

A G E N D A

SPECIAL MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK, COMMITTEE OF THE WHOLE, TO BE HELD ON MONDAY, OCTOBER 9, 2023, AT 5:30 P.M. AT THE COMMUNITY RESOURCE CENTER (CRC), 825 MIDWAY DRIVE, WILLOWBROOK, IL, DUPAGE COUNTY, ILLINOIS

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. VISITORS' BUSINESS - Public Comment is Limited to Three Minutes Per Person
5. ITEMS FOR DISCUSSION:
 - a. DISCUSSION - RESOLUTION TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE VILLAGE OF WILLOWBROOK AND THE ILLINOIS FRATERNAL ORDER OF POLICE (FOP) LABOR COUNCIL FOR A RETIREMENT HEALTH SAVINGS PLAN
 - b. DISCUSSION - ORDINANCE CHANGE REGARDING WATER RATE
 - c. DISCUSSION - CHANGES TO EXISTING HOTEL ORDINANCE
 - d. DISCUSSION - IMPLEMENTATION OF MONTHLY PERFORMANCE METRICS
 - e. DISCUSSION - PAID LEAVE AMENDMENT
6. ADJOURNMENT



COMMITTEE OF THE WHOLE

AGENDA ITEM NO: 5.a.	DATE: October 9, 2023
SUBJECT: DISCUSSION – RESOLUTION TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE VILLAGE OF WILLOWBROOK AND THE ILLINOIS FRATERNAL ORDER OF POLICE (FOP) LABOR COUNCIL FOR A RETIREMENT HEALTH SAVINGS PLAN	

STAFF REPORT

TO: Mayor Trilla and Board of Trustees
FROM: Lauren Kaspar, Chief of Police
THROUGH: Sean Halloran, Village Administrator

PURPOSE AND ACTION REQUESTED

Staff is seeking discussion of a resolution authorizing the Mayor and Village Clerk to execute a memorandum of understanding between the Village of Willowbrook and the Illinois Fraternal Order of Police (FOP) Labor Council establishing a Retirement Health Savings (RHS) plan.

BACKGROUND/SUMMARY

In October of 2022, the Village Board approved a collective bargaining agreement covering the wages, benefits, terms and conditions of employment of all sworn police officers employed by the Village of Willowbrook in the ranks of patrol officer or sergeant, which agreement has a term expiring April 30, 2026.

Section 18.16 of the Agreement provides that the Village will establish payroll deductions and/or transfers for a Retirement Health Savings Plan, upon designation by the Union, and said Section also provides that the Village shall not be required to contribute to the Plan nor be responsible for any costs associated with the Plan, except that the Village shall pay the enrollment or other fees necessary to establish such Plan, but not to maintain such Plan.

In July of 2023, the Union informed the Village that it has designated that the payroll deductions and transfers to the Plan shall be as set forth hereinafter in this Memorandum of Understanding.

The Village and the Union agree as follows:

- The Village shall establish a Retirement Health Savings Plan through the National Public Pension Fund Association (NPPFA).
- Commencing the first payroll following January 1, 2024, the Village shall deduct the following amounts from the base pay of employees within the bargaining unit:



- (a) employees with 0-2 years of service, 0% of base pay;
- (b) employees who have completed 2 years of service until completion of 8 years of service, 2% of base pay;
- (c) employees who have completed 8 years of service and thereafter, 3% of base pay.

Under the terms of the Retirement Health Savings Plan, all current employees of the bargaining unit, as of December 31st, 2023, shall have a one-time opportunity to opt-out of participating in the Retirement Health Savings Plan. Once that election is made, it may not be reversed or changed. Any employees of the bargaining unit who are hired on or after January 1st, 2024, shall be required to enroll in the Retirement Health Savings Plan.

FINANCIAL IMPACT

Per the Collective Bargaining Agreement, the Village shall not be required to contribute to the Plan nor be responsible for any costs associated with the Plan, except that the Village shall pay the enrollment or other fees necessary to establish such Plan, but not to maintain such Plan.

