

## A G E N D A

REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON MONDAY, OCTOBER 23, 2023 FOLLOWING THE COMMITTEE OF THE WHOLE MEETING, OR AT 6:30 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. OATH OF OFFICE
  - i. Deputy Chief of Police Gerard Wodka
5. VISITORS' BUSINESS - Public Comment is Limited to Three Minutes Per Person
6. OMNIBUS VOTE AGENDA:
  - a. Waive Reading of Minutes (Approve)
  - b. Minutes - Board of Trustees Committee of the Whole Meeting October 9, 2023 (APPROVE)
  - c. Minutes - Board of Trustees Regular Meeting October 9, 2023 (APPROVE)
  - d. Warrants \$989,208.98
  - e. RESOLUTION NO. \_\_\_\_\_ - A RESOLUTION OF THE VILLAGE OF WILLOWBROOK AUTHORIZING AND APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE ILLINOIS FRATERNAL ORDER OF POLICE LABOR COUNCIL (ADOPT)
  - f. ORDINANCE NO. \_\_\_\_\_ - AN ORDINANCE OF THE VILLAGE OF WILLOWBROOK AMENDING SECTION 11-3-1 ENTITLED "TAX REQUIRED; AMOUNT", AND 11-3-3 ENTITLED "DEFINITIONS", OF CHAPTER 3 ENTITLED "MUNICIPAL HOTEL TAX", OF TITLE 11 ENTITLED "TAXES", OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF WILLOWBROOK, ILLINOIS (PASS)
  - g. ORDINANCE NO. \_\_\_\_\_ - AN ORDINANCE AMENDING TITLE 6, CHAPTER 6, SECTION 6-6-3 (A)(3) AND SECTION 6-6-3 (B)(1) OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF WILLOWBROOK (PASS)

NEW BUSINESS

NONE

PRIOR BUSINESS

7. TRUSTEE REPORTS
8. ATTORNEY'S REPORT
9. CLERK'S REPORT
10. ADMINISTRATOR'S REPORT
11. MAYOR'S REPORT
12. EXECUTIVE SESSION
13. ADJOURNMENT

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

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON MONDAY, OCTOBER 9, 2023, AT 6:30 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 6:30 P.M. Trustee Mistele.

2. ROLL CALL

Those physically present at roll call were, Village Clerk Deborah Hahn, Village Trustees Mark Astrella, Sue Berglund, Umberto Davi, Michael Mistele, Gayle Neal, Greg Ruffolo, Attorney Michael Durkin, Village Administrator Sean Halloran, Assistant to the Village Administrator Alex Arteaga, Director of Community Development Michael Krol, Chief Financial Officer Lora Flori, 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

Temporary Chairman Mistele asked Chief Kaspar to lead everyone in saying the Pledge of Allegiance.

4. VISITORS' BUSINESS

None presented and no written comments were received.

5. OMNIBUS VOTE AGENDA:

Temporary Chairman Mistele read over each item in the Omnibus Vote Agenda for the record.

- a. Waive Reading of Minutes (Approve)
- b. Minutes - Board of Trustees Committee of the Whole Meeting September 25, 2023 (APPROVE)
- c. Minutes - Board of Trustees Regular Meeting September 25, 2023

(APPROVE)

- d. Warrants \$599,123.47
- e. ORDINANCE NO. 23-O-18 - AN ORDINANCE AMENDING SECTION 1-5-2 ENTITLED "MEETINGS OF BOARD" OF CHAPTER 5 ENTITLED "BOARD OF TRUSTEES" OF TITLE 1 ENTITLED "ADMINISTRATIVE" OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS. (PASS)
- f. RESOLUTION NO. 23-R-59 - A RESOLUTION OF THE VILLAGE OF WILLOWBROOK AMENDING AND ESTABLISHING PERMIT FEES, DEPOSITS AND OTHER CHARGES APPLICABLE TO THE RESERVATION OF PARKS OR PORTIONS THEREOF IN THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS (ADOPT)
- g. RESOLUTION NO. 23-R-60 - A RESOLUTION OF THE VILLAGE OF WILLOWBROOK AUTHORIZING AND APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE ILLINOIS FRATERNAL ORDER OF POLICE LABOR COUNCIL (ADOPT)
- h. RESOLUTION NO. 23-R-61 - A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT BY AND BETWEEN TWIG TECHNOLOGIES, LLC AND THE VILLAGE OF WILLOWBROOK (ADOPT)
- i. RESOLUTION NO. 23-R-62 - A RESOLUTION CREATING SET HOURS FOR HALLOWEEN 2023 TRICK-OR-TREATING IN THE VILLAGE OF WILLOWBROOK (ADOPT)
- j. PROCLAMATION - ARTS DUPAGE MONTH PROCLAMATION (RECEIVE)

Temporary Chairman Mistele asked the Board if there were any items to be removed from the Omnibus Vote Agenda.

