maple Park

302 Willow Street ♦ P.O. Box 220 ♦ Maple Park, Illinois 60151

Village Hall: 815-827-3309

Fax: 815-827-4040

Website: <http://www.villageofmaplepark.com>

**BOARD OF TRUSTEES  
COMMITTEE OF THE WHOLE  
TUESDAY, DECEMBER 15, 2020  
7:00 p.m.**

**Join Zoom Video Conference Meeting**

<https://us02web.zoom.us/j/84013899226?pwd=MGdnZWk0U2RjU0xoL2xIcHRmRGgwUT09>

**Meeting ID: 840 1389 9226**

**Password: 645316**

**Mobile Call in Option:**

**1-312-626-6799**

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. SWEARING IN OF TRUSTEE KRISTINE DALTON**

**4. ROLL CALL/QUORUM ESTABLISHED**

**5. PUBLIC COMMENTS** – *Any resident wishing to address the Board may do so according to the guidelines set forth in the “Rules for Public Comments at Public Meetings” handout. Please complete a speaker request form and submit it to the Village Clerk. . You may also send an email to [villageclerk@villageofmaplepark.com](mailto:villageclerk@villageofmaplepark.com) in advance of the meeting. The Village Clerk will read such comments during the Public Comment portion of the meeting.*

**6. INFRASTRUCTURE ITEMS**

A. Status of the Additional Water Tower Locations

B. Status of the Wastewater Treatment Plant Property Purchase

**7. PERSONNEL ITEMS**

**8. FINANCE ITEMS**

A. Status of the Financial Policy Manual

**9. COVID-19 & TIER 3**

10 – 15 Minute Discussion

**10. VILLAGE ADMINISTRATOR REPORT**

**11. VILLAGE PRESIDENT REPORT**

**12. OTHER BUSINESS**

**13. GOALS LIST**

**A. Strategic Plan Goals Accomplished –**

- a. Short-Term and Long-Term Routine – Completed Long-Term Financial Plan, including funding for prioritized infrastructure improvements – Village Board approved Long-Term Financial Forecast and Analysis on December 1, 2020
- b. Short-Term Complex – Proactively evaluate and develop a Capital Improvement Plan focuses on short-term and long-term prioritized infrastructure improvements – Village Board approved Capital Improvement Plan/Maintenance (CIP/MP) on December 1, 2020

**14. SEXUAL HARRASSMENT TRAINING**

**15. ADJOURNMENT**



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## **OFFICIAL OATH**

I, KRISTINE DALTON, DO SOLEMNLY SWEAR THAT I WILL SUPPORT  
THE CONSTITUTION OF THE UNITED STATES, THE CONSTITUTION OF  
THE STATE OF ILLINOIS AND THE ORDINANCES OF THE VILLAGE OF  
MAPLE PARK, AND THAT I WILL FAITHFULLY DISCHARGE THE DUTIES  
OF VILLAGE TRUSTEE TO THE BEST OF MY ABILITIES.

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Kristine Dalton, Village Trustee

In witness thereof, I have hereunto set my hand and seal on this the 15<sup>th</sup> day of  
December, 2020.

Village Seal

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Kathleen Curtis, Village President

WITNESS:

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Theresa D'Amato, Village Clerk



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## MEMORANDUM

**TO:** Village President and Board of Trustees

**FROM:** Village Administrator Dawn Wucki-Rossbach 

**DATE:** December 10, 2020

**SUBJECT:** COVID-19 TIER 3 MITIGATION

### **BACKGROUND**

At the December 1, 2020 Village Board Meeting, the question was raised on how the Village has been addressing compliance with COVID-19 Tier 3 Mitigation and that enforcement activities have appeared to have subsided to some degree. There was also a concern that the Village was not providing as much information as they had been at the beginning of COVID.

The Village President stated that she has had conversations with restaurant and bar owners and that the Village Administrator has been in contact with the Kane County Health Department numerous times regarding masks, indoor dining, occupancy and social distancing. The issue remains that even if the Village were to enforce the no indoor dining or mask requirements that there would be no backing for any citations issued once the citations were brought to court. If this process were followed it would mean the Village would further expend limited revenue dollars with most likely no support from the State's Attorney's Office or the court.

The Village President directed the Village Administrator to survey the Village Board regarding their thoughts on masks and Tier 3 Mitigation efforts. The results can be discussed at the Committee of the Whole and the Board can decide whether or not any additional action should be taken.

The Village Administrator would like to point out that whenever new information is presented by the Illinois Department of Public Health, the Illinois Department of Commerce and Economic Opportunity, or the DeKalb and/or Kane County Health Departments, the information is placed on the Village's website on the home page or the COVID Alert tab. The information is also posted on the Village's Facebook page. Information regarding COVID related business assistance is usually e-mailed to the Main Streets bars and restaurants and as many businesses that it has information for, and it is also placed on the website and Facebook page.

