



FLOSSMOOR

Welcoming. Beautiful. Connected.

Village of Flossmoor
2800 Flossmoor Road
Flossmoor, Illinois 60422
Phone: 708.798.2300
TDD: 708.647.0179
Fax: 708.798.4016
www.flossmoor.org

Mayor
Michelle I. Nelson

Trustees
Joni Bradley-Scott
Gary Daggett
Brian Driscoll
Rosalind Henderson Mustafa
George Lofton
James Mitros

Village Clerk
Gina A. LoGalbo

Village Manager
Bridget A. Wachtel

AGENDA
FOR THE REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF FLOSSMOOR, ILLINOIS
MONDAY, DECEMBER 4, 2023 – 7:30 PM
VILLAGE HALL

Join Zoom Meeting

<https://us02web.zoom.us/j/88089681026?pwd=bFFHYiszWXRHskRYYklMVmx1OFE4Zz09>

ID: 880 8968 1026 Passcode: 60422 Or join by phone (312) 626-6799

CALL TO ORDER

ROLL CALL

PUBLIC HEARING TO APPROVE A PROPOSED TAX INCREASE FOR THE VILLAGE OF FLOSSMOOR FOR 2023

RECOGNITIONS AND APPOINTMENTS

- 1. Consideration of a Reappointment to the Public Art Commission**
- 2. Resolution Honoring William Murphy**

CONSENT AGENDA

- 3. Approval of the Minutes of the Special Meeting Held on November 13, 2023**
- 4. Approval of the Minutes of the Regular Meeting Held on November 20, 2023**
- 5. Presentation of Bills for Approval and Payment as Approved by the Finance Committee (December 4, 2023)**
- 6. Consideration of Budget Amendments to the Fiscal Year 23-24 Budget**
- 7. Consideration of Approval of An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2023 and Ending April 30, 2024 of the Village of Flossmoor, County of Cook, State of Illinois**

8. Consideration of a Resolution Directing the Cook County Clerk for Reduction of the 2023 Tax Levy in the Event Tax Cap Limitations are Exceeded by the Village of Flossmoor, County of Cook, State of Illinois
9. Consideration of an Ordinance of the Village of Flossmoor, Cook County, Illinois, Amending Chapter 150, Article 3 of the Village of Flossmoor Municipal Code (Fines)
10. Designation of Board Meetings for 2024

REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS**ACTION ITEMS**

11. Consideration of an Ordinance Repealing and Replacing Article I, Chapter 35 of the Municipal Code (Administrative Adjudication)

DISCUSSION ITEMS**CITIZENS PRESENT WISHING TO ADDRESS THE BOARD****OTHER BUSINESS**

12. A Motion to go into Executive Session to Discuss the Employment of Specific Individuals, Property Acquisition, and Litigation

ADJOURNMENT OF MEETING

FOR PERSONS WITH DISABILITIES: If you plan on attending a Village Board meeting and need an accommodation, please call the Village Hall at 708-798-2300 or TDD 708-647-0179 at least one full business day prior to the meeting.

TO: Bridget Wachtel, Village Manager
FROM: Ann Novoa, Finance Director
DATE: December 4, 2023
SUBJECT: Truth in Taxation Public Hearing



FLOSSMOOR

The Village's 2023 tax levy calendar established in early September included Truth In Taxation requirements. Among the most significant requirements of the Truth In Taxation law is that, if the estimated capped levy is greater than 105% of the prior year's extension, a public hearing must be conducted prior to adoption of the tax levy ordinance. The estimated 2023 levy approved by the Village Board on November 6, 2023 resulted in a total capped levy increase of 6.07% (including the Library) above the 2022 extension. As the adoption of the tax levy ordinance is scheduled for the December 4, 2023 Village Board Meeting, the public hearing must also take place at that meeting. The Village was also required to publish a notice in advance of the public hearing; a requirement that was met with publication in the November 20, 2023 Daily Southtown newspaper.

The public hearing is scheduled for 7:30 PM at the December 4, 2023 Village Board Meeting. Village Attorney Kathi Orr has provided the following ongoing guidance regarding the public hearing.

- The hearing must take place in an order on the agenda prior to adoption of the levy ordinance.
- The Mayor should conduct the hearing (i.e. open & close the hearing, etc.)
- The Mayor or designee should provide a brief explanation of "the reasons for the levy."

As a reminder, the Village Board approved an estimated levy with a 4.37% total increase following the approach of attempting to maximize new property growth in the tax levy and including the debt service on the voter authorized 2021 Refunding (refunded 2013 Water Main Improvement bond issue), 2021 Streets and Storm Sewer Improvement and 2014 Water Main Improvement bond issues. In passing the levy estimate, the Village was able to increase the levy for anticipated new property growth in addition to the 5.0% tax cap-imposed Consumer Price Index factor. Without including a new property estimate, the Village would be unable to maximize its property tax revenue on new 2023 property. The 2023 levy estimate is based on the assumption that new property growth in 2023 occurred at a rate consistent with the average of the last four years adjusted for the most recent Building Department report as well as a full year increment factor for Dunkin Donuts and Oasis Refuge new development projects. Without passing a 2023 levy that captures all of these components, the Village would be unable to maximize its levy not only in 2023 but beyond as well.