Administrator Halloran asked Temporary Chairman Mistele asked if we could remove item #5g from the Omnibus Agenda due to the Mayors absence.

MOTION: Made by Trustee Davi and seconded by Trustee Astrella to approve the Omnibus Vote Agenda with the exception on item #5g.

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

MOTION DECLARED CARRIED

NEW BUSINESS

- 6. ORDINANCE NO. 23-O-19 - VILLAGE OF WILLOWBROOK DECLARING AND AUTHORIZING THE SALE, DISPOSAL OR TRADE-IN OF SURPLUS PERSONAL PROPERTY OWNED BY THE VILLAGE OF WILLOWBROOK (PASS)

Chief Kaspar reported, in June of 2022, the Village Board approved the purchase of two new Dodge Durango squad vehicles to replace two current squad vehicles which were at the end of their life cycle. These two vehicles were slated to be replaced in 2021, however due to supply

issues staff were unable to secure replacements until June of 2023. Having received the new vehicles, the staff is looking to surplus two patrol vehicles, #52 and #53, which have over 80,000.00 miles on them.

The funds from the vehicles will be deposited into the general fund.

MOTION: Made by Trustee Ruffolo and seconded by Trustee Berglund to pass Ordinance No. 23-0-19 as presented.

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

MOTION DECLARED CARRIED

7. ORDINANCE NO. 23-0-20 - AN ORDINANCE GRANTING CERTAIN VARIATIONS FROM TITLE 9 OF THE VILLAGE OF WILLOWBROOK UNIFIED DEVELOPMENT ORDINANCE PC 2305-310 59<sup>th</sup> STREET (PASS)

Director Krol shared that the owners of the subject property at 310 59<sup>th</sup> Street would like to reduce the front yard setback in R-2 district from 40-feet to the existing house location, 26-feet and to reduce the exterior side yard setback in the R-2 district from 40-feet to 31-feet.

The property owners contacted Village staff regarding adding a second floor and new attached garage. Section 9-10-04(B) of the Unified Development Ordinance (UDO) states that a nonconforming residential building or structure which is nonconforming only as to bulk regulations (setbacks), may be added to or enlarged, provided such additions or enlargements conform to all regulations of the district in which it is located.

This property was originally developed in 1978 under unincorporated DuPage County Zoning and Subdivision codes and was annexed into the Village of Willowbrook in 1987 as part of a fourteen-lot annexation.

Community Development Department staff have no objection to the proposed zoning variations to the front and exterior side yard setback requires because the lot and dwelling were legally established prior to annexation to the Village of Willowbrook. A public hearing was held on Wednesday, October 4, 2023, before the Plan Commission, which voted unanimously 4 to 0 in favor of recommending approval of the proposed variations as proposed.

Trustee Mistele asked if, based on the drawings, a new curb cut for the driveway would be required. Director Krol indicated that although the curb cut would be in a different location, there is no indication that the homeowner intends to extend beyond the allowable 33 feet. This will be confirmed during the permitting and inspection process.

MOTION: Made by Trustee Davi and seconded by Trustee Berglund to pass Ordinance No. 23-0-20 as presented.

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

MOTION DECLARED CARRIED

8. ORGANIZED RETAIL CRIME SURVEILLANCE CAMERAS LICENSING AGREEMENTS

Deputy Chief Kadolph indicated that three separate licensing agreements, for the Town Center, for Binny's Beverage Depot and for Regency Centers, the Hinsdale Lake Commons plaza, were being presented.

In March of 2023, the Village of Willowbrook was approved for a grant awarded by the State of Illinois Attorney General's Office to help with its Organized Retail Crime program. As part of the grant award, the Village received funds to purchase a Mobile Pro Camera system. Staff worked on partnering with local retail areas to include Willowbrook Town Center, Binny's, and Hinsdale Lake Commons. Working with the camera vendor, placement locations were identified.

The Village Board approved the purchase of these camera systems at their meeting on June 26, 2023. Staff worked with the Village Attorney and the private property owners on language for licensing agreements to place Village camera systems on their property. Staff is seeking approval of the three agreements. Once the resolutions are adopted, staff will work with an electrical contractor and the camera vendor for the installation of these cameras.

Deputy Chief Kadolph also noted that the department has additional cameras and will be working with local vendors for additional installations and will present the information at a later date.

Trustee Neal congratulated and thanked the Police department for getting the cameras into the shopping centers.

a. RESOLUTION NO. 23-R-63 - A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION AND ACCEPTANCE OF A NON-EXCLUSIVE LICENSE AGREEMENT WITH WILLOWBROOK TOWN CENTER, LLC (ADOPT)

MOTION: Made by Trustee Neal and seconded by Trustee Astrella to adopt Resolution No. 23-R-63 as presented.

