

MEETING AGENDA



Board of Trustees Meeting

Village of Homewood

November 28, 2023

Meeting Start Time: 7:00 PM

Village Hall Board Room

2020 Chestnut Road, Homewood, IL

Board Meetings will be held as in-person meetings. In addition to in-person public comment during the meeting, members of the public may submit written comments by email to comments@homewoodil.gov or by placing written comments in the drop box outside Village Hall. Comments submitted before 4:00 p.m. on the meeting date will be distributed to all Village Board members prior to the meeting.

Please see last page of agenda for virtual meeting information.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Introduction of Staff
5. Minutes:
 - Consider a motion to approve the minutes from the regular meeting of the Board of Trustees held on November 14, 2023.
6. Claims List:
 - Consider a motion to approve the Claims List of Tuesday, November 28, 2023 in the amount of \$599,905.43.
7. Meet Your Merchants
8. Hear from the Audience
9. Omnibus Vote: Consider a motion to pass, approve, authorize, accept, or award the following item(s):
 - A. R-3170/Intent to Reimburse Expenditures: Pass a resolution declaring the Village of Homewood's intent to Reimburse Expenditures for the proposed 183rd Street West Tax Increment Financing District.
 - B. M-2270/Illinois Paid Leave for All Workers Act: Pass an ordinance regarding the Illinois Paid Leave for All Workers Act for the Village of Homewood.
 - C. M-2271/Public Safety Benefits Act: Pass an ordinance establishing an administrative procedure for assessing and determining claims under the Public Safety Benefits Act (PSEBA) to become compliant with State law.
10. General Board Discussion
11. Adjourn

Zoom Link: <https://zoom.us/>

- To View the Meeting via Computer or Smartphone - Type in: Zoom.us into any internet browser.

Select: JOIN A MEETING from menu at top right of page. Meeting I.D.: 980 4907 6232

Meeting Password: 830183. Enter an email address (required), or

- To Listen to the Meeting via Phone - Dial: (312) 626-6799

Enter above "Meeting I.D. and Meeting Password" followed by "#" sign

VILLAGE OF HOMEWOOD
BOARD OF TRUSTEES MEETING
TUESDAY, NOVEMBER 14, 2023
VILLAGE HALL BOARD ROOM

CALL TO ORDER: President Hofeld called the regular meeting of the Board of Trustees to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE: President Hofeld led trustees in the Pledge of Allegiance.

ROLL CALL: Clerk Marilyn Thomas called the roll. Those present were Village President Richard Hofeld, Trustee Lisa Purcell, Trustee Julie Willis, Trustee Vivian Harris-Jones, Trustee Jay Heiferman and Trustee Lauren Roman. Trustee Anne Colton was absent.

President Hofeld introduced staff present: Village Attorney Chris Cummings, Assistant Village Manager Tyler Hall, Economic and Community Development Director Angela Mesaros, Director of Finance Amy Zukowski and Police Chief Denise McGrath.

MINUTES: The minutes of the meeting of October 24, 2023, were presented. There were no comments or corrections.

A motion was made by Trustee Purcell and seconded by Trustee Harris-Jones to approve the minutes as presented.

Roll Call: AYES—Trustees Purcell, Willis, Heiferman Harris-Jones and Roman. NAYS -None. Motion carried.

CLAIMS LIST: The Claims List in the amount of \$2,369,688.98 was presented. There were no questions from the Trustees.

A motion was made by Trustee Purcell and seconded by Trustee Willis to approve the Claims List as presented.

Roll Call: AYES—Trustees Purcell, Willis, Harris-Jones, Heiferman and Roman. NAYS -None. Motion carried.

President Hofeld said six items totaled 82 percent of the Claims List: \$287,910.45 to the City of Chicago Heights for Lake Michigan water; \$258,097.60 for November employees health insurance; \$188,935.50 to Strata Construction for curb and sidewalk replacement; \$532,385.00 to Zions Bank to pay off bonded debt; \$90,465.72 to Thorn Creek Basin Sanitary District; and \$596,983.83 to D Construction Inc. for street resurfacing.

President Hofeld commented that with the payment to Zions Bank the Village of Homewood is a debt free community.

HEAR FROM AUDIENCE: President Hofeld invited audience members to comment on any subject not on the agenda. No comments were offered.

OMNIBUS REPORT: The board is asked to pass, approve, authorize, accept or award the following items:

- A. Reappointment/Beautification Committee/Geraldine Piepenbrink: Approve the reappointment of Geraldine Piepenbrink to the Beautification Committee for a five-year term ending on November 14, 2028.
- B. R-3168/Retirement/Betty J. Deenik/Homewood Police Department: Pass a resolution honoring Betty J. Deenik on her retirement from the Homewood Police Department.
- C. R-3169/Retirement/Robert Misner/Homewood Police Department: Pass a resolution honoring Robert Misner on his retirement from the Homewood Police Department.
- D. M-2268/Special Use Permit/XFA Cycling and Fitness Studio/18203 Dixie Highway: Pass an ordinance granting a Special Use Permit for a place of assembly (indoor commercial) in the B-2 Downtown Transition District for “XFA Cycling and Fitness Studio” at 18203 Dixie Highway.
- E. M-2269/Special Use Permit/Ian Terrell Hair Design Studio/18350 Kedzie Avenue, Suite 202: Pass an ordinance granting a Special Use Permit for a salon and spa establishment in the B-3 General Business District for “Ian Terrell Hair Design Studio” at 18350 Kedzie Avenue, Suite 202.
- F. M-2270/Outdoor Sales Permit/Stoney Point Grill II, LLC/ 2031 Ridge Road: Pass an ordinance approving the issuance of a Permit for Outdoor Sale of Alcoholic Beverages valid through April 30, 2024 with exceptions for Stoney Point Grill II, LLC for their location at 2031 Ridge Road.
- G. Intergovernmental Agreement/Health Inspections/Cook County: Authorize the Village President to enter into an agreement with the Cook County Department of Public Health for the Provision of Environmental Health Inspectional Services for the period of December 1, 2023 through November 30, 2024.
- H. Redevelopment Agreement/Bergstein's NY Deli & Sandwich Shop/18064 Martin Avenue: Authorize the Village President to enter into a redevelopment agreement with Bergstein’s NY Deli & Sandwich Shop to reimburse eligible expenses for the construction of a restaurant at 18064 Martin Avenue.

President Hofeld recognized Bill Davis, owner of Bergstein’s New York Deli & Sandwich Shop. Davis said Bergstein’s has been in business for 15 years. He hopes to have the Homewood relocation (from Chicago Heights) complete by late January. Trustees told Davis they are excited to know Bergstein’s chose Homewood and are anxious for the business to open soon.

A motion was made by Trustee Heiferman and seconded by Trustee Roman to approve the Omnibus Report as presented.

Roll Call: AYES—Trustees Purcell, Willis, Harris-Jones, Heiferman and Roman. NAYS -None. Motion carried.

NEW BUSINESS: 2023 Real Estate Tax Levy Discussion: Director of Finance Amy Zukowski outlined for Trustees that the Village staff recommends a property tax levy seven percent higher than the 2022 levy. Zukowski explained that the Village must follow Illinois’ Property Tax Levy Limitation (PTELL) that caps the tax levy increase to five percent, or the rate of inflation, whichever is less, plus an additional percentage for new construction, and debt service. Staff recommends adding two percent for new construction and the value of property added upon termination of the Southwest CBD TIF.

Because the total levy increase exceeds five percent, the Village must conduct a Truth in Taxation public hearing prior to approving the tax levy. The hearing is scheduled for 7 p.m. on Dec. 12, 2023, prior to the regular Village Board meeting. Staff will publish notice of the hearing as required by law.

Zukowski explained that the Village's share of the tax bill is approximately 11 percent of the total bill. She said the percentage of Village property tax revenue allocated for police and fire pensions has consistently increased. Fifty percent of this year's levy is allocated for police and fire pensions with the balance going to the Village's general fund and other obligations. The pension allocation amount is determined by actuaries for the police and fire consolidated pension funds and is calculated to comply with a state mandate that the Village's police and fire pensions be 90 percent funded by 2040.

Finally, Ms. Zukowski noted that since the Village paid off its 2020 General Obligation bond this year, \$500,000 in debt service has been eliminated from the property tax levy. Homewood's 2022 levy approved in December 2022 was for \$6,941,564. The upcoming 2023 levy is projected to be \$6,791,9159 after removing the \$500,000 debt service included in last year's levy.

Trustees thanked Ms. Zukowski for her work preparing the levy.

President Hofeld asked for a motion to approve staff's recommendation to use state consolidated police and fire pension funds actuarial calculation to determine the amounts to be levied for police and fire pensions and to direct staff to publish in a local newspaper a Truth in Taxation Hearing notice prior to the December 12, 2023, board meeting.

The motion was made by Trustee Purcell and seconded by Trustee Roman to approve the above items.

Roll Call: AYES—Trustees Purcell, Willis, Harris-Jones, Heiferman and Roman. NAYS -None. Motion carried.

GENERAL BUSINESS: President Hofeld reminded residents the final free leaf pick-up will be Nov. 15 and Nov. 29.

ADJOURN: A motion was made by Trustee Purcell and seconded by Trustee Roman to adjourn the regular meeting of the Board of Trustees.

Roll Call: AYES—Trustees Purcell, Willis, Harris-Jones, Heiferman and Roman. NAYS -None. Motion carried.

The meeting adjourned at 7:20 p.m.