On December 8, 2020, a Zoom Meeting with the Kane County Health Department (KCHD) and was provided the following information regarding enforcement was provided:

The KCHD has received numerous complaints and made hundreds of contacts with non-compliant businesses. As of Tuesday, December 8, 2020, there have been:

1. Ten (10) to eleven (11) Non-Conformance Certificates issues. This is Step 2 in the enforcement process.
2. Four (4) to five (5) Orders to Disperse activity. This is Step 3 in the enforcement process.

3. No misdemeanors tickets have been written. The Sheriff notes that there is still nothing that allows them to issue tickets, this limits the KCHD on their ability to pursue enforcement.
  4. There are numerous businesses that are on this non-compliance list numerous times.
  5. The Foxfire Restaurant lawsuit will be moving to the Illinois Supreme Court.
  6. The Health Department has met with the newly elected State's Attorney regarding the pursuit of enforcement; however, the new Attorney was just sworn in.
  7. Business Interruption Grants (BIG) require compliance with Executive Orders, etc.
- A. A consensus of the Village Board has been achieved on the following items:
1. That the Village wants businesses in town to survive this healthcare crisis.
  2. That additional education remainders regarding compliance should be provided to residents and businesses.
  3. If people are not wearing masks they are doing so at their own risk and endangering others.
  4. That residents be encouraged to assist Village businesses by ordering food and beverages and take advantage of delivery or pick up/curbside pick-up.
  5. That the Village encourage bars and restaurants to comply with Tier 3 Mitigation requirements out of concern for public safety and the safety of their employees.
- B. Here's the summary of mask ordinance responses:
1. Enforcement should come from the State or Federal level.
  2. That the Village should continue to issue educational reminders, including another video, see A.1.
  3. The Village has been doing a great job keeping everyone informed.
  4. Restaurant/bar Staff preparing food and drinks should be wearing masks and wearing hair nets as required.
- C. Here's the summary of the Tier 3 Mitigation enforcement responses:
1. Bars and restaurants should comply with Tier 3 out of regard for public and employee safety and business fairness.
  2. Businesses that are in compliance should not be punished for doing so.
  3. If a business chooses to ignore Tier 3, it shows their integrity. They must then take ownership of the penalties they receive; the Village should not intervene if the State were to revoke their liquor license. (The Village would have to immediately follow suit and revoke the Maple Park liquor license.)
  4. If businesses choose to ignore Tier 3, they should strictly enforce that their patrons wear masks and utilize hand sanitizer while they are not eating or drinking.
  5. If people choose to dine in a restaurant, they are responsible for their own actions.
  6. The Village should have an ordinance requiring people to wear masks, the Village should enforce the ordinance and be able to fine people for not wearing them.
  7. The Village should be enforcing no indoor dining. The Village should move forward with compliance and not worry if the court will overturn a citation.
  8. See if there is an existing section of the Municipal Code that can be enforced that will accomplish the same thing as Tier 3 Mitigation. (There are no sections of the code that would be applicable under these circumstances.)

## **RECOMMENDATION**

Based on the consensus of the Board, here are the recommendations to consider:

1. Continue to educate residents and businesses on how best to prevent the spread of COVID-19 by following Illinois Department of Public Health/Center for Disease Control guidelines.
2. That no local ordinance requiring masks to be worn be drafted.
3. That no local ordinance requiring Tier 3 compliance be drafted. If residents and businesses are concerned that an establishment (bar, restaurant or other business) is non-compliant with the Governor's Executive Order they should contact the KCDH at (630) 208-3801 and file a complaint with the name of the establishment and date and time they witnessed the violation.



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## MEMORANDUM

**TO:** Village President and Board of Trustees

**FROM:** Village Administrator Dawn Wucki-Rossbach 

**DATE:** November 20, 2020

**SUBJECT: STRATEGIC PLAN GOALS**

### **BACKGROUND**

In 2018, the Village completed its Strategic Plan. The Village has been working diligently to complete the goals it has set. Most recently, the Village completed the following goals:

Goal Type	Goal	Completed/Approval Date	To Be Completed/ On-Going
Short-Term Routine	Evaluate staffing plans and staffing needs for the Village	Staffing Plan approved September 1, 2020	NA
Short-Term Routine	Determine current and future needs for the Village Police equipment, training, and staffing	Staffing approved September 1, 2020	On-going – Equipment and training
Short-Term Routine	Create long-term financial plan for the Village including funding for prioritized infrastructure improvements and explore new income stream opportunities	Long-Term Financial Forecast and Analysis approved December 1, 2020	To be completed – New income stream opportunities; completed as Village develops economic and development priorities
Short-Term Complex	Proactively evaluate and develop a Five-Year CIP that focuses on short and long-term prioritized infrastructure	Capital Improvement Plan/Maintenance Plan (CIP/MP) – Eight-year plan approved December 1, 2020	NA
Short-Term Complex	Identify how Tax Increment Financing (TIF) Funds can be used to improve the Village	Tax Increment Finance District Policy and Project Priority List approved August 4, 2020	NA
Long-Term Routine	Implement a long-term financial plan to ensure that services and economic and community development priorities are accomplished.	Long-Term Financial Forecast and Analysis approved December 1, 2020. Plan ensures that daily operations are maintained.	To be completed – Development of economic and development priorities

Long-Term Complex	Implement a capital improvement plan developed in short-term goals that supports infrastructure, new and existing businesses, and residential needs	Capital Improvement Plan/Maintenance Plan (CIP/MP) – Eight-year plan approved December 1, 2020. Maintenance Plan includes short-term annual projects and equipment purchases that maintain current systems	NA
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Goals for Fiscal Year 2021 will be discussed as part of the Village Administrator performance evaluation and FY2021 Budget processes. The Village Administrator performance evaluation process is slated to begin the week of December 28, 2020.




# Sexual Harassment Training

2020 Annual Training

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# What is Sexual Harassment?

**Sexual Harassment means any unwelcome sexual advances, requests for sexual favors, or any conduct of a sexual nature when:**


- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

For purposes of this definition, "working environment" is not limited to a physical location an employee is assigned to perform his or her duties and does not require an employment relationship.



# What is Sexual Harassment?


- ***Quid pro quo*** means that a manager or supervisor may not tell a subordinate that for them to receive a promotion, raise, preferred assignment or other type of job benefit, or to avoid something negative like discipline or an unpleasant assignment, the subordinate must do something sexual in return.
- ***Hostile work environment*** means unwelcome sexual advances, requests for sexual favors, or any conduct of a sexual nature has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.



# What is Sexual Harassment?

## **EXAMPLES:**

- Actual or attempted rape or sexual assault
- Pressure for sexual favors
- Deliberate touching, leaning over, or cornering
- Sexual looks or gestures
- Letters, telephone calls, personal e-mails, texts, or other materials of a sexual nature
- Pressure for dates
- Sexual teasing, jokes, remarks, or questions,
- Referring to an adult as a “girl,” “hunk,” “doll,” “babe,” “honey,” or other similar term
- Whistling at someone




# What is Sexual Harassment?

## **CONT.**


- Turning work discussions to sexual topics
- Asking about sexual fantasies, preferences, or history
- Sexual comments, innuendos, or stories
- Sexual comments about a person's clothing, anatomy, or looks
- Kissing sounds, howling, and smacking lips
- Telling lies or spreading rumors about a person's personal sex life
- Neck and/or shoulder massage
- Touching an employee's clothing, hair, or body

**THIS LIST IS NOT EXHAUSTIVE**



## You Should Also Know That:

- **Gender and sexual orientation are irrelevant.** Both men and women can be victims of sexual harassment.
- **The victim can also be a third party.** Anyone affected by the offensive conduct can be a victim, like if someone overhears or witnesses the offensive conduct.
- **The behavior is unwelcome.** Sexual conduct becomes sexual harassment when the behavior is unwelcome.
- **Working environment** does not just mean the physical location the employee is assigned and includes off-site and mobile locations.
- **Non-employees** can also be victims or perpetrators of sexual harassment.



# Sexual Harassment Online

Sexual harassment can involve activities online or through electronic media even when off the clock or off site.

- E-mail
- Cell phone or text
- Internet posting or online comments
- Blog posts
- Social media (Facebook, Twitter, LinkedIn, Instagram, Snapchat)



## What Should You Do?

If you are a witness to sexual harassment or unwelcome conduct of a sexual nature:

- You should report it; or
- Tell the person to stop the unwelcome behavior.




# Reporting an Allegation

## Four Options:

- Report to a supervisor;
- State of Illinois Sexual Harassment & Discrimination Helpline;
- Illinois Department of Human Rights; or
- U.S. Equal Employment Opportunity Commission





## State of Illinois Sexual Harassment and Discrimination Helpline

- If you or someone you know has experienced or witnessed unwelcome conduct of a sexual nature in the workplace, you may call the Helpline for assistance. Calls are confidential and can be made anonymously.