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

MOTION DECLARED CARRIED

b. RESOLUTION NO. 23-R-64 - A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION AND ACCEPTANCE OF A NON-EXCLUSIVE LICENSE AGREEMENT WITH GOLD STANDARD ENTERPRISES, INC. D/B/A BINNY'S BEVERAGE DEPOT (ADOPT)

MOTION: Made by Trustee Ruffolo and seconded by Trustee Berglund to adopt Resolution No. 23-R-64 as presented.

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

MOTION DECLARED CARRIED

c. RESOLUTION NO. 23-R-65 - A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION AND ACCEPTANCE OF A NON-EXCLUSIVE LICENSE AGREEMENT WITH REGENCY CENTERS, L.P. (ADOPT)

MOTION: Made by Trustee Neal and seconded by Trustee Davi to adopt Resolution No. 23-R-65 as presented.

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

MOTION DECLARED CARRIED

9. RESOLUTION NO. 23-R-66 - A RESOLUTION TO APPROVE AND AUTHORIZE THE EXECUTION OF A CONTRACT FOR ON-CALL PROFESSIONAL DESIGN AND RELATED SERVICES FOR THE VILLAGE PARKS AND RECREATION DEPARTMENT BY AND BETWEEN UPLAND DESIGN, LTD. AND THE VILLAGE OF WILLOWBROOK (ADOPT)

Director Kleefisch reported that after interviewing a variety of firms to assist us with our On Call Professional Services. With the number of upcoming park projects over the next few years, the goal was to locate a firm to assist the Village quickly and efficiently with concept renderings to present to the residents to move forward with the timelines for these projects.

By taking this approach, the Village will be able to take advantage of bidding projects out earlier and potential cost-savings over the long term. An On-Call Professional Services Request for Qualification ("RFQ") was released by Village staff on August 16<sup>th</sup> with bids due on September 15<sup>th</sup>. Staff received 6 bids from Gewalt Hamilton, Hitchcock Design Group, Kimley-Horn, RN Chin, Senga Architects, and Upland Design.

Ultimately, Upland Design Ltd was selected by staff as the firm for the On-Call Professional services because of its impressive and comprehensive portfolio of work over the past 25 years, in addition to their 94% success rate in obtaining OSLAD (Open Space Lands Acquisition and Development) grants. Within the parks and recreation field, Upland Design has a sterling reputation and is known as a leader in project management and landscape architecture.

MOTION: Made by Trustee Ruffolo and seconded by Trustee Astrella to adopt Resolution No. 23-R-66 as presented.

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

MOTION DECLARED CARRIED

10. RESOLUTION NO. 23-R-67 - A RESOLUTION OF THE VILLAGE OF WILLOWBROOK APPROVING AND AUTHORIZING THE EXECUTION OF A CONTRACT WITH CHICAGOLAND PAVING CONTRACTORS, INC. FOR ASPHALT PATCHING SERVICES WITH THE VILLAGE OF WILLOWBROOK (ADOPT)

Foreman Passero reported that this is a cost saving contract from Chicagoland Paving for paving and asphalt patching. An RFP was released, and two bids were opened on September 20<sup>th</sup>, from Chicagoland Paving and McGill Construction. Currently the Village pays \$65.00 per square yard for a typical 2" patch, and Chicagoland Paving, as the lowest responsible bidder, quoted a cost of \$45.00 per square yard, a cost savings of \$20.00 per square yard of patching. Staff is seeking approval to enter into this contract.

MOTION: Made by Trustee Davi and seconded by Trustee Astrella to adopt Resolution No. 23-R-67 as presented.

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

MOTION DECLARED CARRIED

PRIOR BUSINESS

11. TRUSTEE REPORTS

Trustee Neal had no report.

Trustee Ruffolo had no report.

Trustee Mistele had no report.

Trustee Berglund had no report.

Trustee Davi was proud to report that his middle son had now become a new resident of Willowbrook.

Trustee Astrella had no report.

12. ATTORNEY'S REPORT

Attorney Durkin reminded the Board that there is an executive session this evening.

13. CLERK'S REPORT

Clerk Hahn had no report.

14. ADMINISTRATOR'S REPORT

Administrator Halloran advised the Board that the upcoming Pumpkin Flotilla has been pushed back to October 20<sup>th</sup> due to the inclement weather forecast.

There will be three open houses for the upcoming park renovations:

10/12 Creekside Park | 10/19 Farmingdale | 10/26 Borse Park Phase II

Two open houses for each neighborhood will be held, the first to introduce the project and timeline, as well as gather suggestions.

This summer, the Board was advised that the bids for the Executive Drive project came in well above the projections. Staff is working with Christopher Burke (Engineering) to re-release the bid this winter in order to obtain the bids before contractors are overwhelmed by the next season's work. Christopher Burke is also working on cost alternatives, and, as more information is obtained, the Board will be updated.

15. MAYOR'S REPORT

Mayor Trilla was not present.

16. EXECUTIVE SESSION

5 ILCS 120/2(c)(11) - Pending litigation.

17. ADJOURNMENT

MOTION: Made by Trustee Ruffolo and seconded by Trustee Neal to adjourn the Regular Meeting at the hour of 6:58 p.m. and move to Executive Session.