Respectfully submitted,

Marilyn Thomas

Village Clerk

Name	Description	DEPARTMENT	Net Invoice Amount
AMAZON CAPITAL SERVICES IN	REPLACEMENT SERVER PARTS FOR PD	MANAGER'S OFFICE	426.95
AMAZON CAPITAL SERVICES IN	SNOWFLAKE BULBS	PUBLIC WORKS	300.57
AMAZON CAPITAL SERVICES IN	REPLACEMENT DRIVES FOR DROBO	MANAGER'S OFFICE	432.62
AMAZON CAPITAL SERVICES IN	RETURN	PUBLIC WORKS	120.39-
AMAZON CAPITAL SERVICES IN	MATERIALS FOR HOLIDAY LIGHTS	MANAGER'S OFFICE	77.24
Total AMAZON CAPITAL SERVICES INC:			1,116.99
AMERICAN LAWN LLC	SHOPPING CARTS	FIRE DEPARTMENT	325.00
AMERICAN LAWN LLC	DEBRIS REMOVAL	FIRE DEPARTMENT	110.00
Total AMERICAN LAWN LLC:			435.00
ANDREW MORENO	FARMERS MARKET MUSIC	MANAGER'S OFFICE	100.00
Total ANDREW MORENO:			100.00
ASC INDUSTRIES	CRANE CABLE	PUBLIC WORKS	252.40
Total ASC INDUSTRIES:			252.40
BATTERIES PLUS	LIFT STATION 11 BATTERY	PUBLIC WORKS	29.85
Total BATTERIES PLUS:			29.85
BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES - FD	FIRE DEPARTMENT	521.93
Total BOUND TREE MEDICAL LLC:			521.93
CHARLES SCHEIWE	80% MEDICARE SUPPLEMENT REIMBURSEMENT	MANAGER'S OFFICE	654.40
Total CHARLES SCHEIWE:			654.40
CHICAGO TITLE COMPANY, LLC	1313 175TH STREET PURCHASE	PUBLIC WORKS	325,000.00
Total CHICAGO TITLE COMPANY, LLC:			325,000.00
CONWAY SHIELD	BOOTS	FIRE DEPARTMENT	127.50
Total CONWAY SHIELD:			127.50
COOK COUNTY CLERK	RECORDING FEES - VA	MANAGER'S OFFICE	3,218.00
Total COOK COUNTY CLERK:			3,218.00
COOK COUNTY DEPT OF PUBLI	HEALTH INSPECTIONS JULY-SEPTEMBER 2023	MANAGER'S OFFICE	600.00
Total COOK COUNTY DEPT OF PUBLIC HEALTH:			600.00
CORE & MAIN LP	WATER MAIN SUPPLIES	PUBLIC WORKS	1,397.08
CORE & MAIN LP	SCIENCE CENTER SPRINKLER PROJECT	PUBLIC WORKS	4,514.00
CORE & MAIN LP	BRASS WATER MAIN FITTINGS	PUBLIC WORKS	1,652.80
CORE & MAIN LP	6 INCH WATER MAIN FITTINGS	PUBLIC WORKS	4,999.00
CORE & MAIN LP	8 INCH WATER MAIN FITTINGS	PUBLIC WORKS	4,002.00
CORE & MAIN LP	WATER MAIN PIPE AND FITTINGS	PUBLIC WORKS	4,311.54
CORE & MAIN LP	BRASS FITTINGS	PUBLIC WORKS	609.36
CORE & MAIN LP	1 INCH COPPER	PUBLIC WORKS	557.40

Name	Description	DEPARTMENT	Net Invoice Amount
CORE & MAIN LP	WATER METER PARTS	PUBLIC WORKS	210.00
CORE & MAIN LP	SCIENCE CENTER SPRINKLER PROJECT	PUBLIC WORKS	1,964.20
CORE & MAIN LP	METER WIRE	PUBLIC WORKS	130.00
CORE & MAIN LP	WATER METERS FOR STOCK	PUBLIC WORKS	1,040.00
CORE & MAIN LP	BRASS FITTINGS	PUBLIC WORKS	1,035.56
CORE & MAIN LP	WATER METER PARTS	PUBLIC WORKS	1,384.71
CORE & MAIN LP	BRASS FITTINGS	PUBLIC WORKS	1,174.38
CORE & MAIN LP	SCIENCE CENTER SPRINKLER PROJECT	PUBLIC WORKS	1,233.63
Total CORE & MAIN LP:			30,215.66
CORE INTEGRATED MARKETIN	TREE TRIMMING SIGNS	PUBLIC WORKS	513.00
Total CORE INTEGRATED MARKETING:			513.00
CTT ELECTRIC INC	ELECTRICAL INSPECTIONS	FIRE DEPARTMENT	1,500.00
Total CTT ELECTRIC INC:			1,500.00
D CONSTRUCTION INC	ASPHALT	PUBLIC WORKS	664.02
Total D CONSTRUCTION INC:			664.02
DENISE MCGRATH	2023 IACP CONFERENCE	POLICE DEPARTMENT	1,586.40
Total DENISE MCGRATH:			1,586.40
EBELS ACE HARDWARE	BUILDING MAINTENANCE SUPPLIES	PUBLIC WORKS	13.17
EBELS ACE HARDWARE	TIVOLI LIGHTS	PUBLIC WORKS	52.42
EBELS ACE HARDWARE	TIVOLI LIGHTS	PUBLIC WORKS	25.07
Total EBELS ACE HARDWARE:			90.66
ELIE BERKMAN	WATER DEPOSIT REFUND	ASSETS	77.72
Total ELIE BERKMAN:			77.72
ERNEST LARSON	80% MEDICARE SUPPLEMENT REIMBURSEMENT	MANAGER'S OFFICE	1,737.60
Total ERNEST LARSON:			1,737.60
EXPERT CHEMICAL	DISPOSABLE COMMODITIES	PUBLIC WORKS	277.06
EXPERT CHEMICAL	DISPOSABLE COMMODITIES	PUBLIC WORKS	705.79
EXPERT CHEMICAL	DISPOSABLE COMMODITIES	PUBLIC WORKS	433.76
Total EXPERT CHEMICAL:			1,416.61
FEDERAL EXPRESS	EXPRESS POSTAGE FEES	MANAGER'S OFFICE	882.00
Total FEDERAL EXPRESS:			882.00
FIRE SERVICE INC	VEHICLE MAINT - FD	FIRE DEPARTMENT	1,480.00
FIRE SERVICE INC	VEHICLE PARTS - FD	FIRE DEPARTMENT	1,202.76
Total FIRE SERVICE INC:			2,682.76
FIRST MIDWEST BANK/FINANC	LUNCHEON	MANAGER'S OFFICE	66.56

Name	Description	DEPARTMENT	Net Invoice Amount
Total FIRST MIDWEST BANK/FINANCE:			66.56
FIRST MIDWEST BANK/FIRE	OPEN HOUSE FRAMES	FIRE DEPARTMENT	33.00
FIRST MIDWEST BANK/FIRE	LUNCH AFTER OPEN HOUSE	FIRE DEPARTMENT	165.83
FIRST MIDWEST BANK/FIRE	DROPBOX AUTO RENEWAL	FIRE DEPARTMENT	119.88
FIRST MIDWEST BANK/FIRE	FUNERAL FLOWERS FOR SIERZEGA	FIRE DEPARTMENT	84.95
FIRST MIDWEST BANK/FIRE	FOOD FOR OPEN HOUSE	FIRE DEPARTMENT	284.63
Total FIRST MIDWEST BANK/FIRE:			688.29
FIRST MIDWEST BANK/MGRS	APPLE MUSIC	MANAGER'S OFFICE	10.99
FIRST MIDWEST BANK/MGRS	COMCAST CONSOLIDATED BILL	MANAGER'S OFFICE	21.06
FIRST MIDWEST BANK/MGRS	COMCAST CONSOLIDATED BILL	MANAGER'S OFFICE	1,340.25
FIRST MIDWEST BANK/MGRS	COMCAST FIBER INTERNET	MANAGER'S OFFICE	104.17
FIRST MIDWEST BANK/MGRS	CONSTANT CONTACT SERVICE	MANAGER'S OFFICE	145.00
FIRST MIDWEST BANK/MGRS	SYMPATHY GIFT	MANAGER'S OFFICE	74.36
FIRST MIDWEST BANK/MGRS	SCREEN CONNECT RDP SUBSCRIPTION	MANAGER'S OFFICE	247.25
FIRST MIDWEST BANK/MGRS	ZOOM	MANAGER'S OFFICE	40.00
Total FIRST MIDWEST BANK/MGRS:			1,983.08
FIRST MIDWEST BANK/POLICE	FIRST AID POUCH BAGS	POLICE DEPARTMENT	97.35
FIRST MIDWEST BANK/POLICE	WATER FOUNTAIN FILTERS	POLICE DEPARTMENT	149.00
FIRST MIDWEST BANK/POLICE	OFFICE SUPPLIES	POLICE DEPARTMENT	369.28
FIRST MIDWEST BANK/POLICE	POSTAGE MACHINE SUPPLIES	POLICE DEPARTMENT	278.02
Total FIRST MIDWEST BANK/POLICE:			893.65
FIRST MIDWEST BANK/PUBLIC	ADOBE - FLEET COMPUTER	PUBLIC WORKS	95.58
FIRST MIDWEST BANK/PUBLIC	OFFICE SUPPLIES	PUBLIC WORKS	99.00
FIRST MIDWEST BANK/PUBLIC	PAINT	PUBLIC WORKS	208.40
FIRST MIDWEST BANK/PUBLIC	PAINT	PUBLIC WORKS	211.10
FIRST MIDWEST BANK/PUBLIC	PAINT	PUBLIC WORKS	211.10
FIRST MIDWEST BANK/PUBLIC	SNOW TRAINING	PUBLIC WORKS	239.84
FIRST MIDWEST BANK/PUBLIC	SNOW TRAINING	PUBLIC WORKS	239.84
FIRST MIDWEST BANK/PUBLIC	BUILDING MAINTENANCE SUPPLIES	PUBLIC WORKS	29.91
Total FIRST MIDWEST BANK/PUBLIC WORKS:			912.57
FLEET SAFETY SUPPLY	DRIVER FOR COMPAC SPEAKER	FIRE DEPARTMENT	406.61
FLEET SAFETY SUPPLY	VEHICLE PURCHASE EQUIPMENT - VH	PUBLIC WORKS	1,375.61
Total FLEET SAFETY SUPPLY:			1,782.22
FORD OF HOMEWOOD	VEHICLE PARTS - FD	FIRE DEPARTMENT	79.96
Total FORD OF HOMEWOOD:			79.96
GALLAGHER MATERIALS	ASPHALT	PUBLIC WORKS	776.25
GALLAGHER MATERIALS	ASPHALT	PUBLIC WORKS	184.50
Total GALLAGHER MATERIALS:			960.75
GFC LEASING	MONTHLY AGREEMENT	MANAGER'S OFFICE	944.23
GFC LEASING	COPIER METERS	MANAGER'S OFFICE	635.70