RECOMMENDED ACTION:

Approve the resolution.

**MEMORANDUM OF UNDERSTANDING
REGARDING THE ESTABLISHMENT OF A
RETIREMENT HEALTH SAVINGS PLAN**

THIS MEMORANDUM OF UNDERSTANDING is entered into by and between the VILLAGE OF WILLOWBROOK ("Village") and the ILLINOIS FRATERNAL ORDER OF POLICE LABOR COUNCIL ("Union") this _____ day of September, 2023.

WHEREAS, the Village and the Union are parties to a collective bargaining agreement covering the wages, benefits, terms and conditions of employment of all sworn police officers employed by the Village of Willowbrook in the ranks of patrol officer or sergeant, which agreement has a term expiring April 30, 2026 ("Agreement"); and

WHEREAS, Section 18.16 of said Agreement provides that the Village will establish payroll deductions and/or transfers for a Retirement Health Savings Plan ("Plan"), upon designation by the Union, and said Section also provides that the Village shall not be required to contribute to the Plan nor be responsible for any costs associated with the Plan, except that the Village shall pay the enrollment or other fees necessary to establish such Plan, but not to maintain such Plan; and

WHEREAS, the Union has informed the Village that it has designated that the payroll deductions and transfers to the Plan shall be as set forth hereinafter in this Memorandum of Understanding.

NOW, THEREFORE, the Village and the Union agree as follows:

Section 1. The Village shall establish a Retirement Health Savings Plan through the National Public Pension Fund Association (NPPFA).

Section 2. Commencing the first payroll following January 1, 2024, the Village shall deduct the following amounts from the base pay of employees within the bargaining unit:

- (a) employees with 0-2 years of service, 0% of base pay;
- (b) employees who have completed 2 years of service until completion of 8 years of service, 2% of base pay;
- (c) employees who have completed 8 years of service and thereafter, 3% of base pay.

Section 3. Under the terms of the Retirement Health Savings Plan, all current employees of the bargaining unit, as of December 31, 2023, shall have a one-time opportunity to

opt-out of participating in the Retirement Health Savings Plan. That election is an irrevocable election, it may not be reversed or changed. Any employees of the bargaining unit who are hired on or after January 1, 2024 shall be required to enroll in the Retirement Health Savings Plan.

IN WITNESS WHEREOF, the Village and the Union have executed this Memorandum of Understanding on the date first set forth hereinabove.

VILLAGE OF WILLOWBROOK

ILLINOIS FRATERNAL ORDER OF
POLICE LABOR COUNCIL

By: _____

By: Rev. S. Key 09-25-23

M. Vater

Mike Vater



Village of **WILLOWBROOK**

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**Village Administrator's
Office**

COMMITTEE OF THE WHOLE

AGENDA ITEM NO: 5.b.	DATE: October 9, 2023
SUBJECT: DISCUSSION – ORDINANCE CHANGE REGARDING WATER RATE	

STAFF REPORT

TO: Mayor Trilla and Board of Trustees
FROM: Sean Halloran, Village Administrator
THROUGH: Sean Halloran, Village Administrator

PURPOSE AND ACTION REQUESTED

Discussion regarding adding language in the water service ordinance to cover commercial customers that were not included in the original ordinance.

BACKGROUND/SUMMARY

At the May 10, 2021 Board of Trustees meeting, staff presented an agreement with Christopher Burke Engineering to perform a water rate study. Since that meeting, staff has worked with representatives from Christopher Burke Engineering to evaluate the Village's water rate, finances, future planning, existing infrastructure, and neighboring municipalities. The last water rate increase was January 1, 2015.

At that time, the Village did not have an established system for setting water rates or rate adjustments. Every couple of years, a water system needs an assessment to evaluate the age of the water mains, pipes, valves and other system components in an effort to determine the future capital needs of the system. The goal of this study was to evaluate funding for future capital improvement needs and operational expenses as compared to existing and proposed rate structures. The results of the analysis provided direction to the Board and staff for justification of any water rates increases moving forward.