Call: 1-877-236-7703

Or visit:

[www.Illinois.gov/sexualharassment](http://www.Illinois.gov/sexualharassment)

- Helpline representatives can help callers navigate their reporting options and share additional information related to counseling, legal assistance, and frequently asked questions.



# Illinois Department of Human Rights

- IDHR is a State agency that administers the Illinois Human Rights Act.
- The Act prohibits sexual harassment in employment.
- It is a civil rights violation “[f]or any employer, employee, agent of any employer, employment agency, or labor organization to engage in sexual harassment.” 775 ILCS 5/2-102(D).
- After an IDHR investigation, a written report is prepared with a recommendation on whether there is “substantial evidence” of a violation of the Act.



# Illinois Department of Human Rights

After IDHR issues its findings:

- A complainant may file a lawsuit in civil court; or
- If “substantial evidence” was found, the complainant may file a complaint with the Human Rights Commissioner.



# Illinois Department of Human Rights


- Complainants may file a charge at any time within 300 days of the incident.
- To start the process submit a Complainant Information Sheet to IDHR.



# Illinois Department of Human Rights


The IDHR website provides additional information about sexual harassment, filing a charge, the process for investigating, resolving an allegation, and other frequently asked questions.

- [www.Illinois.gov/dhr](http://www.Illinois.gov/dhr)
- Or call IDHR at 1-800-662-3942
- Additionally, there is a sexual harassment helpline available at 1-877-236-7703



# U.S. Equal Employment Opportunity Commission

- The EEOC is responsible for enforcing Title VII of the Civil Rights Act of 1964.
- The Act makes it illegal to engage in sexual harassment or retaliation.
- Complainants may file a charge at any time within 300 days of the incident.
- To start the process, call the EEOC or visit their website.



# U.S. Equal Employment Opportunity Commission

- To file a charge:

Call: 1-800-669-4000

Or visit: [www.eeoc.gov](http://www.eeoc.gov)



## Reporting to Your Supervisor

- Your supervisor will know the internal practices of your office and will be in a position to effect change and navigate your office's internal complaint process.
- You may choose to report internally instead of IDHR because you are seeking a swift resolution.





# Employer Responsibilities

- **Employers are responsible for sexual harassment in two ways:**
  - **Manager/Supervisor Harassment.**  
Employers are *strictly liable* for sexual harassment perpetrated by its members of management *regardless* of whether the employer knew of the harassment.
  - **Co-Worker & Nonemployee Harassment.**  
Employers are *liable* for sexual harassment perpetrated by an employee (co-worker) or nonemployees (vendors) *only if* the employer knew or reasonably should have known of the harassment and failed to take prompt corrective action.



# Employer Responsibilities

## Prevention:

1. Develop, implement and regularly communicate the employer's sexual harassment policy.
2. Provide training for managers and employees on sexual harassment prevention.
3. Ensure clear communication on how to report incidents of sexual harassment or conduct of a sexual nature.
4. Managers and supervisors should monitor their work environment to ensure the workplace is free of sexual harassment – supervisors should be aware of the conduct within their supervision.
5. Managers and supervisors must lead by example and model appropriate conduct – refrain from engaging in conduct of a sexual nature.
6. Managers and supervisors should conduct a sexual harassment climate check throughout the year - discuss the topic at a team or staff meeting, in-service day or as part of structured communication such as division/unit newsletters.



# Employer Responsibilities

## Investigation:

1. Immediately respond to a complaint of sexual harassment and initiate an inquiry or investigation.
2. Interview the complainant (victim) and take reasonable action to protect the victim from retaliation or experiencing further sexual harassment during the investigation.
3. Interview all relevant witnesses.
4. Interview the alleged perpetrator of the sexual harassment.
5. Document the investigation results and maintain the file as an employment record.
6. Take corrective action as appropriate.



# Employer Responsibilities

## Corrective Measures:

1. Take appropriate corrective disciplinary action up to and including termination of employment where organizational policy has been violated.
2. In situations where the conduct in question did not rise to the level of sexual harassment or a violation of policy, but is concerning or may be considered grooming behavior, consider counseling, training and closer supervision of the employee.
3. Take reasonable action within the organization to reduce the likelihood of future sexual harassment incidents by updating policies and communicating them to the workforce; providing supplemental or tailored sexual harassment training; or restructuring the working environment or reporting relationships.
4. Follow up with the complainant (victim) at regular intervals to ensure they and the workplace remains free from sexual harassment.



# Whistleblower Protection

Retaliation against individuals who report sexual harassment or who participate in investigations and other proceedings is strictly prohibited by the Human Rights Act and the Whistleblower Act.

Retaliatory action includes reprimand, discharge, suspension, demotion, denial of promotion or transfer, or change in conditions of employment that occurs in retaliation for an employee's involvement in these protected activities.