Name	Description	DEPARTMENT	Net Invoice Amount
Total GFC LEASING:			1,579.93
GRAINGER INC	OPERATING SUPPLIES - FD	FIRE DEPARTMENT	114.36
GRAINGER INC	BUILDING MAINTENANCE SUPPLIES	PUBLIC WORKS	231.00
GRAINGER INC	BUILDING MAINTENANCE SUPPLIES	PUBLIC WORKS	46.20
GRAINGER INC	BUILDING MAINTENANCE SUPPLIES	PUBLIC WORKS	92.40
Total GRAINGER INC:			483.96
GW BERKHEIMER CO INC	HVAC REPAIRS - PW	PUBLIC WORKS	67.98
GW BERKHEIMER CO INC	HVAC REPAIRS - PW	PUBLIC WORKS	1,544.43
GW BERKHEIMER CO INC	BUILDING MAINTENANCE SUPPLIES	PUBLIC WORKS	39.98
Total GW BERKHEIMER CO INC:			1,652.39
HAWKINS INC	CHLORINE TANK RENTAL	PUBLIC WORKS	90.00
Total HAWKINS INC:			90.00
HELSEL JEPPEPERSON ELECTRI	LIFT STATION SUPPLIES	PUBLIC WORKS	265.00
Total HELSEL JEPPEPERSON ELECTRICAL:			265.00
HISKES, DILLNER, O'DONNELL	CONTRACT/CONSULTING SERVICE	MANAGER'S OFFICE	2,657.53
Total HISKES, DILLNER, O'DONNELL:			2,657.53
HOGANCAMP BERNARD	80% MEDICARE SUPPLEMENT REIMBURSEMENT	MANAGER'S OFFICE	527.68
Total HOGANCAMP BERNARD:			527.68
HOME CLEANING CENTER OF	BCTC MONTHLY CLEANING	FIRE DEPARTMENT	300.00
Total HOME CLEANING CENTER OF AM:			300.00
HOMEWOOD DISPOSAL	STREET SWEEPING	PUBLIC WORKS	443.20
HOMEWOOD DISPOSAL	STREET SWEEPING	PUBLIC WORKS	1,048.00
HOMEWOOD DISPOSAL	STREET SWEEPING	PUBLIC WORKS	1,131.20
HOMEWOOD DISPOSAL	STREET SWEEPING	PUBLIC WORKS	1,405.60
HOMEWOOD DISPOSAL	STREET SWEEPING	PUBLIC WORKS	1,060.80
HOMEWOOD DISPOSAL	STREET SWEEPING	PUBLIC WORKS	1,081.60
HOMEWOOD DISPOSAL	STREET SWEEPING	PUBLIC WORKS	2,055.20
HOMEWOOD DISPOSAL	DUMP CHARGES	PUBLIC WORKS	50.00
HOMEWOOD DISPOSAL	STREET SWEEPING	PUBLIC WORKS	1,356.40
HOMEWOOD DISPOSAL	STREET SWEEPING	PUBLIC WORKS	1,200.00
HOMEWOOD DISPOSAL	DUMP CHARGES	PUBLIC WORKS	2,223.60
HOMEWOOD DISPOSAL	DUMP CHARGES	PUBLIC WORKS	252.00
HOMEWOOD DISPOSAL	GARBAGE SERVICE 2066 RIDGE RD	PUBLIC WORKS	507.15
Total HOMEWOOD DISPOSAL:			13,814.75
HOMEWOOD ROTARY CLUB	CHILI COOK OFF DONATIONS	MANAGER'S OFFICE	1,678.00
Total HOMEWOOD ROTARY CLUB:			1,678.00
HR GREEN INC	PLAN REVIEWS FOR OCTOBER 2023	FIRE DEPARTMENT	4,050.50

Name	Description	DEPARTMENT	Net Invoice Amount
Total HR GREEN INC:			4,050.50
ILCMA	RECRUITMENT	MANAGER'S OFFICE	50.00
Total ILCMA:			50.00
INTERSTATE BATTERY	183RD SPEED LIMIT SIGN	PUBLIC WORKS	236.99
Total INTERSTATE BATTERY:			236.99
JODY APPLGATE	80% MEDICARE SUPPLEMENT REIMBURSEMENT	MANAGER'S OFFICE	105.78
Total JODY APPLGATE:			105.78
JOSHUA BURMAN (HSA)	NEW ENROLLEE VILLAGE HSA CONTRIBUTION	ASSETS	952.02
Total JOSHUA BURMAN (HSA):			952.02
KANKAKEE NURSERY CO	TREES	PUBLIC WORKS	230.00
Total KANKAKEE NURSERY CO:			230.00
KENNICOT BROS COMPANY IN	CHRISTMAS DECORATIONS	PUBLIC WORKS	1,631.65
KENNICOT BROS COMPANY IN	CHRISTMAS DECORATIONS CBD	PUBLIC WORKS	2,262.80
Total KENNICOT BROS COMPANY INC:			3,894.45
LEE ENTERPRISES	VILLAGE KEY FALL 2023	MANAGER'S OFFICE	3,572.50
Total LEE ENTERPRISES:			3,572.50
LOGSDON CONSULTATION	MONTHLY FEE FOR EOP CONSULTATION	FIRE DEPARTMENT	350.00
Total LOGSDON CONSULTATION:			350.00
M & J UNDERGROUND INC	PAY ESTIMATE #2 FOR MARLIN LANE AND COURT WATE	PUBLIC WORKS	117,366.75
Total M & J UNDERGROUND INC:			117,366.75
M E SIMPSON CO INC	WATER LEAK DETECTION	PUBLIC WORKS	1,005.00
M E SIMPSON CO INC	WATER LEAK DETECTION	PUBLIC WORKS	545.00
Total M E SIMPSON CO INC:			1,550.00
MARLA YOUNGBLOOD	HOLIDAY LIGHTS LIGHT	MANAGER'S OFFICE	117.60
Total MARLA YOUNGBLOOD:			117.60
MEADE ELECTRIC CO INC	TRAFFIC LIGHT LOCATE	PUBLIC WORKS	57.84
Total MEADE ELECTRIC CO INC:			57.84
MENARDS INC	SHOP SUPPLIES	PUBLIC WORKS	135.85
MENARDS INC	SHOP SUPPLIES	PUBLIC WORKS	40.55
MENARDS INC	GLOVES	PUBLIC WORKS	55.97
MENARDS INC	SCIENCE CENTER DRAIN SUPPLIES	PUBLIC WORKS	427.50

Name	Description	DEPARTMENT	Net Invoice Amount
MENARDS INC	STORM WATER PIPE PARTS	PUBLIC WORKS	38.93
MENARDS INC	BUILDING MAINT SUPPLIES	PUBLIC WORKS	55.98
MENARDS INC	TIVOLI LIGHTS	PUBLIC WORKS	42.96
MENARDS INC	BUILDING MAINT SUPPLIES	PUBLIC WORKS	39.22
MENARDS INC	BUILDING MAINT SUPPLIES	PUBLIC WORKS	41.94
MENARDS INC	BUILDING MAINT SUPPLIES	PUBLIC WORKS	293.91
MENARDS INC	BUILDING MAINT SUPPLIES	PUBLIC WORKS	320.63
MENARDS INC	BUILDING MAINT SUPPLIES	PUBLIC WORKS	17.98
MENARDS INC	BUILDING MAINT SUPPLIES	PUBLIC WORKS	67.96
MENARDS INC	BUILDING MAINT SUPPLIES	PUBLIC WORKS	41.47
MENARDS INC	SCIENCE CENTER WATER MAIN	PUBLIC WORKS	17.98
MENARDS INC	EVIDENCE ROOM SUPPLIES	POLICE DEPARTMENT	12.76
MENARDS INC	OPERATING SUPPLIES-FD	FIRE DEPARTMENT	29.60
Total MENARDS INC:			1,681.19
METROPOLITAN INDUSTRIES I	METROCLOUD DATA SERVICE	PUBLIC WORKS	250.00
METROPOLITAN INDUSTRIES I	METROCLOUD DATA SERVICE	PUBLIC WORKS	250.00
Total METROPOLITAN INDUSTRIES INC:			500.00
MICHAEL KOZLOWSKI	ILHIA CONFERENCE	POLICE DEPARTMENT	253.08
MICHAEL KOZLOWSKI	QUARTERMASTER-UNIFORMS-PD	POLICE DEPARTMENT	91.00
Total MICHAEL KOZLOWSKI:			344.08
MONARCH AUTO SUPPLY INC	OPERATING SUPPLIES	FIRE DEPARTMENT	46.96
Total MONARCH AUTO SUPPLY INC:			46.96
O'HERRON CO	BODY ARMOR	POLICE DEPARTMENT	741.35
Total O'HERRON CO:			741.35
OLD NATIONAL BANK/FD	CHRISTMAS CARDS	FIRE DEPARTMENT	72.95
Total OLD NATIONAL BANK/FD:			72.95
OLD NATIONAL BANK/FIN	PENSION ACTUARIAL WEBINAR	MANAGER'S OFFICE	20.00
Total OLD NATIONAL BANK/FIN:			20.00
OLD NATIONAL BANK/MO	HAUNTED HOMEWOOD GC'S FOR WINNERS	MANAGER'S OFFICE	77.25
OLD NATIONAL BANK/MO	SMALL REFRIGERATOR	MANAGER'S OFFICE	223.11
OLD NATIONAL BANK/MO	NATIONAL NIGT OUT ENTERTAINMENT	MANAGER'S OFFICE	365.00
OLD NATIONAL BANK/MO	CAROLERS HOLIDAY LIGHTS	MANAGER'S OFFICE	945.00
OLD NATIONAL BANK/MO	SYMPATHY GIFT	MANAGER'S OFFICE	74.89
OLD NATIONAL BANK/MO	MICROSOFT SERVER LICENSE 2019	MANAGER'S OFFICE	609.31
OLD NATIONAL BANK/MO	ICE SCULPTURES	MANAGER'S OFFICE	2,885.00
OLD NATIONAL BANK/MO	HALLOWEEN CANDY	MANAGER'S OFFICE	269.08
OLD NATIONAL BANK/MO	HALLOWEEN CANDY	MANAGER'S OFFICE	97.73
OLD NATIONAL BANK/MO	SMORES HOLIDAY LIGHTS	MANAGER'S OFFICE	1,511.00
Total OLD NATIONAL BANK/MO:			7,057.37
OLD NATIONAL BANK/PD	ILACP ANNUAL DUES	POLICE DEPARTMENT	115.00
OLD NATIONAL BANK/PD	OFFICE SUPPLIES	POLICE DEPARTMENT	184.12

