

**VILLAGE OF MAYWOOD
COOK COUNTY, ILLINOIS**

ORDINANCE NO. CO-2013-41

**AN ORDINANCE ESTABLISHING THE OFFICE OF
“INDEPENDENT INSPECTOR GENERAL OF THE VILLAGE OF MAYWOOD”
AND DESIGNATING THE COOK COUNTY SHERIFF’S OFFICE
TO HOLD THE OFFICE OF INSPECTOR GENERAL AND AMENDING
CHAPTER 30 (VILLAGE ADMINISTRATION), TITLE III (ADMINISTRATION)
OF THE VILLAGE CODE TO ADD A NEW SECTION ENTITLED
“SECTION 30.13 (INSPECTOR GENERAL)”**

**PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF MAYWOOD,
COOK COUNTY, ILLINOIS, THIS
16th DAY OF JULY, 2013.**

**Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of Maywood, Cook
County, Illinois, this 16th
day of July, 2013.**

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WHEREAS, the Village of Maywood is facing unprecedented financial and community challenges; and

WHEREAS, it is imperative that the residents of the Village trust and have confidence in the integrity of their elected and appointed officials, as well as the employees of the Village; and

WHEREAS, the President and Board of Trustees of the Village of Maywood have determined that in order to promote honest and effective government, it is appropriate that the Village establish an independent office to whom the people of this Village can turn to for assistance in eliminating both the fact of and the appearance of fraud, corruption, and unethical activities in Village government; and

WHEREAS, the Cook County Sheriff’s Office has offered to serve the Village, without charge, in the capacity of an independent Inspector General for the Village of Maywood; and

WHEREAS, the President and Board of Trustees have further determined that establishing an Office of Independent Inspector General and authorizing the Cook County Sheriff’s Office to hold that office will assist the corporate authorities in promoting honesty, transparency, ethical responsibility and fiscal responsibility in the Village government;

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, in the exercise of the Village's home rule authority as follows:

SECTION 1: Office of Independent Inspector General Created. There is hereby created the office of "Independent Inspector General" ("OIG") for the Village of Maywood.

SECTION 2: Designation of Cook County Sheriff. The Office of the Cook County Sheriff is hereby designated as the OIG. The OIG shall serve for an initial term of one (1) year, which shall commence on the adoption date of this Ordinance (July 16, 2013) and expire on July 15, 2014, and may be reappointed thereafter for additional one (1) year terms by a majority vote of the corporate authorities of the Village. The OIG shall serve without compensation.

SECTION 3: Purpose of Office. The purpose of the OIG is to detect, deter and prevent corruption, fraud, waste, mismanagement, unlawful political discrimination, unlawful activity and/or misconduct in the operation of Village government (collectively referred to elsewhere in this Ordinance as "Misconduct"). "Unlawful political discrimination" shall include, but not be limited to basing the terms and conditions of a non-exempt employee's employment such as hiring, firing, promotion, transfer, discipline or termination on political reasons and factors.

SECTION 4: Powers and Duties of OIG. The OIG shall have the following powers and authorities:

A. To receive and register complaints concerning Misconduct in the operation of Village government, including but not limited to:

- (i) Misconduct in connection with the Village's award of any contract, license, or benefit;

- (ii) Misconduct of any Village employee;
- (iii) Misconduct of any elected or appointed official of the Village in the performance of his or her official duties;
- (iv) Misconduct of contractors, vendors, and professional service providers who furnish goods and services to the Village; and
- (v) Misconduct of persons and businesses seeking to do business with the Village.
- (vi) Retaliation against any Village employee or elected or appointed officials of the Village based upon their cooperation with the OIG.

B. To investigate Misconduct in the operation of Village government, either in response to such complaints or on the OIG's own initiative. The OIG acknowledges that it has read and understands the applicable provisions in state law (e.g., the Uniform Peace Officers' Disciplinary Act, 50 ILCS 725/1 *et. seq.*), the Village's Police Department General Orders and Procedures and its collective bargaining agreements that govern conducting internal investigations for Village Police Department personnel and that failure to comply with the time periods and notice provisions regarding these internal investigations can result in Village management being barred from prosecuting a Police Department employee for Misconduct. It is agreed by the OIG and the Village that investigations of Police Department employees by the OIG are subject to the applicable internal investigation provisions of state law, the Village Police Department General Orders and Procedures and its collective bargaining agreements. In conducting its investigations of alleged Misconduct, the OIG agrees to cooperate with and assist the Village Manager and/or the Police Chief, as warranted and appropriate, including providing information, witness statements and other evidence, to allow the Village to pursue disciplinary

action against Village employees under applicable state law (e.g., Board of Fire and Police Commissioners Act, 65 ILCS 5/10-2.1 *et. seq.*), the Village's Personnel Policy Manual, the Department General Orders and Procedures and its collective bargaining agreements. The same provisions above will govern any OIG investigations of alleged Misconduct within other Village Departments, subject to the applicable state laws, the Village's Personnel Policy Manual, any Department General Orders and Procedures and the applicable collective bargaining agreements.