In preparing the agenda for the December 4, 2023 Board Meeting, please place the Truth In Taxation public hearing in an order which precedes final approval of the 2023 tax levy ordinance.

TO: Mayor Nelson and Board of Trustees
FROM: Bridget Wachtel, Village Manager
DATE: December 4, 2023
SUBJECT: Consideration of a Reappointment to the Public Art Commission



With the Board's consent, at the Village Board meeting on Monday, December 4, 2023, Mayor Nelson will be re-appointing Michael Cheney to the Public Art Commission for a three year term.

If you have any questions or concerns regarding this appointment, please contact Mayor Nelson before Monday evening.

Resolution Honoring William Murphy

WHEREAS, WILLIAM MURPHY was born on December 19, 1923; and,

WHEREAS, WILLIAM MURPHY will become one of the world's newest centenarians on December 19, 2023; and,

WHEREAS, WILLIAM MURPHY had 11 children; and,

WHEREAS, WILLIAM MURPHY lived in the Village of Homewood for over 20 years; and,

WHEREAS, WILLIAM MURPHY owned his law practice and was the judge in Homewood before they moved the judges to the County level; and,

WHEREAS, WILLIAM MURPHY has earned the respect and admiration of people from all walks of life as he has been a powerful influence in his family and neighborhood community; and,

WHEREAS, because of his exceptional abilities and impact for good in the community, the Village of Flossmoor is recognizing the occasion of his upcoming 100th birthday; and,

WHEREAS, the longevity of life is a blessing to an individual and to a community by providing an opportunity for the sharing of knowledge, experience, wisdom, and community spirit; and,

NOW, THEREFORE, the Mayor and Board of the Village of Flossmoor deem it an honor and pleasure to extend to **WILLIAM MURPHY** sincere congratulations and best wishes on his 100th birthday.

BE IT FURTHER RESOLVED that the Village of Flossmoor is fortunate and most proud to have **WILLIAM MURPHY** as a resident of our community.

APPROVED:

Michelle I. Nelson, Mayor

ATTEST:

Gina A. LoGalbo, Village Clerk



Approval of the Minutes of the Special Meeting Held on November 13, 2023

The Minutes will be made available to the Public on the Village website, www.flossmoor.org following their adoption at a scheduled meeting.



Approval of the Minutes of the Regular Meeting Held on November 20, 2023

The Minutes will be made available to the Public on the Village website, www.flossmoor.org following their adoption at a scheduled meeting.

VILLAGE OF FLOSSMOOR
12/4/2023
CLAIMS LIST SUMMARY

HAND CHECKS	\$0.00
INVOICES	<u>\$168,706.18</u>
TOTAL	<u><u>\$168,706.18</u></u>

Packet Pg. 10

Village of Flossmoor
Detail Board Report
Invoices Due On/Before: 12/05/23

Vendor Name	Invoice #	Invoice Date	Invoice Amount	PO #	Invoice Description	GL Number	GL Description	Line Amount
AMAZON CAPITAL SERVICES	1126474069386025	11/08/23	\$9.98		OFFICE SUPPLIES	01-42-3-601	OFFICE SUPPLIES	\$9.98
	1219540867514662	11/08/23	\$41.96		OFFICE SUPPLIES	01-42-3-601	OFFICE SUPPLIES	\$41.96
	16CP373VX7N9	11/13/23	\$39.90		PELICAN 1010 MICRO CASE	01-49-6-675	EMS EQUIPMENT MAINTENANCE	\$39.90
							VENDOR TOTAL:	\$91.84
B ALLAN GRAPHICS	101384	11/09/23	\$1,500.00		WATER METER REPLACEMENT VILLAGE MAILING	08-11-7-749	WATER METER REPLACEMENT PROG	\$1,500.00
							VENDOR TOTAL:	\$1,500.00
BATTERIES PLUS #276	P67655275	11/15/23	\$50.30		NEW FIRE ALARM BATTERIES	01-67-3-605	OPERATING SUPPLIES	\$50.30
							VENDOR TOTAL:	\$50.30
BEST WESTERN	255330	11/06/23	\$355.20		BERK - HOTEL FOR RIT UNDER FIRE FOR CHIEF OFFICERS	01-49-5-663	FIRE TUITION AND FEES	\$355.20
							VENDOR TOTAL:	\$355.20
BOUND TREE MEDICAL LLC	85144917	11/03/23	\$99.87		RESUPPLY	01-49-3-622	EMS EQUIPMENT & SUPPLIES	\$99.87
							VENDOR TOTAL:	\$99.87
CHICAGO COMMUNICATIONS, LLC.	347920	11/08/23	\$576.50		DUST COVER & SINGLE UNIT CHARGER APEX	01-50-6-676	RADIO SYSTEM MAINTENANCE	\$576.50
	347989	11/15/23	\$94.80		RADIO MAINTENANCE - DECEMBER 2023	01-50-6-676	RADIO SYSTEM MAINTENANCE	\$94.80
							VENDOR TOTAL:	\$671.30
COMCAST	0001666 11623	11/06/23	\$212.96		DPWSC INTERNET 11/10/23-12/9/23	01-55-6-673	VILLAGE SHARED IT MAINTENANCE	\$212.96
								\$12.96
Communication: Presentation of Bills for Approval and Payment as Approved by the Finance Committee (December 4, 2023) (CONSENT								5