Name	Description	DEPARTMENT	Net Invoice Amount
OLD NATIONAL BANK/PD	BUSINESS CARDS	POLICE DEPARTMENT	39.94
OLD NATIONAL BANK/PD	BUSINESS CARDS	POLICE DEPARTMENT	55.24
Total OLD NATIONAL BANK/PD:			394.30
OLD NATIONAL BANK/PW	SCADA TV	PUBLIC WORKS	269.99
OLD NATIONAL BANK/PW	A-FRAME SIGN HOLDERS	PUBLIC WORKS	645.46
OLD NATIONAL BANK/PW	TIRE BALANCER REPAIR	PUBLIC WORKS	617.39
OLD NATIONAL BANK/PW	CORD COVERS	PUBLIC WORKS	194.86
OLD NATIONAL BANK/PW	SNOW ICE TRAINING	PUBLIC WORKS	606.84
Total OLD NATIONAL BANK/PW:			2,334.54
PENNY BRADSHAW	80% MEDICARE SUPPLEMENT REIMBURSEMENT	MANAGER'S OFFICE	1,308.00
Total PENNY BRADSHAW:			1,308.00
PHILLIPS CHEVROLET	2800 TAHOE	FIRE DEPARTMENT	92.95
PHILLIPS CHEVROLET	2800 TAHOE	FIRE DEPARTMENT	513.86
Total PHILLIPS CHEVROLET:			606.81
PORTER LEE CORPORATION	ANNUAL MAINT PD BEAST EVIDENCE SOFTWARE	MANAGER'S OFFICE	1,540.00
Total PORTER LEE CORPORATION:			1,540.00
PROSHRED SECURITY	SHREDDING	POLICE DEPARTMENT	74.36
Total PROSHRED SECURITY:			74.36
RED WING BUSINESS ADVANT	WORK BOOTS	PUBLIC WORKS	212.49
RED WING BUSINESS ADVANT	WORK BOOTS	PUBLIC WORKS	220.99
RED WING BUSINESS ADVANT	WORK BOOTS	PUBLIC WORKS	69.99
RED WING BUSINESS ADVANT	WORK BOOTS	PUBLIC WORKS	195.49
RED WING BUSINESS ADVANT	WORK BOOTS	PUBLIC WORKS	256.98
RED WING BUSINESS ADVANT	WORK BOOTS	PUBLIC WORKS	416.48
RED WING BUSINESS ADVANT	WORK BOOTS	PUBLIC WORKS	310.24
Total RED WING BUSINESS ADVANTAGE:			1,682.66
RELIANCE SAFETY LANE & SE	VEHICLE SAFETY INSPECTION	FIRE DEPARTMENT	122.50
RELIANCE SAFETY LANE & SE	VEHICLE SAFETY INSPECTION	FIRE DEPARTMENT	49.50
Total RELIANCE SAFETY LANE & SERVICE:			172.00
SAUNORIS BROTHERS INC	SAND	PUBLIC WORKS	231.06
Total SAUNORIS BROTHERS INC:			231.06
SEBIS - POSTAGE	SEBIS POSTAGE	PUBLIC WORKS	2,962.50
Total SEBIS - POSTAGE:			2,962.50
SEBIS DIRECT INC	SEBIS DIRECT	PUBLIC WORKS	693.00
Total SEBIS DIRECT INC:			693.00

Name	Description	DEPARTMENT	Net Invoice Amount
SECOND CHANCE CARDIAC S	MEDICAL SUPPLIES	FIRE DEPARTMENT	285.00
Total SECOND CHANCE CARDIAC SOLUTIONS, INC:			285.00
SECRETARY OF STATE	CONFIDENTIAL PLATE RENEWAL	PUBLIC WORKS	151.00
Total SECRETARY OF STATE:			151.00
SHARK SHREDDING INC	DOCUMENT SCANNING	FIRE DEPARTMENT	855.59
SHARK SHREDDING INC	MONTHLY SHREDDING	FIRE DEPARTMENT	66.00
Total SHARK SHREDDING INC:			921.59
SOUND INCORPORATED	MONTHLY HOSTED SERVICES FEE	MANAGER'S OFFICE	495.00
Total SOUND INCORPORATED:			495.00
SOUTH SUBURBAN HUMANE S	ANIMAL IMPOUND FEES	POLICE DEPARTMENT	260.00
Total SOUTH SUBURBAN HUMANE SOCIETY:			260.00
STANARD & ASSOCIATES INC	RECRUITMENT - ASSESSMENT	MANAGER'S OFFICE	1,500.00
Total STANARD & ASSOCIATES INC:			1,500.00
STRYKER SALES CORPORATIO	STRYKER 11-1-23 THRU 10-31-24	FIRE DEPARTMENT	8,354.00
Total STRYKER SALES CORPORATION:			8,354.00
SUPERIOR TOOL REPAIR LLC	HEATERS FOR EVENTS INVENTORY	MANAGER'S OFFICE	2,156.50
Total SUPERIOR TOOL REPAIR LLC:			2,156.50
TEMPLE DISPLAY LTD	SNOW FLAKE LIGHT BULBS	PUBLIC WORKS	196.50
Total TEMPLE DISPLAY LTD:			196.50
TERMINIX PROCESSING CNTR	PEST CONTROL SERVICE	PUBLIC WORKS	275.00
Total TERMINIX PROCESSING CNTR:			275.00
THE STUTTLEY GROUP LLC	ADMINISTRATIVE HEARING OFFICER	MANAGER'S OFFICE	525.00
Total THE STUTTLEY GROUP LLC:			525.00
TKB ASSOCIATES INC	LASERFICHE ANNUAL SUPPORT AND MAINTENANCE	MANAGER'S OFFICE	6,542.00
Total TKB ASSOCIATES INC:			6,542.00
TRAFFIC SAFETY STORE	DPW SAFETY VEST	PUBLIC WORKS	804.75
Total TRAFFIC SAFETY STORE:			804.75
U.S. DEPT OF HEALTH AND HU	US DEPT OF HEALTH & HUMAN SVS -RETURN PMT	MANAGER'S OFFICE	14,755.93
Total U.S. DEPT OF HEALTH AND HUMAN SERVICES:			14,755.93

Name	Description	DEPARTMENT	Net Invoice Amount
ULINE	WATER PLANT 3 SPILL KIT	PUBLIC WORKS	1,108.02
Total ULINE:			1,108.02
USA BLUEBOOK	CHLORINE SAMPLE SUPPLIES	PUBLIC WORKS	657.00
USA BLUEBOOK	LOCATE FLAGS	PUBLIC WORKS	348.70
USA BLUEBOOK	CHLORINE SAMPLE SUPPLIES	PUBLIC WORKS	282.99
Total USA BLUEBOOK:			1,288.69
WAREHOUSE DIRECT OFFICE	OFFICE SUPPLIES	PUBLIC WORKS	53.24
WAREHOUSE DIRECT OFFICE	OFFICE SUPPLIES	PUBLIC WORKS	36.81
WAREHOUSE DIRECT OFFICE	OFFICE SUPPLIES - FD	FIRE DEPARTMENT	66.36
WAREHOUSE DIRECT OFFICE	OFFICE SUPPLIES	PUBLIC WORKS	50.99
WAREHOUSE DIRECT OFFICE	OFFICE SUPPLIES/DISPOSABLES	MANAGER'S OFFICE	158.67
Total WAREHOUSE DIRECT OFFICE PDTS:			366.07
WHITMORE INC	LOADER SUBSCRIPTION	PUBLIC WORKS	825.00
Total WHITMORE INC:			825.00
WORKING WELL	CDL RANDOM DRUG SCREENS	PUBLIC WORKS	152.00
WORKING WELL	CDL RANDOM DRUG SCREENS	PUBLIC WORKS	107.00
Total WORKING WELL:			259.00
Grand Totals:			599,905.43

Dated: _____

Village Clerk: _____



BOARD AGENDA MEMORANDUM

DATE OF MEETING: November 28, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Angela Mesaros, Director of Economic and Community Development

Topic: Inducement Resolution – 3043-3055 183rd Street

PURPOSE

The Village recently acquired the property at 3043-3055 183rd Street through a litigation settlement agreement with the intent of attracting a developer to develop the property. The property is more identifiable as the former Brunswick Zone and Big Lots. The building is approximately 90,000 square feet and is vacant. The Village has a letter of intent with a developer and anticipates entering into a redevelopment agreement for incentives.

The developer is expected to incur costs for the rehabilitation of the existing commercial center before the creation of a new Tax Increment Financing (TIF) district and before approval of the redevelopment agreement. In addition, the Village will incur costs related to the eligibility study and adoption of the TIF district. The purpose of the resolution is to induce the developer to incur costs in connection with the property prior to the establishment of a TIF, and to reimburse the developer for TIF eligible expenditures once the TIF has been created. The resolution also allows for the Village to be reimbursed for their eligible costs in similar fashion.

PROCESS

The property was formerly the Brunswick Zone bowling facility, which has been vacant for approximately eight (8) years, and the Big Lots retail store which also recently closed. In October 2022, the Village acquired the property and in November 2022, the Village approved a Letter of Intent with David Bossy of Mid-America Development.

The property is within the Kedzie Gateway Tax Increment Financing District. The property had a high EAV when the Village acquired it. To remedy this EAV, the Village has engaged Ryan LLC (formerly Kane, McKenna & Associates) to prepare an eligibility study to determine whether this property and the adjacent plaza housing Great American Bagel would qualify as a separate TIF. When the Village acquired the Brunswick property it was made tax exempt, reducing its assessed value to zero. Based on the reduced assessed value, the proposed new TIF would generate substantial increment that could be used to redevelop the property. The expected date for designation of the TIF district is August 2024. The Village began discussions with a developer regarding this property in early 2023.



OUTCOME

The property is ideally located and has a highly visible location on 183rd Street near Kedzie Avenue. Passage of the inducement resolution will allow, but will not bind, the Village to enter into a redevelopment agreement at a later date and reimburse the developer for those previously incurred expenses once a new TIF is established and funds are available. The benefit of this development is that it would return an underutilized property to productive use and strengthen and enhance the Village's tax base.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Completed

RECOMMENDED BOARD ACTION

Pass a resolution declaring the Village of Homewood's intent to Reimburse Expenditures for the proposed 183rd Street West Tax Increment Financing District.