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

MOTION DECLARED CARRIED  
PRESENTED, READ, and APPROVED.

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

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Frank A. Trilla, Mayor

Minutes transcribed by Deputy Clerk Christine Mardegan.

W A R R A N T S

October 23, 2023

GENERAL CORPORATE FUND	-----	\$ 271,459.64
WATER FUND	-----	\$ 29,985.81
CAPITAL PROJECT FUND	-----	\$ 687,763.53
 TOTAL WARRANTS	-----	\$ 989,208.98

Lora Flori, Director of Finance

APPROVED:

Frank A. Trilla, Mayor

Check	Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND								
10/12/2023		APCH	100945	CARL ANTHONY	ACTIVE ADULT PROGRAM	590-517	20	200.00
10/16/2023		APCH	100946	AFFY TAPPLE COMPANY	COMMUNITY EVENTS	585-522	20	577.50
10/23/2023		APCH	100947#	ACCESS ONE, INC.	INTERNET/WEBSITE HOSTING INTERNET/WEBSITE HOSTING INTERNET/WEBSITE HOSTING INTERNET/WEBSITE HOSTING INTERNET/WEBSITE HOSTING INTERNET/WEBSITE HOSTING INTERNET/WEBSITE HOSTING	460-225 460-225 640-225 715-225 715-225 715-225 715-225	10 10 30 35 35 35 35	786.16 121.40 3,058.40 121.72 121.40 121.40 121.40
					CHECK APCHK 100947 TOTAL FOR FUND 01:			4,451.88
10/23/2023		APCH	100949	AMERICAN TRAFFIC SOLUTIONS	RED LIGHT - ADJUDICATOR	630-246	30	24,665.00
10/23/2023		APCH	100950	ARCO MECHANICAL EQUIPMENT SALES	MAINTENANCE - BUILDING	630-228	30	550.00
10/23/2023		APCH	100951	ARTISTIC ENGRAVING	EMPLOYEE RECOGNITION	630-309	30	221.00
10/23/2023		APCH	100952#	AT & T MOBILITY II LLC	PHONE - TELEPHONES PHONE - TELEPHONES TELEPHONES	455-201 630-201 710-201	10 30 35	210.28 1,919.31 296.33
					CHECK APCHK 100952 TOTAL FOR FUND 01:			2,425.92
10/23/2023		APCH	100956	BUTTREY RENTAL SERVICE, INC.	EQUIPMENT RENTAL	750-290	35	766.34
10/23/2023		APCH	100957	CALEA	ACCREDITATION	630-202	30	4,645.00
10/23/2023		APCH	100959	CASE LOTS, INC	MAINTENANCE - BUILDING	466-228	10	279.60
10/23/2023		APCH	100960	CHICAGO SUN-TIMES, INC	PRINTING & PUBLISHING	810-302	40	406.00
10/23/2023		APCH	100961	CHRIS BENNING	PARK PERMIT FEES	310-814	00	100.00
10/23/2023		APCH	100962	CHRISTOPHER B. BURKE	ENGINEERING SERVICES	820-262	40	358.00
10/23/2023		APCH	100963	COMED	RED LIGHT - ADJUDICATOR	630-246	30	32.42
10/23/2023		APCH	100964#	CONNECTA SATELLITE SOLUTIONS LLC	PHONE - TELEPHONES PHONE - TELEPHONES	455-201 630-201	10 30	72.79 72.79
					CHECK APCHK 100964 TOTAL FOR FUND 01:			145.58
10/23/2023		APCH	100965	DONNA GEURIN	FUEL/MILEAGE/WASH	810-303	40	75.16
10/23/2023		APCH	100966	DU-COMM	RADIO DISPATCHING RADIO DISPATCHING	675-235 675-235	30 30	3,803.11 81,390.25