At the June 27, 2022 meeting, the Board of Trustees provided direction to staff to research a blended rate model, which includes a fixed monthly fee and a volume charge. The Village Board also directed staff to think through a model that would pivot residential customers from a quarterly billing cycle to a monthly billing cycle.

At the August 22, 2022, Committee of the Whole meeting, the Village Board gave positive direction regarding staff's recommendation of a blended rate and to switch residents from a quarterly billing cycle to a monthly billing cycle effective January 1, 2023. At the January 9, 2023 Village Board meeting, the Village Board approved of the following rates for commercial users:



A. COMMERCIAL CUSTOMERS:

	Billing Rate		Billing Frequency
	<u>MINIMUM BILLS*</u> <u>(UNDER 32,000</u> <u>GALLONS)</u>	<u>Volume Charge per 1,000</u> <u>gallons over 32,000 gallons</u>	
Commercial – $\frac{5}{8}$ and $\frac{3}{4}$	\$144.87	\$11.00	Monthly
Commercial – 1	\$174.58	\$11.25	Monthly
Commercial – 1 $\frac{1}{2}$	\$269.71	\$11.50	Monthly
Commercial – 2	\$332.16	\$11.75	Monthly
Commercial – 3	\$408.98	\$12.00	Monthly
Commercial – 4	\$644.34	\$12.25	Monthly

*For Commercial billing, if the user uses more than 32,000 gallons, they will **not** be charged the minimum. The user will only be charged the charge per 1,000 gallons.

Recently, staff was made aware of a six-inch water service and six-inch fire suppression meter that was recommended and approved by the Tri-State Fire District for the old Kerry Piper site, which will be opening as Maxim Cigar Lounge. At this time, staff is unable to charge for this size since it wasn't included in the original ordinance. Staff is recommending the following change:

Current

Commercial – 4	\$644.34	\$12.25	Monthly
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Proposed

Commercial – 4 and up	\$644.34	\$12.25	Monthly
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FINANCIAL IMPACT

There is no financial impact regarding this discussion item.

RECOMMENDED ACTION:

Staff are seeking feedback with regard to this change in the ordinance.



Village of **WILLOWBROOK**

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**Village Administrator's
Office**

COMMITTEE OF THE WHOLE

AGENDA ITEM NO: 5.c.	DATE: October 9, 2023
SUBJECT: DISCUSSION – CHANGES TO EXISTING HOTEL ORDINANCE	

STAFF REPORT

TO: Mayor Trilla and Board of Trustees
FROM: Sean Halloran, Village Administrator
THROUGH: Sean Halloran, Village Administrator

PURPOSE AND ACTION REQUESTED

Discussion about removing the thirty (30) day limit to the hotel tax ordinance.

BACKGROUND/SUMMARY

In 2020 and 2021, the Board approved a complete overhaul of the hotel ordinance. The most recently approved changes that occurred in 2021 were based on new available regulations to help deter crime at hotels. After consultation with other communities and the Village Attorney, staff recommended an ordinance that outlines several steps for a Hotel or Motel to take in order to be in compliance with the Village code. This new regulation also came from other municipalities that have faced similar situations regarding their Hotels and Motels.

The proposed ordinance includes the following provisions.

- Parking lot illumination and security requirements
- Video surveillance system requirements in common areas
- Restricted access or monitoring of public points of entry between 9 pm and 6 am
- Limiting the length of stay to 28 days, with exceptions made for corporate contracts and emergency situations
- Limiting room occupancy and congregation of occupants (exceptions for hospitality suites and other special circumstances)
- Curfew enforcement of juveniles in common areas

Since these latest updates, staff, through Community Development and the Police departments, has implemented annual inspections, enforced routine code check-ins, and has seen compliance increase overall. While one of the most important aspects of the last update included a maximum stay length of 28 days, there was a perceived loophole regarding payment of local hotel taxes that extended past 30 days.



The existing language in the ordinance is below:

PERMANENT RESIDENT: Any person who occupied or has the right to occupy any room or rooms in a hotel for at least thirty (30) consecutive days.