ATTACHMENT(S)

Resolution

RESOLUTION NO. R -3170

A RESOLUTION DECLARING THE VILLAGE OF HOMEWOOD’S INTENT TO REIMBURSE TIF ELIGIBLE EXPENDITURES FOR THE PROPOSED 183rd STREET WEST TAX INCREMENT FINANCING DISTRICT

WHEREAS, the Village of Homewood, Cook County, Illinois (“Village”), is considering: (i) the establishment of the 183rd Street West Tax Increment Redevelopment Project Area (the “ Proposed TIF”), (ii) the approval of a Redevelopment Plan and Project for the Proposed TIF, and (iii) the authorization of tax increment financing for redevelopment within the Proposed TIF, all under the Tax Increment Allocation Redevelopment Act (65 ILCS 5/ 11- 74. 4- 1 *et seq.*) (the “TIF Act”); and

WHEREAS, the Village is authorized, under provisions of the TIF Act, to finance redevelopment project costs, as defined in Section 3(q) of the TIF Act, 65 ILCS 5/11-74.4-3 (q) (“TIF Project Costs”), in connection with redevelopment project areas established under the requirements listed in the TIF Act; and

WHEREAS, the Village of Homewood has engaged the firm of Ryan, LLC to prepare a feasibility study under the TIF Act to determine if the property commonly known as 3055 183rd Street, Homewood, Illinois, and adjacent areas may be designated as a redevelopment project area under the TIF Act; and

WHEREAS, the Village has been negotiating with David Bossy of Mid America Development (the “Developer”) to redevelop the property at 3043-3055 183rd Street (the “Site”); and

WHEREAS, in November 2022, the Village approved a letter of intent with the Developer; and

WHEREAS, as a result of engaging Ryan, LLC., the Village has and will expend Village funds for TIF Project Costs (“Village Costs”) which, if the Proposed Redevelopment Project Area is established as a TIF district under the TIF Act, would be reimbursable from TIF incremental revenues generated from property within the Proposed TIF District (the “TIF Expenditures”); and

WHEREAS, the Village reasonably expects to reimburse itself for the Village Costs from TIF incremental revenues generated by properties within the Proposed TIF District (the “TIF Revenues”), should the Proposed TIF District be established as a redevelopment project area under the TIF Act; and

WHEREAS, in good faith and reasonable reliance on the Village's intent and desire to approve the Proposed TIF District and enter into a Redevelopment Agreement providing for the rehabilitation of the existing commercial property, the Developer will incur certain Project costs required to implement the Project and will be lawfully reimbursable to Developer under the TIF Act as TIF Project Costs upon the creation of the Proposed TIF District; and

WHEREAS, the Developer has asked for the Village to approve (subject to approval of the Proposed TIF District) reimbursement to the Developer for part of the Project costs; and

WHEREAS, if the Redevelopment Agreement is approved by the Village, the Village expects to pay, or reimburse the Developer, from TIF Revenues for the Initial Developer Costs, which are TIF Project Costs incurred by the Developer in the future for the Project; and

WHEREAS, the Developer has stated that without the contribution of TIF Revenues from the Village to the Project, the Developer cannot and will not undertake or complete the Project; and

WHEREAS, Developer: (i) reasonably expects that it will pay or incur Developer Costs in connection with the Project before creation of the Proposed TIF District and before formal approval and execution of the Redevelopment Agreement; (ii) reasonably expects that it will use funds from sources other than TIF Revenues which are or will be available short term to pay for such Developer Costs before the creation of the Proposed TIF District and before approval of a Redevelopment Agreement; and (iii) desires reimbursement for its Project-related eligible capital expenses; and

WHEREAS, the purpose of this Resolution is to induce the Developer to pay or incur certain TIF Expenditures in connection with the Project before the creation of the Proposed TIF District and before formal approval and execution of the Redevelopment Agreement, thus advancing the purposes of the TIF Act;

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois:

SECTION ONE - INCORPORATION OF RECITALS

The recitals set forth above are incorporated herein by reference and made a part hereof.

SECTION TWO - NO RELIANCE:

Neither the Developer nor any other party may rely on this Resolution as a commitment by the Village to enter into the Redevelopment Agreement, and the Village reserves the right in its sole and absolute discretion to not enter into the Redevelopment Agreement.

SECTION THREE - INTENTION:

The Village declares its intention to create the Proposed TIF District and to negotiate and enter into the Redevelopment Agreement with the Developer, which may provide for reimbursement from TIF Revenues of certain TIF Expenditures, paid or incurred by the Developer before the effective date of the Redevelopment Agreement. The Village acknowledges that to keep the Project moving forward on an acceptable schedule, it has been and will be necessary for the Village and the Developer to incur eligible redevelopment project costs before the creation of the Proposed TIF District and before completing the negotiation, approval, and execution of the Redevelopment Agreement. The Village declares its official intent to use certain of the TIF Revenues, to pay or reimburse itself for the Village Costs, and the Developer under the terms of the Redevelopment Agreement, for certain of the Developer Costs.

SECTION FOUR - EFFECTIVE DATE:

This Resolution shall be effective upon its passage and approval as provided by law.

PASSED and APPROVED this 28th day of November 2023.

By: _____
Village President

ATTEST:

Village Clerk

AYES: ____ NAYS: ____ ABSTENTIONS: ____ ABSENCES: ____



BOARD AGENDA MEMORANDUM

DATE OF MEETING: November 28, 2023

To: Village President and Board of Trustees

From: Napoleon Haney, Village Manager

Topic: Paid Leave for All Workers Act (PLAWA) - Ordinance

PURPOSE

The Paid Leave for All Workers Act, Public Act (P.A.) 102-1143, will require employers, including municipalities, to provide 40 hours of paid leave to employees on an annual basis. The Paid Leave for All Workers Act (Public Act 102-1143) (the “PLAWA”) becomes effective January 1, 2024.

HISTORY

Establishing a Minimum Paid Leave Standard

Beginning January 1, 2024, employers in Illinois must provide employees one (1) hour of paid leave per every 40 hours worked and allow employees to carry over up to 40 hours of unused paid leave annually. Employers may set a minimum increment of no more than two hours per day for the use of paid leave. Paid leave accrued may be taken for any reason without documentation, but employers may set leave policies that require employees to provide notice of seven days for foreseeable leave and as soon as possible for unforeseeable leave.

PROCESS

Municipal Paid Leave Ordinances

The Act does not *require* municipalities to pass paid leave ordinances; however, the Act does not apply to municipalities covered by a current ordinance that provides paid leave to their employees.

Non-home rule municipalities have authority to adopt leave ordinances for their own municipal employees, but such ordinances obviously do not apply to other employers within the community. Those other employers will still be required to provide 40 hours of paid leave annually, as outlined in the Act. If a non-home rule municipality adopts a leave ordinance for their own employees after the Act’s effective date, the ordinance must comply with the minimum paid leave standard outlined in the Act.



OUTCOME

Recommendation from the IML

The Illinois Municipal League (IML) has evaluated this Act in its entirety and makes the following suggestion to both non-home rule and home rule municipalities:

Given the severe consequences of not acting before the PLAWA effective date of January 1, 2024, municipalities, home rule and non-home rule alike, should enact an ordinance providing that paid leave shall only be provided in accordance with current ordinances, personnel policies or other local policies, and in accordance with collective bargaining agreements, if any. This is consistent with the approaches suggested in all the legal opinions obtained by IML.

In IML’s legal opinion from Burke Burns and Pinelli, Ltd. of Chicago, it was recommended that language be added to any ordinance providing that “in no event shall the municipality, as an employer, provide less than (1) day of paid leave.” IML agrees with this approach as a means to ensure compliance with the letter of law per the PLAWA.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A

LEGAL REVIEW

Completed

RECOMMENDED BOARD ACTION(S)

Pass an ordinance regarding the Illinois Paid Leave for All Workers Act for the Village of Homewood.

ATTACHMENT(S)

- IML Fact Sheet
- Ordinance

PAID LEAVE FOR ALL WORKERS ACT

Effective January 1, 2024



The Paid Leave for All Workers Act, Public Act (P.A.) 102-1143, will require employers, including municipalities, to provide 40 hours of paid leave to employees on an annual basis.

ESTABLISHING A MINIMUM PAID LEAVE STANDARD

Beginning January 1, 2024, employers must provide employees one hour of paid leave per 40 hours worked and allow them to carry over up to 40 hours of paid leave annually. Employers may set a minimum increment of no more than two hours per day for the use of paid leave. Paid leave accrued may be taken for any reason without documentation, but employers may set leave policies that require employees to provide notice of seven days for foreseeable leave and as soon as possible for unforeseeable leave.

MUNICIPAL PAID LEAVE ORDINANCES

The Act does not require municipalities to pass paid leave ordinances. The Act does not apply to employers, including municipalities, covered by a current ordinance that requires them to provide any form of paid leave to their employees.

NON-HOME RULE MUNICIPALITIES

Non-home rule municipalities currently have authority to adopt leave ordinances for their own municipal employees, but such ordinances do not apply to other employers within the community. Those other employers will be required to provide 40 hours of paid leave annually, as outlined in the Act. If a non-home rule municipality adopts a leave ordinance for their own employees after the Act's effective date, the ordinance must comply with the minimum paid leave standard outlined in the Act.

HOME RULE MUNICIPALITIES

Home rule municipalities currently have authority to adopt paid leave ordinances that apply to all employers within their community and may continue to adopt alternative ordinances after this Act's effective date. However, employers will be required to comply with both local and state standards if those ordinances do not meet the state's minimum required benefits. Nothing in this Act preempts a home rule municipality from adopting ordinances providing broader or more expansive paid leave requirements for employers within that specific community.



EMPLOYER RESPONSIBILITIES UNDER PAID LEAVE FOR ALL WORKERS ACT

Employers will be required to maintain records documenting hours worked, paid leave accrued and taken and the paid leave balance for each employee for at least three years. Employers will also have notification responsibilities including posting a physical notice summarizing the Act, information on filing a complaint and supplying employees with notice of their amount of accrued time. Additionally, employers will be barred from retaliating against employees for using paid leave.

Employers will be subject to penalties for violations of the Act including fines of up to \$1,000 per violation of the Act's posting and notice requirements, up to \$2,500 for all other violations and possible civil penalties and damages to the employee.