C. To refer complaints and information regarding possible Misconduct to the President and Board of Trustees, the Village Manager and other outside law enforcement agencies, including, but not limited to the United State's Attorney's Office, as warranted and as appropriate. The OIG's referral of complaints and information regarding possible Misconduct to the President and Board of Trustees and the Village Manager, as warranted and appropriate, shall be done in order to ensure that appropriate discipline may be imposed in accordance with applicable state law (e.g., Board of Fire and Police Commissioners Act, 65 ILCS 5/10-2.1 *et. seq.*), the Village's Personnel Policy Manual, any Department General Orders and Procedures and the Village collective bargaining agreements.

D. To obtain information from, and conduct interviews under oath with Village employees, agents, contractors and persons doing or seeking to do business with the Village for the purpose of investigating potential Misconduct.

E. To make recommendations for corrective action to the President and Board of Trustees and the Village Manager with respect to combating Misconduct.

F. To provide periodic reports to the President and Board of Trustees and the Village Manager as to the status of matters within the scope of OIG's authority, to the extent such reporting would not impair the integrity of ongoing investigations.

G. To maintain an OIG hotline number and email address in order to facilitate citizen and employee reports of Misconduct.

H. In the event of any grievance arbitration or hearing before the Village Board of Fire and Police Commission arising from disciplinary charges or actions taken by the Village against a Village employee based upon the results of an OIG investigation, OIG will fully cooperate with the Village in the prosecution of the disciplinary action or defense of the grievance arbitration.

SECTION 5. Duty to Cooperate.

A. It shall be the duty of all Village employees, elected and appointed officials, agents, independent contractors to the Village, licensees, and those doing or seeking to do business with the Village, to cooperate with OIG in the conduct of any investigation undertaken pursuant to OIG's authority.

B. Subject to federal and state constitutional protections, state law employment rights, the Village's Personnel Policy Manual and any applicable Village collective bargaining agreements, failure of any Village employee or appointed official to cooperate with OIG in regard to matters covered by this Ordinance shall be considered cause for disciplinary action, up to and including termination of employment or removal from office.

C. It shall be the duty of any party doing business with the Village to likewise cooperate with the OIG in regard to matters covered by this Ordinance. Refusal to so cooperate shall be considered cause for termination of a contract, license or similar benefit, or as grounds for the Village refusing to enter into a future contract, license or other benefit.

SECTION 6: Acknowledgement of Duty to Cooperate. All contracts for goods and services, and all future licenses or other benefits issued by the Village after the effective date of

this Ordinance, shall be subject to the requirement that the individual or entity receiving the contract, license, or benefit, agree to fully comply with requirements of this Ordinance relating to cooperation with the Inspector General's Office.

SECTION 7: The above provisions set forth in Section 1 through Section 6 of this Ordinance shall be codified and incorporated into the Maywood Village Code under a new section of the Village Code entitled "Section 30.13 (Inspector General)" which shall be part of Chapter 30 (Village Administration) of Title III (Administration).

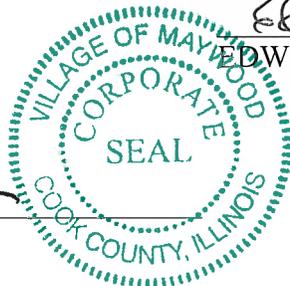
SECTION 8: Effective Date. This Ordinance shall be in full force and effect immediately upon its passage and approval as required by law.

PASSED AND APPROVED this 16th day of July, 2013.

ATTEST:



VIOLA MIMS, Clerk





EDWENNA PERKINS, President

Ayes: Mayor Perkins, Trustees(s) A. Jaycox, A. Dorris, M. Rogers and M. Lightford

Nays: None

Absent: Trustee R. Rivers

Abstain: None