11-3-1: TAX REQUIRED; AMOUNT:

There is hereby levied and imposed upon the use and privilege of engaging in the business of leasing, renting, making, facilitating or servicing the leasing or renting of a hotel or motel room in the Village of Willowbrook, a tax of six percent (6%) on the gross rental receipts (not including taxes or other nonroom rental charges added to the hotel or motel bill) for each such hotel or motel room rented for every twenty four (24) hour period, or any fraction thereof, excluding, however, from the gross rental receipts, the proceeds of such renting or leasing or letting to permanent residents of that hotel or motel. (Ord. 16-O-34, 7-25-2016; amd. Ord. 19-O-25, 9-23-2019)

Staff is recommending the following changes:

PERMANENT RESIDENT: ~~Any person who occupied or has the right to occupy any room or rooms in a hotel for at least thirty (30) consecutive days.~~

11-3-1: TAX REQUIRED; AMOUNT:

There is hereby levied and imposed upon the use and privilege of engaging in the business of leasing, renting, making, facilitating or servicing the leasing or renting of a hotel or motel room in the Village of Willowbrook, a tax of six percent (6%) on the gross rental receipts (not including taxes or other nonroom rental charges added to the hotel or motel bill) for each such hotel or motel room rented for every twenty four (24) hour period, or any fraction thereof, ~~excluding, however, from the gross rental receipts, the proceeds of such renting or leasing or letting to permanent residents of that hotel or motel.~~ (Ord. 16-O-34, 7-25-2016; amd. Ord. 19-O-25, 9-23-2019)"

By removing the language, hotels that are found violating the 28-day stay ordinance and having visitors stay longer than 30 days will be required to pay taxes back to the Village.

FINANCIAL IMPACT

There is no financial impact regarding this ordinance.

RECOMMENDED ACTION:

Staff is seeking feedback with regard to this change in the ordinance.



Village of **WILLOWBROOK**

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Village Administrator's Office

COMMITTEE OF THE WHOLE

AGENDA ITEM NO: 5.d.	DATE: October 9, 2023
SUBJECT: DISCUSSION – IMPLEMENTATION OF MONTHLY PERFORMANCE METRICS	

STAFF REPORT

TO: Mayor Trilla and Board of Trustees
FROM: Sean Halloran, Village Administrator
THROUGH: Sean Halloran, Village Administrator

PURPOSE AND ACTION REQUESTED

Discussion about the implementation of monthly performance metrics.

BACKGROUND/SUMMARY

In the 2023-2024 set of strategic initiatives, staff was tasked with creating and implementing performance metrics for each department. After months of research and discussion with department heads and their employees, staff is seeking feedback on the performance metrics below:

Department	Metric	Measurement	Target
Community Development	Same Day Reviews	Review fences, pavement, windows, roofs, HVAC, prefab shed permits in 24 hours or less	90%
Community Development	Small Residential Review	Review small residential reviews in four days or less 90% of the time	90%
Community Development	Large Commercial/New SFR Plan Review	Review large commercial/new SFR plan review in ten days or less 90% of the time	90%
Community Development	Building Inspection Wait Time	90% of inspections can be scheduled/Performed within 2 business days	90%
Community Development	Citations	Comparison to the previous year	N/A
Parks and Recreation	Programs	Programs offered vs programs run: This performance metric nationally and locally has a 50% run rate as a standard for agencies to achieve. Meaning that 1 in 2 programs will be canceled. A run rate of 60% would be a great run rate and exceed local and national metrics	60%
Parks and Recreation	Registration Quantity	Exceed 1,500 registrations for the year	1,500
Parks and Recreation	Revenue Generation	One-half of operating expenditures in revenue, which would be a goal of \$236,901.50	\$236,901
Parks and Recreation	Resident Participation Rate	Increase resident participation rate by 20% for all senior programming	20%