EXCEPTIONS TO PAID LEAVE POLICY

The Act does not preempt or alter leave benefits subject to current collective bargaining agreements. The Act does not apply to federal employees, or school district and park district employees. Other excluded workers include: independent contractors, railroad employees subject to railroad unemployment insurance or the Railway Labor Act, part-time student employees who are employed by a college or university and short-term employees at institutions of higher education.

ADDITIONAL RESOURCES

The Illinois Department of Labor (IDOL) will monitor employer compliance and enforce the Act ([more information available via this link](#)). IDOL has compiled a list of Frequently Asked Questions about the Act ([available via this link](#)) and those particularly applicable to municipal employers are listed below. Specific questions or comments related to the Act can be submitted by email to IDOL at DOL.PaidLeave@illinois.gov.

FREQUENTLY ASKED QUESTIONS COMPILED BY IDOL

DOES THE ACT APPLY TO PART-TIME EMPLOYEES OR JUST FULL-TIME EMPLOYEES?

The Act doesn't distinguish between part-time, full-time or seasonal employees. Both full-time and part-time employees are covered by this Act. However, employees who work fewer hours may accrue less leave time compared to full-time employees.

MY COMPANY (OR MUNICIPALITY) ALREADY OFFERS EMPLOYEES 40+ HOURS OF PAID LEAVE. DOES MY POLICY NEED TO COMPLY WITH THE OTHER REQUIREMENTS OF THE ACT?

If your company has an existing policy that meets or provides the minimum amount of leave required by the Act (40 hours) in a 12-month period and your employees can in fact take that amount of leave for any reason of their choosing, you do not need to modify the terms of your policy.

IDOL expects to further clarify how existing policies meet expectations of the law in rulemaking.

MUST PAID LEAVE PROVIDED UNDER THE ACT BE PAID OUT UPON AN EMPLOYEE'S TERMINATION, RESIGNATION OR RETIREMENT?

The Paid Leave for All Workers Act (PLAWA) does not require payout of unused leave unless the leave is credited to the employee's paid time off bank or employee vacation account; however, employers should additionally consider their vacation payout obligations under the Illinois Wage Payment and Collection Act.



COOK COUNTY HAS A PAID LEAVE ORDINANCE, BUT MUNICIPALITIES ARE ALLOWED TO OPT OUT OF THAT COUNTY ORDINANCE. ARE EMPLOYERS LOCATED IN MUNICIPALITIES WHICH OPTED OUT REQUIRED TO COMPLY WITH THE ACT?

Yes, if on the effective date of the Act (1/1/24) a municipality does not have an ordinance in place that requires payment of paid sick or paid leave, then employers in that municipality shall be covered by this Act.

MAY MUNICIPALITIES OPT OUT OF PLAWA USING THEIR HOME RULE POWERS?

No. Under the Act, the only circumstance in which a municipality may avoid PLAWA coverage is if they have a local ordinance in effect that provides paid sick or paid leave or, after the effective date, if their local ordinance provides benefits, rights and remedies that are greater than or equal to those provided under the Act.

THIS COULD NEGATIVELY IMPACT LOCAL GOVERNMENTS WITH POLICE AND FIRE PERSONNEL, WHAT ARE THEY SUPPOSED TO DO?

The Act does not prohibit an employer from adopting an evenly applied paid leave policy to allow it to address operational issues and meet safety objectives. Employers of unionized employees can also address these concerns through collective bargaining.

CAN I DENY AN EMPLOYEE USE OF PAID LEAVE UNDER THIS LAW? PUT DIFFERENTLY, IS AN EMPLOYEE ALLOWED TO TAKE LEAVE UNDER THIS ACT IN ANY CIRCUMSTANCE?

Nothing in the Act prohibits an employer from adopting a policy that establishes some parameters for taking leave and limited reasons the employer may deny leave for operational necessity. Any such policy must be communicated to employees, applied equally to all employees and conform with other applicable state and federal laws.

IDOL will seek to provide further clarity regarding this issue in rulemaking.

AT WHAT INCREMENT CAN EMPLOYEES TAKE THIS LEAVE UNDER THE LAW?

An employee may take PLAWA leave at a minimum of two-hour increments, although an employer could choose to allow an employee to take leave in smaller increments. An employer whose existing policy meets the minimum requirement of 40 hours of paid time off for any reason of the Act would not have to modify that existing policy in regards to leave increments.

CAN AN EMPLOYER FRONT LOAD PAID LEAVE TIME AT THE BEGINNING OF THE YEAR?

Yes, an employer may front load paid leave time by giving a full year's worth of leave that meets the minimum requirements of the Act to an employee at the beginning of the year.

An employer may make available the minimum number of hours of paid leave, subject to pro rata requirements, a proportional share of accrued hours, under the law, at the beginning of the year for its employees.

IF OUR BUSINESS WANTS TO FRONT LOAD PLAWA BENEFITS FOR PART-TIME STAFF, DOES THE BUSINESS HAVE TO FRONT LOAD 40 HOURS OR CAN I FRONT LOAD AN AMOUNT PROPORTIONATE TO THEIR WORK SCHEDULE?

Employers may front load PLAWA benefits for part-time employees at a pro rata amount consistent with the employee's work schedule. However, if the employee in fact works more



hours than the employer anticipates, the employee is entitled to accrue more hours at a rate of 1 hour of paid leave for every 40 hours worked, up to 40 hours for the 12-month period. If a part-time employee works fewer hours than anticipated by their employer, the employer may not diminish or recoup used or unused front-loaded paid leave benefits.

CAN AN EMPLOYER REQUIRE EMPLOYEES TO ACCRUE PAID LEAVE TIME OVER THE COURSE OF THE YEAR?

Yes, instead of front loading leave benefits, an employer may allow employees to accrue or earn paid leave time at a rate of one hour of paid leave for every 40 hours worked. Notably, a part-time employee might not accrue the full 40 hours of leave provided for in the law by the end of the year, based on the number hours the employee works.

Example: Employee A works 15 hours per week, 52 weeks per year. They will accrue 19.5 hours of paid leave annually. (15 times 52 = 780 hours worked per year. 780 divided by 40 = 19.5 hours of paid leave.)

WHEN DOES ACCRUAL BEGIN UNDER THE ACT? WHEN CAN EMPLOYEES START TAKING PAID TIME OFF?

The Act takes effect January 1, 2024. Accrual begins upon the start of employment or January 1, 2024, whichever is later. Employees are entitled to begin using the accrued paid leave after 90 days. If an employee begins accruing paid leave on January 1, 2024, the first day they could take that paid time off would be March 31, 2024.

Example: The Paid Leave for All Workers Act takes effect January 1, 2024. Six months later, Employee B starts a new job on July 1, 2024, and works 40 hours per week. They start accruing paid leave on their first day (July 1) but must wait 90 days (until September 29, 2024) before taking any of their accrued paid leave.

Example: Employee C has worked for their employer since 2019 but did not previously get paid time off. Employee C will begin accruing paid time off beginning January 1, 2024 (the effective date of the Act.)

HOW DOES ACCRUAL APPLY TO EMPLOYEES WHO WORK MORE THAN 40 HOURS IN A WEEK BUT ARE EXEMPT FROM THE OVERTIME REQUIREMENTS OF THE FEDERAL FAIR LABOR STANDARDS ACT?

Employees who are exempt from the overtime requirements of the federal Fair Labor Standards Act (29 U.S.C. 213(a)(1)) shall be deemed to work 40 hours in each workweek for purposes of paid leave time accrual if they regularly work 40 or more hours in a workweek. If such employee's regular workweek is less than 40 hours, their paid leave time accrues based on the number of hours in their regular workweek.

IF AN EMPLOYER ALLOWS EMPLOYEES TO BORROW AGAINST FUTURE ACCRUAL, THEREBY MAKING THE EMPLOYEE'S PAID LEAVE BALANCE GO NEGATIVE, CAN THE EMPLOYER MAKE THE EMPLOYEE REPAY THE PAID LEAVE IF THE EMPLOYEE TERMINATES BEFORE THEY HAVE EARNED THAT LEAVE?

An employer may only make an employee repay borrowed accrued leave if that policy is disclosed in the employer's written paid leave policy and the employee agrees to that policy in writing prior to taking any leave. All payroll deductions must comply with the requirements of the Illinois Wage Payment and Collection Act.



IF AN EMPLOYER FRONTLOADS AN EMPLOYEE'S PAID LEAVE AT THE BEGINNING OF THE 12-MONTH PERIOD, AND THE EMPLOYEE USES ALL OF THEIR LEAVE AND THEN QUILTS BEFORE THE END OF THE 12-MONTH PERIOD, CAN THE EMPLOYER MAKE THE EMPLOYEE REPAY THE PAID LEAVE?

No, the law does not allow an employer to make an employee repay paid leave time that was frontloaded at the beginning of the 12-month period. Benefits that have already been provided may not be retroactively diminished.

HOW CAN AN EMPLOYER TRACK THE TIME REQUIRED UNDER THIS ACT VERSUS OTHER BENEFIT TIME GIVEN TO THE EMPLOYEE?

The Act requires employer tracking of paid time off for any reason. If the employer chooses to offer paid sick time or other forms of paid time off in addition to paid leave, they should track that too as a best practice, but it is not covered by this Act.

IS THERE A DIFFERENCE BETWEEN "VACATION" AND "PTO" (PAID TIME OFF)?

Generally speaking, PTO is leave that can be taken for any reason or no reason at all and may not have to be paid out to an employee upon separation. Leave specified as "vacation" leave is subject to pay out pursuant to Section 4 of the Wage Payment and Collection Act.

HOW WILL PLAWA INTERACT WITH FMLA?

The Family and Medical Leave Act (FMLA) is unpaid job protected leave that can only be used by covered employees in covered circumstances. Employees going on FMLA may use PLAWA time concurrently during their FMLA leave. [All FMLA questions should be directed to the [United States Department of Labor](https://www.dhs.gov/eisaposters/department-of-labor)]

HOW DOES CARRY OVER, ALSO KNOWN AS "ROLL OVER," WORK UNDER THIS LAW?

Employees are allowed to carry over or roll over unused, accrued leave from one year to the next under this law. However, there is no obligation for the employer to offer more than 40 hours of paid leave off in a year. An employer may offer more than the 40 hours off if they choose.

HOW DOES THIS LAW INTERACT WITH OTHER UNPAID LEAVE PROTECTIONS?

An employee covered under the Act is entitled to use paid leave under the Act before using unpaid leave under any employer policy or other state law.

