

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

1. CALL TO ORDER

The meeting was called to order at 5:30 p.m. by Trustee Michael Mistele.

2. ROLL CALL

Those physically present at roll call were Village Clerk Deborah Hahn, Trustees Mark Astrella, Sue Berglund, Umberto Davi, Michael Mistele, Gayle Neal, Gregory Ruffolo, Village Attorney Michael Durkin, Village Administrator Sean Halloran, Assistant to the Village Administrator Alex Arteaga, Director of Community Development Michael Krol, Director of Parks and Recreation Dustin Kleefisch, Chief Lauren Kaspar, Deputy Chief Benjamin Kadolph, and Public Works Foreman AJ Passero.

Absent: Mayor Frank Trilla and Deputy Clerk Christine Mardegan.

A QUORUM WAS DECLARED

MOTION TO APPROVE - A MOTION TO APPOINT TRUSTEE MICHAEL MISTELE AS TEMPORARY CHAIRMAN IN THE MAYOR'S ABSENCE

Trustee Neal advised that a motion was necessary to appoint Trustee Michael Mistele as Temporary Chairman in the Mayor's absence at tonight's meeting.

MOTION: Made by Trustee Neal and seconded by Trustee Davi to appoint Trustee Mistele as Temporary Chairman.

ROLL CALL VOTE: AYES: Trustees Astrella, Berglund, Davi, Mistele, Neal, and Ruffolo. NAYS: None. ABSENT: None.

MOTION DECLARED CARRIED

3. PLEDGE OF ALLEGIANCE

Trustee Mistele asked Mr. Arteaga to lead everyone in saying the pledge of allegiance.

4. VISITORS' BUSINESS

None present.

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

Chief Kaspar explained that per the terms of the current collective bargaining agreement with the sworn officers and sergeants, passed in October of 2022 and valid through April 30, 2026, there is a requirement

to establish payroll deductions for a Retirement Health Savings Plan upon designation by the union.

In July 2023, the union advised the Village that it has designated a plan through the National Public Pension Fund Association (NPPFA), and that the terms are to be set forth in a memorandum of understanding establishing the plan and outlining the contributions. The Village will not be required to contribute to the Plan, nor be responsible for any costs associated with the plan, save the initial startup and enrollment fee to establish the plan.

Trustee Davi asked what the startup fees would be. Although Chief Kaspar could not recall the exact amount, she indicated the costs would be minuscule.

A question was raised regarding the handling of contributed funds. Chief Kaspar responded that any handling of the funds and/or investments would be determined by the investment company.

An additional question was raised as to the attitude of the rank and file. Chief Kaspar believes that there is satisfaction with the plan selected and that the union members are glad that the program will be up and running.

Administrator Halloran advised the Board that he would be asking to table the passage of the MOU at the regular meeting pending the Mayor's return. He believes that the Mayor has some input that he'd like to make regarding the program. Although there is a consensus among the Board to proceed with the MOU, it will be tabled until the next meeting.

#### **b. DISCUSSION – ORDINANCE CHANGE REGARDING WATER RATE**

Administrator Halloran advised that staff was recently made aware that the Tri-State Fire District has recommended and approved a six-inch water service and six-inch fire suppression meter be installed at the old Kerry Piper site, currently undergoing renovation to be opening as Maxim Cigar Lounge.

This is the only service of this size at any business in Willowbrook and was not accounted for in the water service ordinance. Staff is recommending that the "Commercial - 4-inch" service be updated to "Commercial - 4-inch and up" and maintain the same rate as the existing 4" service. No additional volume is expected out of this service.

Trustee Neal asked if the water service had started. Foreman Passero indicated that the infrastructure was in place but that the service had not yet started. Director Krol added that the renovation was ongoing and that the new owners had recently renewed their permits to extend the renovation period due to the lack of contractor availability, materials, and supplies. Interior demolition has just begun, and things are moving along.

c. DISCUSSION – CHANGES TO EXISTING HOTEL ORDINANCE

Administrator Halloran indicated that several changes had been made in recent years to the hotel ordinance and that the Board has been proactive and updating the ordinance. Significant changes were made in 2021 and 2022 enabling staff to better enforce the applicable codes.

One of the major changes made was to limit the maximum stay at Willowbrook hotels to 28 days. In a conflicting section of the ordinance, the code specifies that if you stay beyond 28 days, you become a permanent resident and therefore not subject to tax.

Although stays beyond 28 days are not allowed, staff recommends removing the reference to permanent residency in the ordinance. In this way, if the ordinance is violated with a longer stay, not only would the hotel be subject to code enforcement fines, but also any revenue generated from the stay would be subject to the hotel occupancy tax.

Trustee Neal wanted to clarify that if an exception to stay length was made for corporate contracts that it would be subject to verification. Administrator Halloran indicated it would and that procedures were already in place.

d. DISCUSSION – IMPLEMENTATION OF MONTHLY PERFORMANCE METRICS

One of the strategic initiatives for 2023-2024 is to create and implement performance metrics for each Village department. Administrator Halloran indicated that staff has worked hard to create a workable plan. At this time, staff is seeking Board feedback on the suggested metrics outlined.

The suggested items are also subject to review and change depending on how well they work, and any other items which may be brought to light as they are implemented.

Administrator Halloran reviewed the currently suggested metrics and requested the Board's feedback.

Based on a question from Trustee Davi, Director Kleefisch clarified the Parks and Recreation department's goal of recouping half of operating expenditures from revenue generated from the Park programs.

Trustee Mistele felt that the metrics were better served as a management tool and that the Board did not need to intervene or interfere with the designated metrics. Administrator Halloran noted that, in the spirit of transparency, he wanted to make the Board aware of the changes being made.

e. DISCUSSION – PAID LEAVE AMENDMENT

Administrator Halloran indicated that this item will be brought up again as it was something that the Mayor wanted to bring to the Board's attention and discuss.

Administrator Halloran reviewed the background and history of the Illinois Paid Leave for All Works Act ("Act"), the effective date, application,

and exceptions. He also noted that, as a Home Rule community, the Village has the ability to exclude itself, as a municipal employer, from the Act. What is being asked of the Board is, within the next month or so, to approve an ordinance that will preempt the Village from the Act, and to approve the existing Employee Handbook, approved in March 2022, as an ordinance. These actions would not make any change to any existing employee benefits, union or non-union.

Attorney Durkin added that this is currently a hot topic around the state. The law itself is ambiguous about who it will affect and who it is designed to affect. The perceived reason for the new Act would be to require employers who do not currently offer any paid leave to employees to do so. One of the drawbacks of the Act is that advance notice to employers is not required. The Village's objections to the Act include the fact that employees taking time off without notice would seriously understaff and disrupt the functions of government, particularly in the case of a police force. Additionally, the Village already offers paid leave to all its employees. Although Park Districts and School Districts are exempt, other government bodies are questioning why they are not also an exception. There is a possibility that further clarifications will be made during the next congressional session in November.

It is the staff's recommendation, with the attorney's agreement, to pass the ordinance between now and January 1, 2024, when the Act takes effect.

#### 6. ADJOURNMENT

MOTION: Made by Trustee Ruffolo and seconded by Trustee Neal to adjourn the Special Meeting at the hour of 6:02 p.m.

ROLL CALL VOTE: AYES: Trustees Astrella, Berglund, Davi, Mistele, Neal, and Ruffolo. NAYS: None. ABSENT: None.

MOTION DECLARED CARRIED

PRESENTED, READ, and APPROVED.

\_\_\_\_\_, 2023.

\_\_\_\_\_  
Frank A. Trilla, Mayor