Check	Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND								
					CHECK APCHK 100966 TOTAL FOR FUND 01:			85,193.36
10/23/2023	APCH	100967	EZDIRECTMAIL, INC.		ACTIVE ADULT PROGRAM	590-517	20	2,257.82
					ACTIVE ADULT PROGRAM	590-517	20	3,144.85
					ACTIVE ADULT PROGRAM	590-517	20	1,562.40
					ACTIVE ADULT PROGRAM	590-517	20	1,333.52
					CHECK APCHK 100967 TOTAL FOR FUND 01:			8,298.59
10/23/2023	APCH	100968*#	FALCO'S LANDSCAPING INC		STREET IMPROVEMENTS	765-685	35	2,160.00
					STREET IMPROVEMENTS	765-685	35	2,375.00
					CHECK APCHK 100968 TOTAL FOR FUND 01:			4,535.00
10/23/2023	APCH	100969	FLOCK SAFETY		OTHER PROFESSIONAL SERVICES	540-425	30	2,500.00
10/23/2023	APCH	100971	GRAINGER		MAINTENANCE - BUILDING	630-228	30	523.72
10/23/2023	APCH	100973	HAYES MECHANICAL		MAINTENANCE - BUILDING	630-228	30	352.00
10/23/2023	APCH	100975*#	HOME DEPOT CREDIT SERVICES		MAINTENANCE - BUILDING	466-228	10	61.96
					OPERATING SUPPLIES & EQUIPMENT	710-401	35	206.88
					OPERATING SUPPLIES & EQUIPMENT	710-401	35	146.81
					CHECK APCHK 100975 TOTAL FOR FUND 01:			415.65
10/23/2023	APCH	100977	ILLINOIS NOTARY "DISCOUNT" BONDI	FEES/DUES/SUBSCRIPTIONS		455-307	10	10.00
10/23/2023	APCH	100979	INDUSTRIAL ELECTRICAL SUPPLY	MAINTENANCE		725-410	35	94.20
10/23/2023	APCH	100981	KING CAR WASH	FUEL/MILEAGE/WASH		630-303	30	300.00
10/23/2023	APCH	100983	KRAMER TREE SPECIALISTS INC.	BRUSH PICKUP		755-284	35	12,075.00
10/23/2023	APCH	100984	LEONARD B CANNATA	RED LIGHT - ADJUDICATOR		630-246	30	880.00
10/23/2023	APCH	100985	LOMAR CODE ENFORCEMENT	CODE ENFORCE INSPECTION		830-119	40	1,350.00
10/23/2023	APCH	100986	MAGLUX CONSTR & RESTORATION LLC	CONTINGENCIES		490-799	10	12,850.00
10/23/2023	APCH	100988	NICOR GAS	NICOR GAS		725-415	35	57.01
10/23/2023	APCH	100989	NJ RYAN TREE & LANDSCAPE LLC	TREE MAINTENANCE		750-338	35	42,450.00
10/23/2023	APCH	100991	NORTH EAST MULTI REGIONAL TRNG.	SCHOOLS/CONFERENCES/TRAVEL		630-304	30	75.00
10/23/2023	APCH	100992	NOVOTNY ENGINEERING	ENGINEERING SERVICES		820-262	40	135.00
10/23/2023	APCH	100993	OIFFICE OF THE ILLINOIS	FEDERAL/STATE GRANTS		310-922	00	325.00
10/23/2023	APCH	100994	ORKIN EXTERMINATING	MAINTENANCE - BUILDING		630-228	30	110.99

Check	Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND								
10/23/2023		APCH	100995	PATRICK & LESLIE SCHUETZ	BUILDING PERMITS	310-401	00	3,000.00
10/23/2023		APCH	100996	RATHS, RATHS & JOHNSON, INC.	ENGINEERING SERVICES	820-262	40	945.00
					ENGINEERING SERVICES	820-262	40	2,036.00
					ENGINEERING SERVICES	820-262	40	1,928.50
					ENGINEERING SERVICES	820-262	40	2,797.50
					CHECK APCHK 100996 TOTAL FOR FUND 01:			7,707.00
10/23/2023		APCH	100997	RAY O'HERRON CO., INC.	UNIFORMS	630-345	30	735.00
					OPERATING EQUIPMENT	630-401	30	735.00
					OPERATING EQUIPMENT	630-401	30	81.00
					OPERATING EQUIPMENT	630-401	30	16.99
					CHECK APCHK 100997 TOTAL FOR FUND 01:			1,567.99
10/23/2023		APCH	100998	RUTH LAKE COUNTRY CLUB	ACTIVE ADULT PROGRAM	590-517	20	1,382.88
					ACTIVE ADULT PROGRAM	590-517	20	2,322.88
					CHECK APCHK 100998 TOTAL FOR FUND 01:			3,705.76
10/23/2023		APCH	100999#	SEMMER LANDSCAPE	LANDSCAPE MAINTENANCE SERVICES	565-342	20	10,151.87
					ROUTE 83 BEAUTIFICATION	755-281	35	10,151.88
					CHECK APCHK 100999 TOTAL FOR FUND 01:			20,303.75
10/23/2023		APCH	101000#	SIGNS NOW	OFFICE/GENERAL PROGRAM SUPPLIES	550-301	20	43.65
					OFFICE SUPPLIES	630-301	30	43.65
					CHECK APCHK 101000 TOTAL FOR FUND 01:			87.30
10/23/2023		APCH	101001*#	TAMELING INDUSTRIES	STREET IMPROVEMENTS	765-685	35	4,655.49
10/23/2023		APCH	101002	THE FIRESIDE THEATRE	ACTIVE ADULT PROGRAM	590-517	20	2,012.92
10/23/2023		APCH	101003	THE JACOB HENRY MANSION ESTATE	ACTIVE ADULT PROGRAM	590-517	20	200.00
					ACTIVE ADULT PROGRAM	590-517	20	200.00
					ACTIVE ADULT PROGRAM	590-517	20	200.00
					CHECK APCHK 101003 TOTAL FOR FUND 01:			600.00
10/23/2023		APCH	101004	THOMAS DCJR, INC	MAINTENANCE - BUILDING	630-228	30	1,510.50
10/23/2023		APCH	101005	THOMAS J BRESCIA	FEES - FIELD COURT ATTORNEY	630-241	30	2,812.50