WHEN WILL IDOL HAVE RULES IN PLACE FOR THIS ACT?

The Department anticipates filing a draft of the rules before the effective date of this Act. Under the rulemaking process there will then be a public comment period on those rules and a time period for the Department to make any changes. Finalized rules should be in place before March 31, 2024.

WHEN WILL THE NOTICE THAT IS REQUIRED IN THE ACT BE AVAILABLE FROM THE DEPARTMENT?

The required notice will be on our website by the end of 2023.

ORDINANCE NO. M-2270

AN ORDINANCE REGARDING THE ILLINOIS PAID LEAVE FOR ALL WORKERS ACT FOR THE VILLAGE OF HOMEWOOD, ILLINOIS .

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/1-2-1, provides that the corporate authorities of each municipality may pass all ordinances and make all rules and regulations proper or necessary to effectuate the powers granted to municipalities, with such fines or penalties as may be deemed proper; and

WHEREAS, the Village of Homewood (“Village”) is a non-home rule Illinois municipality; and

WHEREAS, on or about March 12, 2023, Governor J.B. Pritzker signed into law the Paid Leave for All Workers Act (820 ILCS 192/1 *et seq.*) (the “Act”); and

WHEREAS, the State of Illinois did not make the necessary appropriations or include statutory language exempting the Act from the Illinois State Mandates Act (30 ILCS 805/1 *et seq.*); and

WHEREAS, effective January 1, 2024, the Act requires an employer to provide certain paid leave to their employees, unless the employer is subject to an existing municipal or county ordinance that requires the employer to provide any form of paid leave to their employees; and

WHEREAS, the Village recognizes the importance of paid leave and currently provides reasonable paid leave benefits to its employees; and

WHEREAS, the Village has determined that applying the Act to its own employees will negatively affect the Village and will place an undue financial and operational burden on the Village’s ability to provide uninterrupted services to its residents; and

WHEREAS, the Board of Trustees believes and declares that it is in the Village’s best interests to clearly define the paid leave benefits that Village employees shall receive.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, as follows:

SECTION ONE - INCORPORATION OF RECITALS:

The recitals above are incorporated as findings of fact as if the recitals were fully set forth herein.

SECTION TWO – ADOPTION OF CURRENT PAID LEAVE POLICY:

As provided by Section 15(p) of the Act, the Village hereby adopts its current paid leave policy for all Village employees as stated in the Village’s Municipal Code, Personnel Manual, Administrative Orders, Annual Salary Ordinances, any collective bargaining agreements the Village is a party to, and all other binding legislative actions governing paid leave adopted by the President and Board of Trustees, as the same may be amended from time to time. However, the Village shall not as an employer, provide less than one (1) day of paid leave per year to any Village employee.

SECTION THREE – REPEAL OF CONFLICTING PROVISIONS:

All ordinances, resolutions, and policies or parts thereof, in conflict with this Ordinance are, to the extent of the conflict, repealed on this Ordinance’s effective date.

SECTION FOUR – SEVERABILITY:

If any provision of this Ordinance or application thereof to any person or circumstance is ruled unconstitutional or invalid, this invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION FIVE – EFFECTIVE DATE:

This ordinance shall be in full force and effect from and after its passage, approval, and publication in accordance with law.

PASSED and APPROVED this 28th day of November, 2023

Village President

ATTEST:

Village Clerk

AYES: _____ NAYS: _____ ABSTENTIONS: _____ ABSENCES: _____



BOARD AGENDA MEMORANDUM

DATE OF MEETING: November 28, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Tyler Hall, Assistant Village Manager

Topic: Update to Village Ordinance M-2128 that Establishes an Administrative Procedure for Assessing and Determining Claims under the Public Safety Employee Benefits Act (PSEBA)

PURPOSE

The Illinois General Assembly passed legislation that created updates to the Public Safety Employee Benefits Act (820 ILCS 320). This updated legislation impacts the Village's existing ordinance, M-2128, which establishes an administrative procedure for assessing and determining claims under the Public Safety Employee Benefits Act. The Village Board approved the current Village ordinance at the February 11, 2020 Board of Trustees meeting.

Background on PSEBA

The Public Safety Employee Benefit Act (PSEBA) was enacted in 1997 to provide lifetime health insurance coverage for first responders, along with their spouses and children, when the first responders are killed or "catastrophically injured" while responding to an emergency. Qualifying employees that sustain a "catastrophic injury" are entitled to lifetime employer-funded health insurance premiums for themselves, their spouse and any children until majority age is reached or the end of the year in which the child turns twenty-six if the child is either a dependent, or a part-time or full-time student. Upon the death of the public safety employee receiving the health insurance premium coverage, the surviving spouse continues to receive the health insurance benefit until remarriage.

PROCESS

The updated language that was passed by the Illinois General Assembly (P.A. 103-0340) amends the Public Safety Employee Benefits Act. In a provision requiring a public safety employer to pay the entire premium of its health insurance plan for a public safety employee, the employee's spouse, and the employee's dependent children after the employee suffers a fatal or catastrophic injury in the line of duty, it states that the employer is required to offer any individual who qualifies for such premium payments the choice of any health insurance plan available to currently employed full-time public safety employees. Changes in coverage may only be elected during open enrollment or following a qualifying event. This new provision becomes effective January 1, 2024. Currently, an eligible public safety employee, their spouse,



and their dependent children, would only be allowed to receive the Village's basic group health insurance plan.

OUTCOME

Updating the Village Ordinance regarding the administrative procedure of assessing and determining claims under PSEBA, would bring the Village into compliance with State law.

FINANCIAL IMPACT

- **Funding Source:** No Financial Impact
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Completed

RECOMMENDATION

Pass an ordinance establishing an administrative procedure for assessing and determining claims under the Public Safety Benefits Act (PSEBA) to become compliant with State law.

ATTACHMENT(S)

Ordinance

ORDINANCE NO. M-2271

AN ORDINANCE ESTABLISHING AN ADMINISTRATIVE PROCEDURE FOR ASSESSING AND DETERMINING CLAIMS UNDER THE PUBLIC SAFETY EMPLOYEE BENEFITS ACT

WHEREAS, the Illinois Legislature has granted non-home rule municipalities the broad authority to “pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities” (65 ILCS 5/1-2-1); and

WHEREAS, while “non-home rule municipalities have the authority to enact ordinances, such ordinances may in no event conflict with state law or prohibit what a state statute expressly permits . . . A local ordinance may impose more rigorous or definite regulations in addition to those enacted by the state legislature so long as they do not conflict with the statute” (*Village of Wauconda v. Hutton*, 291 Ill. App. 3d 1058, 1060 (1997)); and

WHEREAS, the Public Safety Employee Benefits Act (“PSEBA” or “Act”) was enacted in 1997 to provide free health insurance benefits when a “full-time law enforcement, correctional or correctional probation officer, or firefighter . . . suffers a catastrophic injury or is killed in the line of duty” (820 ILCS 320/10(a)); and

WHEREAS, the Illinois Appellate Court in *Englum v. The City of Charleston*, 2017 Ill. App. (4th) 160747 (2017) found that a non-home rule municipality’s ordinance establishing an administrative procedure for assessing claims under PSEBA “complemented the determinations of the legislature by enacting a procedural process to fulfill the substantive requirements of the [Act]” and such an ordinance “facilitate[s] the purpose of the [Act]” ¶ 73; and

WHEREAS, the Court in *Englum* found that non-home rule municipalities have the authority to enact an ordinance establishing a local administrative procedure to determine eligibility for PSEBA benefits; and

WHEREAS, the Board of Trustees enacted Ordinance M-2128 on June 11, 2019 to establish a local administrative procedure; and

WHEREAS, the Illinois General Assembly has enacted Public Act 103-0340 that modified PSEBA regarding the insurance options to be made available to covered employees; and

WHEREAS, the Village of Homewood (“Village” or “Homewood”) desires to amend its ordinances to comply with Public Act 103-0340; and

WHEREAS, as a result of the decision in *Englum*, the Village of Homewood desires to adopt the following ordinance and finds it to be in the best interest of its citizens' health, safety, and welfare.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, as follows:

SECTION ONE - PURPOSE

The purpose of this Ordinance is to provide a fair and efficient method for determining the eligibility of a full-time employee, spouse or dependents for the benefits enumerated under PSEBA through an administrative process, including if necessary, an administrative hearing.

SECTION TWO - APPLICATION PROCEDURE

As noted by the Court in *Englum*, "while the [Act] contained *substantive* requirements for section 10 eligibility, the [Act] contained no *procedural* requirements for determining whether a former employee met the substantive criteria." ¶ 55. This Ordinance and the application procedure of this section establish guidance on the proper procedural requirements for public safety officers seeking PSEBA benefits in the Village.

A. Public safety officers, or family member(s) of an injured or deceased public safety officer, (Applicant) must file a full and complete PSEBA application in writing within sixty (60) days of the date of a written decision granting a line of duty disability and/or survivor's pension claim with the Homewood Fire Pension Board or Police Pension Board, or within sixty (60) days of the adoption of this Ordinance if an Applicant has filed for a pension or PSEBA claim before the date of adoption of this Ordinance, whichever is later, if the Applicant is seeking an initial award of benefits under PSEBA. Submission of an application for PSEBA benefits shall toll the applicable statute of limitations for PSEBA until the completion of this administrative procedure. The Village shall notify Applicant if the PSEBA application is incomplete and Applicant shall have thirty (30) days to remedy their application. Failure to timely file the full and complete application shall result in a forfeiture of the benefits under PSEBA if the submitted application prevents the Village from evaluating the merits of the Applicant's claim through conducting a hearing as provided in this ordinance. The Village shall provide the Applicant with a full and complete copy of this Ordinance, if at any time it becomes aware that a firefighter or police officer, or their family member(s), may be eligible for PSEBA benefits.