Department	Metric	Measurement	Target
Police	Service Calls	Comparison to the previous two years	N/A
Police	Overtime Expenditure Comparison	Comparison to the previous two years	N/A
Police	Traffic Stops	Comparison to the previous two years	N/A
Police	Service Calls by Priority	Comparison to the previous two years	N/A
Public Works	Overall Resolution Rate	The Village's goal is to have 95% of all year-to-date work orders in progress or complete.	95%
Public Works	Work Order Response Time	Ensure the Village starts 95% of work orders within 2 business days.	95%
Public Works	Customized Resolution Rates	Ensure the Village meets the customized goals based on the top 10 highlighted requests	Varies
Public Works	Water Main Breaks	Comparison to the previous two years	N/A
Public Works	Snow and Ice Control Activity (i.e., number of inches, salt used per operation, salt available, etc.)	Comparison to the previous two years	N/A
Village Administrator's Office	Response Rate	The Village's goal is to have a response to 95% of all work orders or inquiries within 24 hours	95%
Village Administrator's Office	Financial Stewardship	Maintain Village expenditures under budget	N/A

FINANCIAL IMPACT

There is no financial impact regarding this discussion item.

RECOMMENDED ACTION:

Staff are seeking feedback with regard to implementing departmental performance metrics.



Village of **WILLOWBROOK**

**Village Administrator's
Office**

COMMITTEE OF THE WHOLE

AGENDA ITEM NO: 5.e. SUBJECT: DISCUSSION – PAID LEAVE AMENDMENT	DATE: October 9, 2023
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STAFF REPORT

TO: Mayor Trilla and Board of Trustees
FROM: Sean Halloran, Village Administrator
THROUGH: Sean Halloran, Village Administrator

PURPOSE AND ACTION REQUESTED

Discussion about the paid leave amendment and its impact on the Village.

BACKGROUND/SUMMARY

On March 13, 2023, Illinois Governor J. B. Pritzker signed the Paid Leave for All Workers Act (“Act”). The Act is the first statewide paid leave law in Illinois; it mandates paid leave “for any reason” for employees. The new Act, including the leave accrual requirements, will take effect on January 1, 2024. The Act applies to Illinois employers of any size, including most state and local government employers.

The law does not apply to employees covered by a collective bargaining agreement who work in the construction industry or for a national and international parcel, document, and freight transportation service (including delivery and pickup). In all other cases, the law will not affect bona fide CBAs in effect on Jan. 1, 2024 (July 1, 2024 for state agencies), but CBAs after that date will have to explicitly waive the law’s requirements in clear and unambiguous terms.

Paid leave under the Act may be taken by an employee for any reason of the employee’s choosing, or for no reason at all, and must be provided by the employer upon the employee’s request, which request may be provided to the employer without advance notice, if the leave is not foreseeable as determined by the employee. The Act excludes certain governmental employers from the mandates of the Act, including school districts and park districts, but fails to exclude municipalities from the mandates of the Act. The workforce of the Village provides essential and continuing governmental services, including police and public works services, the operations of which could be severely disrupted by the application of the above-referenced impromptu leave mandated under the Act.

Home-rule municipalities have the ability, through the use of home rule powers, to exclude themselves, as a municipal employer, from coverage under the Act. By taking this approach, Village employees will not be given the additional 40 hours of paid leave through the Act. However, the benefits provided to full-time employees of the Village exceed the benefits afforded under the Act. Union employees receive paid leave benefits under the applicable collective bargaining agreement, and non-union employees receive paid leave benefits recently approved by the Board in 2022 through the update to the Employee Handbook. If the Board took action to exclude the Village from coverage under the Act, there would be no change to existing benefits afforded to employees of the Village.



Staff recommends the Board take the following actions prior to January 1, 2024:

- The Village Board will approve an ordinance that will preempt itself as a municipality from the state's Paid Leave Act.
- The Village Board will approve the Employee Handbook as an ordinance.

FINANCIAL IMPACT

There is no financial impact regarding this discussion item.

RECOMMENDED ACTION:

Staff is seeking feedback with regard to the effects of the Illinois Paid Leave Amendment.