Check	Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND								
10/23/2023		APCH	101006	THOMSON REUTERS - WEST	FEES/DUES/SUBSCRIPTIONS	630-307	30	216.21
10/23/2023		APCH	101007#	TRAFFIC LOGIX CORP	MAINTENANCE - BUILDING STREET IMPROVEMENTS	630-228 765-685	30 35	1,350.00 1,350.00
					CHECK APCHK 101007 TOTAL FOR FUND 01:			2,700.00
10/23/2023		APCH	101008	TRANSUNION RISK AND ALTERNATIVE	FEES/DUES/SUBSCRIPTIONS	630-307	30	75.00
10/23/2023		APCH	101009	UNDERGROUND PIPE SOLUTIONS	STORM WATER IMPROVEMENTS MAINTENANCE STORM WATER IMPROVEMENTS MAINTENANCE	750-381 750-381	35 35	2,400.00 2,400.00
					CHECK APCHK 101009 TOTAL FOR FUND 01:			4,800.00
10/23/2023		APCH	101011	VELAN SOLUTIONS, INC.	FEES/DUES/SUBSCRIPTIONS	630-307	30	810.00
10/23/2023		APCH	101012	VESCO OIL CORPORATION	MAINTENANCE - BUILDING	630-228	30	1,135.30
10/23/2023		APCH	101013	WEST CENTRAL MUNICIPAL CONF.	FEES/DUES/SUBSCRIPTIONS	410-307	05	1,280.00
10/23/2023		APCH	101014	WEX HEALTH, INC	FEES/DUES/SUBSCRIPTIONS	455-307	10	50.00
					Total for fund 01 GENERAL FUND			271,459.64

Check	Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 02 WATER FUND								
10/23/2023		APCH	100948	ACI PAYMENTS, INC	FEES DUES SUBSCRIPTIONS	401-307	50	99.21
10/23/2023		APCH	100955	BLACK GOLD SEPTIC	WELLHOUSE REPAIRS & MAIN - WB EXEC PL	425-474	50	425.00
10/23/2023		APCH	100958	CARROLL CONSTRUCTION SUPPLY	STREET IMPROVEMENTS SERVICES	430-281	50	557.78
10/23/2023		APCH	100968*#	FALCO'S LANDSCAPING INC	SPOILS HAULING SERVICES	430-280	50	7,000.00
					STREET IMPROVEMENTS SERVICES	430-281	50	1,800.00
					STREET IMPROVEMENTS SERVICES	430-281	50	1,800.00
					STREET IMPROVEMENTS SERVICES	430-281	50	2,700.00
					CHECK APCHK 100968 TOTAL FOR FUND 02:			13,300.00
10/23/2023		APCH	100972	GTO SEALCOATING & PAVING	STREET IMPROVEMENTS SERVICES	430-281	50	3,400.00
					STREET IMPROVEMENTS SERVICES	430-281	50	2,750.00
					CHECK APCHK 100972 TOTAL FOR FUND 02:			6,150.00
10/23/2023		APCH	100974	HINSDALE NURSERIES, INC.	STREET IMPROVEMENTS SERVICES	430-281	50	394.00
10/23/2023		APCH	100975*#	HOME DEPOT CREDIT SERVICES	OPERATING EQUIPMENT	430-401	50	249.00
					MATERIAL & SUPPLIES - DISTRIBUTION	430-476	50	697.97
					CHECK APCHK 100975 TOTAL FOR FUND 02:			946.97
10/23/2023		APCH	100978	ILLINOIS TOLLWAY	VEHICLE MAINTENANCE	401-350	50	27.00
10/23/2023		APCH	100982*#	KLOEPFER CONSTRUCTION, INC.	WATER DISTRIBUTION REPAIRS/MAINTENANC	430-277	50	5,005.00
10/23/2023		APCH	100990	NORLAB INC	CHEMICALS	420-361	50	318.00
10/23/2023		APCH	101001*#	TAMELING INDUSTRIES	STREET IMPROVEMENTS SERVICES	430-281	50	53.14
					STREET IMPROVEMENTS SERVICES	430-281	50	822.60
					CHECK APCHK 101001 TOTAL FOR FUND 02:			875.74
10/23/2023		APCH	101010	VARIVERGE LLC	PRINTING & PUBLISHING	401-302	50	1,003.03
					POSTAGE & METER RENT	401-311	50	884.08
					CHECK APCHK 101010 TOTAL FOR FUND 02:			1,887.11
					Total for fund 02 WATER FUND			29,985.81