B. A complete PSEBA application includes the following:

1. The name of the Applicant, date of hire, detailed information regarding the incident, including information relating to how the injury was sustained in the line of duty (date, time, place, nature of injury and other factual circumstances surrounding the incident giving rise to said claim);
 2. A summary of the Applicant's claim explaining how the injury/death directly resulted from:
 - i. Response to fresh pursuit;
 - ii. Response to what is reasonably believed to be an emergency;
 - iii. An unlawful act perpetrated by another; or
 - iv. During the investigation of a criminal act;
 3. A signed PSEBA medical authorization release authorizing the collection of information related to the incident including, but not limited to, disability pension proceedings and documents submitted to the pension board, worker's compensation records, and medical records and specifying the name and address for pertinent health care provider(s);
 4. A signed PSEBA general information release specifying the name and signature of the Applicant or their authorized representative along with legal proof of the representation authorizing the collection of information pertinent to the incident review process;
 5. The name(s) of witnesses to the incident;
 6. The name(s) of witnesses the Applicant intends to call at the PSEBA hearing;
 7. Upon request, any documents filed with the pension board;
 8. Information supporting the PSEBA eligibility requirements, such as a marriage license, birth certificate of dependents, or any other documents or information requested by the Village to determine eligibility; and
 9. Other sources of health insurance benefits currently enrolled in or received by the Applicant and/or family members if the Applicant is deceased.
- C. The PSEBA application must be submitted to the Village Manager or designee in its entirety, although the Applicant shall be allowed to supplement the application before the hearing for good cause.

D. Additional Information/Medical Release Required. In no event shall the Village request medical records, or other information outside of that outlined above in Section B3, unless the Village determines that those records are required to make a determination as to the Applicant's PSEBA eligibility. If the Village makes a valid request, in writing, for additional information, the Applicant shall submit the additional information within thirty (30) days' after receipt of the request.

The Village acknowledges that it may receive medical information pursuant to a valid request for additional information, and that it has access to the employee's workmen's compensation records and medical records. The Medical Release shall authorize the collection of medical information by the Village related to the incident, and shall specify the name, address, email and phone information for pertinent health care providers and hospitals, along with the employee's signature and a witness's signature. The release shall comply with HIPAA standards. Any medical records obtained through the application process shall be maintained in compliance with the Americans with Disabilities Act. If the Village makes a valid request, in writing, for a Medical Release, the Applicant shall provide the completed Medical Release within seven (7) days after receipt of the request. So long as the Applicant provides a requested Medical Release, the failure or inability to obtain medical information from medical providers cannot be used to deny a PSEBA application, or deem it untimely or incomplete.

SECTION THREE - APPLICATION REVIEW BY VILLAGE MANAGER OR DESIGNEE

Upon receipt of a timely, fully completed PSEBA application, the Village Manager or designee shall have sixty (60) days to review the application and supporting documents and make an initial determination as to whether or not a PSEBA qualification hearing is required.

A. PSEBA Approval. If the Village Manager or designee determines that all PSEBA requirements have been satisfied, the Village Manager or designee may grant the PSEBA benefits without a hearing. Upon such grant, the Applicant will be notified and required to contact the Village Manager or designee within thirty (30) days for benefit explanation and processing.

B. PSEBA Denial. If the Village Manager or designee denies the application, the Applicant will receive notice of such denial and the Applicant shall have the right to request, in writing, a qualification hearing, which shall be served on the Village Manager or designee not later than thirty (30) days after being served with a written notice of initial denial.

C. Request PSEBA Hearing. If the Applicant fails to request a PSEBA qualification hearing within thirty (30) days, the Applicant shall contact the Village

Manager or his designee to discuss other potential health insurance options. Failure to request an administrative hearing within thirty (30) days after being served with a written notice of denial of the application by the Village Manager or designee shall result in a forfeiture of PSEBA benefits.

D. Setting Initial Date. If the Applicant requests an administrative hearing, the Village Manager or designee will appoint a Hearing Officer within thirty (30) days of the request. The Hearing Officer shall set the first date of the administrative hearing within thirty (30) days of being appointed.

SECTION FOUR - ADMINISTRATIVE COMPOSITION

A. Hearing Officer. The Village Manager is authorized to appoint a person to hold the position of Hearing Officer for each hearing on PSEBA benefits that shall come before this Village. In making said selection, these qualifications should be considered, at a minimum:

1. The individual’s ability to comply with the job requirements set forth herein; and
2. The individual must be an attorney licensed to practice law in the State of Illinois for at least ten (10) years and must have knowledge of and experience in employment and labor law, general civil procedure, the rules of evidence, and administrative practice.

The administrative hearing shall be scheduled and conducted by a Hearing Officer whose authority and limitations are:

B. Authority of the Hearing Officer. The Hearing Officer shall have all of the authorities granted to them under common law relative to the conduct of an administrative hearing, including the authority to:

1. Preside over Village hearings involving PSEBA;
2. Administer oaths;
3. Hear testimony and accept evidence relevant to the issue of eligibility under PSEBA;
4. Issue subpoenas to secure attendance of witnesses and the production of relevant papers or documents upon the request of the parties or their representatives;
5. Rule upon objections to the admissibility of evidence;

6. Preserve and authenticate the record and all exhibits in evidence introduced at the hearing; and
7. Issue a written determination based on the evidence presented at the hearing, including findings of fact, decision, and order.

SECTION FIVE – ADMINISTRATIVE HEARING:

The system of administrative hearings for determining eligibility for benefits under PSEBA shall be initiated as set forth above in Section Three after a PSEBA application and the applicants request for a hearing is denied by the Village Manager or designee. Following such denial, an administrative hearing shall be held to determine the Applicant’s eligibility for PSEBA benefits consistent with the Act and this Ordinance as follows:

- A. Time and Date. Hearing shall be held on the date, time and place established by the Hearing Officer with appropriate notice served upon the Applicant.
- B. Record. The Village shall ensure that all hearings are attended by a certified court reporter and a transcript of all proceedings shall be made by said certified court reporter and a copy be provided to the Applicant within twenty-eight (28) days following the administrative hearing date.

If one party requests an expedited transcript, that party shall bear the entire amount of the increased cost for the expedited transcripts, including the extra cost of any and all copies of the expedited transcripts.

- C. Procedures. The Village and the Applicant shall be entitled to representation by counsel at said administrative hearing and present witnesses, testimony, and documents; may cross-examine witnesses, and may request the issuance of subpoenas to compel the appearance of relevant witnesses or the production of relevant documents.
- D. Evidence. The Illinois Rules of Evidence shall apply unless, by such application, the Hearing Officer determines that application of the rule would be an injustice or preclude the introduction of evidence of the type commonly relied upon by a reasonably prudent person in the conduct of their affairs. Such determination shall be in the sole discretion of the Hearing Officer. The Hearing Officer must state on the record their reason for that determination.
- E. Final Determination. A written determination by the Hearing Officer of the Applicant’s eligibility for PSEBA benefits shall constitute a final administrative determination for the purpose of judicial review under the common law writ of certiorari.

- F. Burden of Proof. At any administrative hearing, the Applicant shall have the obligation and burden of proof to establish by a preponderance of the evidence that the Applicant satisfies the requirements set forth in the Act to receive PSEBA benefits.
- G. Administrative Records. All records pertaining to the administrative process shall be held in a separate file under the Applicant's name by the Village.
- H. The Hearing Officer's determination shall be subject to review by the Circuit Court of Cook County as established under the Administrative Procedure Act.

SECTION SIX – HEALTH INSURANCE BENEFITS

Upon qualification for PSEBA benefits, the Applicant, their Spouse, and Dependents shall be entitled to the choice of any health insurance plan available to currently employed full-time Village employees. The Village's health insurance plans may change from time to time. Changes to health insurance plans are subject to any applicable collective bargaining agreements with Village firefighters and police officers, and any applicable duty to bargain under the Illinois Public Labor Relations Act, 5 ILCS 315/1 *et seq.* .

- A. Open Enrollment. Individuals receiving benefits under PSEBA will only be able to change from one plan to another during the Village's Open Enrollment Period.
- B. Other Benefits. Health insurance benefits payable from any other source will reduce the benefits payable from the Village. Each Applicant shall sign an affidavit attesting that the Applicant is not eligible for insurance benefits payable from any other source unless there is another source. If there is another source, the Applicant shall notify the Village of that source within ten (10) business days from that source becoming available to the Applicant or the Applicant's beneficiaries. The Village reserves the right annually to have the benefit recipient provide another affidavit affirming whether other health insurance is available or payable to the Applicant, their spouse and/or their qualifying dependent children. The Village shall submit the affidavit to the recipient by certified mail. The affidavit must be completed and returned to the Village within thirty (30) calendar days of mailing of the written notice from the Village. If the recipient does not complete and return the affidavit within the time required, the Village shall give the recipient an additional written notice by certified mail providing an additional fifteen (15) calendar days from mailing, for the recipient to complete and return the affidavit. Failure to return the affidavit within the time required shall result in the recipient

incurring responsibility for reimbursing the Village for premiums paid during the period the affidavit is due and not filed.

- C. Disclosure of Health Insurance Coverage and Other Information. The Applicant has an ongoing obligation and shall update health insurance coverage information provided and failure to do so may result in the denial of benefits and/or reimbursement to the Village for duplicate coverage. If duplicate coverage has been received by a PSEBA beneficiary, further PSEBA benefits will be denied until the Village has been reimbursed by the PSEBA beneficiary for what it would have been credited if it had known about other coverage. Applicant will also cooperate with the Village as necessary to meet the reporting requirements set forth in Section 17 of the Act.
- D. Reimbursement. Receipt of health insurance benefits from other sources without notice to the Village shall require the Applicant to reimburse the Village for the value of those benefits.
- E. Medicare Eligibility. The Applicant shall notify the Village when the Applicant becomes Medicare eligible regardless of the status of the enrollment period, so the Village may assist with the transition to Medicare coverage and/or adjust health insurance benefits or PSEBA benefits accordingly.

SECTION SEVEN – SEVERABILITY

If any provision of this Ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION EIGHT – CONFLICT OF LAWS

Where the conditions imposed by any provisions of this Ordinance are more restrictive than comparable provisions imposed elsewhere in any other local law, ordinance, resolution, rule or regulation, the regulations of this Ordinance will govern for procedural matters, specifically excluding statutes of limitations. This Ordinance is not intended to modify or diminish any substantive benefits or substantive due process provided by any other statute, local law, ordinance, resolution, rule or regulation.

SECTION NINE – REPEAL OF ORDINANCE M-2128

Ordinance M-2128 is hereby repealed.

SECTION TEN - EFFECTIVE DATE

This ordinance shall be in full force and effect after its passage, approval, and publication in accordance with law.

PASSED and APPROVED this 28th day of November, 2023.

Village President

ATTEST:

Village Clerk

AYES: _____ NAYS: _____ ABSTENTIONS: _____ ABSENCES: _____