Check	Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 10 CAPITAL PROJECT FUND								
10/23/2023		APCH	100953	BACKYARD RINKS BY IRON SLEEK, IN	MIDWAY PARK UPGRADE	600-342	55	11,281.92
10/23/2023		APCH	100954	BANNERVILLE USA INC	MIDWAY PARK UPGRADE	600-342	55	425.00
10/23/2023		APCH	100968*#	FALCO'S LANDSCAPING INC	RESURFACING	600-313	55	6,278.68
10/23/2023		APCH	100970	FOX TOWN PLUMBING INC	MIDWAY PARK UPGRADE	600-342	55	23,817.00
10/23/2023		APCH	100976	HOPPY'S LANDSCAPING, INC.	BORSE PARK LIGHTING PROJECT	600-327	55	217,749.91
10/23/2023		APCH	100980	KIMLEY-HORN AND ASSOCIATE, INC.	MIDWAY PARK UPGRADE	600-342	55	4,886.10
10/23/2023		APCH	100982*#	KLOEPFER CONSTRUCTION, INC.	MIDWAY PARK UPGRADE	600-342	55	1,955.00
10/23/2023		APCH	100987	MARTAM CONSTRUCTION, INC.	MIDWAY PARK UPGRADE	600-342	55	182,356.92
					MIDWAY PARK UPGRADE	600-342	55	239,013.00
					CHECK APCHK 100987 TOTAL FOR FUND 10:			421,369.92
					Total for fund 10 CAPITAL PROJECT FUND			687,763.53
					TOTAL - ALL FUNDS			989,208.98

'\*'-INDICATES CHECK DISTRIBUTED TO MORE THAN ONE FUND

'#'-INDICATES CHECK DISTRIBUTED TO MORE THAN ONE DEPARTMENT



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## BOARD OF TRUSTEES MEETING

<b>AGENDA ITEM NO:</b> 6.e. <b>SUBJECT:</b> A RESOLUTION OF THE VILLAGE OF WILLOWBROOK AUTHORIZING AND APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE ILLINOIS FRATERNAL ORDER OF POLICE LABOR COUNCIL	<b>DATE:</b> October 23, 2023
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### 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 approval 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 1<sup>st</sup>, 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:**

Adopt the resolution.

**RESOLUTION NO. 23-R-\_\_\_\_\_**

**A RESOLUTION OF THE VILLAGE OF WILLOWBROOK AUTHORIZING  
AND APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE  
ILLINOIS FRATERNAL ORDER OF POLICE LABOR COUNCIL**

**WHEREAS**, the Village of Willowbrook (“Village”) and the Illinois Fraternal Order of Police Labor Council (“Union”) are parties to a collective bargaining agreement (“Agreement”); and

**WHEREAS**, Section 18.16 of said Agreement provides that the Village will establish a Retirement Health Savings Plan (“Plan”) that will establish payroll deductions and/or transfers into the Plan, upon designation by the Union; and

**WHEREAS**, the Union has designated the payroll deductions and/or transfers to be made for the Plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Trustees of the Village of Willowbrook, DuPage County, Illinois, as follows:

**SECTION ONE.** That certain “Memorandum of Understanding Regarding the Establishment of a Retirement Health Savings Plan,” a copy of which is attached hereto as Exhibit A, is hereby approved.

**SECTION TWO.** The Village Administrator is hereby authorized and directed to execute the Memorandum of Understanding on behalf of the Village.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

**SECTION THREE.** This Resolution shall be in full force and effect upon its passage as provided by law.

**PASSED** and **APPROVED** this 23<sup>rd</sup> day of October, 2023 by a ROLL CALL VOTE as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED:

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Frank A. Trilla, Mayor

ATTEST:

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Deborah A. Hahn, Village Clerk

**EXHIBIT A**

**Memorandum of Understanding**

**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 25 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: Ken S. Key 09-25-23

Date: October 23, 2023

M. Valente  
Mike Valente



## **BOARD OF TRUSTEES MEETING**

<b>AGENDA ITEM NO: 6.f.</b>  <b>SUBJECT:</b> AN ORDINANCE OF THE VILLAGE OF WILLOWBROOK AMENDING SECTION 11-3-1 ENTITLED "TAX REQUIRED; AMOUNT", AND 11-3-3 ENTITLED "DEFINITIONS", OF CHAPTER 3 ENTITLED "MUNICIPAL HOTEL TAX", OF TITLE 11 ENTITLED "TAXES", OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF WILLOWBROOK, ILLINOIS	<b>DATE:</b> October 23, 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**

Staff is seeking approval from the Board to change the existing hotel ordinance.

### **PREVIOUS ACTION TAKEN**

At the October 9, 2023 Committee of the Whole meeting, the Board unanimously approved staff's recommendation to update the 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 compliant 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, have 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 recommends approval of the updated ordinance.

**ORDINANCE NO. 23-O\_\_\_\_\_**

**AN ORDINANCE OF THE VILLAGE OF WILLOWBROOK  
AMENDING SECTION 11-3-1 ENTITLED "TAX REQUIRED;  
AMOUNT", AND 11-3-3 ENTITLED "DEFINITIONS", OF CHAPTER 3 ENTITLED  
"MUNICIPAL HOTEL TAX", OF TITLE 11 ENTITLED "TAXES", OF THE VILLAGE  
CODE OF ORDINANCES OF THE VILLAGE OF WILLOWBROOK, ILLINOIS**

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BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Willowbrook, DuPage County, Illinois, that Section 11-3-1 entitled "Tax Required; Amount", and 11-3-3 entitled "Definitions", of Chapter 3 entitled "Municipal Hotel Tax", of Title 11 entitled "Taxes", of the Village Code of Ordinances of the Village of Willowbrook as amended, is hereby further amended, as follows:

**SECTION 1.** Section 11-3-1 entitled "Tax Required; Amount" as amended, is hereby further amended, to read as follows:

"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 (6%) percent on the gross rental receipts (not including taxes or other non-room 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."

**SECTION 2.** Section 11-3-3 entitled "Definitions" be and is hereby amended by deleting the following:

"PERMANENT RESIDENT:

Any person who occupied or has the right to occupy any room or rooms for at least thirty (30) consecutive days."

**SECTION 3.** The remaining sections of Title 11, Chapter 3, shall remain in full force and effect and unamended by this ordinance.

**SECTION 4.** This Ordinance shall be in full force and effect January 1, 2024 and upon its passage, approval and publication, in the manner provided by law.

PASSED and APPROVED this 23<sup>rd</sup> day of October, 2023 by a ROLL CALL VOTE as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED:

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Frank A. Trilla, Mayor

ATTEST:

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Deborah A. Hahn, Village Clerk



## BOARD OF TRUSTEES MEETING

<b>AGENDA ITEM NO:</b> 6.g.	<b>DATE:</b> October 23, 2023
<b>SUBJECT:</b> AN ORDINANCE AMENDING TITLE 6, CHAPTER 6, SECTION 6-6-3 (A)(3) AND SECTION 6-6-3 (B)(1) OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF WILLOWBROOK	

### STAFF REPORT

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

### PURPOSE AND ACTION REQUESTED

Staff is recommending an update to the water rate ordinance.

### PREVIOUS ACTION TAKEN

At the October 9, 2023 Committee of the Whole meeting, the Board unanimously approved staff's recommendation to update the 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		
	<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>	<u>Billing Frequency</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 recommends approval of the updated ordinance.

**ORDINANCE NO. 23-O-\_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 6, CHAPTER 6, SECTION 6-6-3 (A)(3) AND  
SECTION 6-6-3 (B)(1) OF THE VILLAGE CODE OF ORDINANCES OF  
THE VILLAGE OF WILLOWBROOK**

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**BE IT ORDAINED** by the Mayor and Board of Trustees of the Village of Willowbrook, DuPage County, Illinois, that Sections 6-6-3 (A)(3) and 6-6-3 (B)(1), Chapter 6, Title 6 of the Village Code of Ordinances of the Village of Willowbrook, DuPage County, Illinois, as amended, is hereby further amended to read as follows:

**SECTION ONE:**

**“6-6-3 (A)(3):**

Non-Residential Usage – Billed Monthly:

	Billing Rate		
	Minimum Bills (Under 32,0000 Gallons)	Volume Charge per 1,000 Gallons Over 32,000 Gallons	Billing Frequency
Commercial – 5/8 and 3/4	\$144.87	\$11.00	Monthly
Commercial – 1	\$174.58	\$11.25	Monthly
Commercial – 1 1/2	\$269.71	\$11.50	Monthly
Commercial – 2	\$332.16	\$11.75	Monthly
Commercial – 3	\$408.98	\$12.00	Monthly
Commercial – 4 or larger	\$644.34	\$12.25	Monthly

**SECTION TWO:**

**“6-6-3 (B)(1):**

Non-Residential Usage: Minimum monthly charges shall be assessed in accordance with the following table:

Meter Size (Inches)	Monthly Minimum (Per Month)
5/8	\$144.87
3/4	\$144.87
1	\$174.58
1 1/2	\$269.71
2	\$332.16

3	\$408.98
4 or larger	\$644.34

**SECTION THREE:** The remainder of Section 6-6-3 shall remain in full force and effect and unamended by this Ordinance.

**SECTION FOUR:** Any ordinance or portion of any ordinance in conflict with the provisions of this Ordinance are hereby repealed solely to the extent of said conflict.

**SECTION FIVE:** This Ordinance shall be in full force and effect from and after its passage and approval and publication, as required by law.

PASSED and APPROVED this 23<sup>rd</sup> day of October, 2023 by a ROLL CALL VOTE as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED:

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Frank A. Trilla, Mayor

ATTEST:

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Deborah A. Hahn, Village Clerk