Village of Flossmoor
Detail Board Report
Invoices Due On/Before: 12/05/23

Vendor Name Invoice #	Invoice Date	Invoice Amount	PO #	Invoice Description	GL Number	GL Description	Line Amount
COMED							
0241031023 111623	11/16/23	\$102.96		HEATHER ROAD LIFT STA POWER 10/18/23-11/16/23	08-21-4-631	ELECTRIC, POWER, & LIGHT	\$102.96
0307096073 111623	11/16/23	\$59.59		CENTRAL DR ALLEY LIGHTS POWER 10/18/23-11/16/23	02-01-4-630	ELECTRIC, POWER, AND LIGHT	\$59.59
3288088052 111623	11/16/23	\$24.39		CBD PEDESTAL POWER 10/18/23-11/16/23	40-33-4-634	MISCELLANEOUS SERVICES	\$24.39
0323080253 111623	11/16/23	\$37.22		STERLING POWER TOWER 10/18/23-11/16/23	08-11-4-631	ELECTRIC, POWER, AND LIGHT	\$37.22
VENDOR TOTAL:							\$224.16
CORE & MAIN LP							
T340202	11/14/23	\$129,870.00	2024-0030	EQUIPMENT FOR WATER METER REPLACEMENT PROJECT/PARTIAL PO#3 FLEXNET SMART POINT READERS	04-01-7-702	EQUIPMENT & AGREEMENT PER ATTA	\$129,870.00
VENDOR TOTAL:							\$129,870.00
EAGLE UNIFORM CO INC							
INV18445	11/15/23	\$77.00		UNIFORM - LEVY - MAGAZINE CASE	01-48-3-612	UNIFORMS & RELATED SUPPLIES	\$77.00
INV18487	11/16/23	\$52.00		UNIFORM ; BAUSCH DOUBLE HANDCUFF CASE	01-48-3-612	UNIFORMS & RELATED SUPPLIES	\$52.00
INV18497	11/16/23	\$271.49		UNIFORM: KIMES	01-48-3-612	UNIFORMS & RELATED SUPPLIES	\$271.49
INV18486	11/16/23	\$94.00		UNIFORM: LEVY - DOUBLE MAG CASE & DOUBLE HANDCUFF CASE	01-48-3-612	UNIFORMS & RELATED SUPPLIES	\$94.00
VENDOR TOTAL:							\$494.49
EJ USA INC.							
110230081713	10/28/23	\$1,050.00		MANHOLE ADJUSTMENT RINGS	07-01-3-619	PROGRAM COMMODITIES	\$1,050.00
VENDOR TOTAL:							\$1,050.00
EXPERT CHEMICAL & SUPPLY INC							
959233	11/10/23	\$936.51		RESTOCK PAPER PRODUCTS	01-67-3-605	OPERATING SUPPLIES	\$936.51
VENDOR TOTAL:							\$936.51

Village of Flossmoor
Detail Board Report
Invoices Due On/Before: 12/05/23

Vendor Name	Invoice #	Invoice Date	Invoice Amount	PO #	Invoice Description	GL Number	GL Description	Line Amount
FITZSIMMONS	6391279	11/06/23	\$20.00		GAS TANK	01-49-3-622	EMS EQUIPMENT & SUPPLIES	\$20.00
							VENDOR TOTAL:	\$20.00
FORD OF HOMEWOOD	5013384	11/09/23	\$250.88		A16 TIRE PRESSURE SENSORS	01-60-6-671	MAINTENANCE AND SUPPLIES	\$250.88
							VENDOR TOTAL:	\$250.88
GASVODA & ASSOCIATES INC	INV23SVC0183	08/10/23	\$603.00		WOODS LIFT STATION MAINTENANCE	09-01-6-683	LIFT STATION MAINTENANCE	\$603.00
							VENDOR TOTAL:	\$603.00
GBJ SALES, LLC	5028	08/25/23	\$249.50		GARBAGE DEODORIZER	01-67-3-605	OPERATING SUPPLIES	\$249.50
							VENDOR TOTAL:	\$249.50
HISKES, DILLNER, O'DONNELL,	19555	11/02/23	\$82.50		OTHER LEGAL SERVICES	01-44-4-644	OTHER LEGAL SERVICES	\$82.50
							OTHER LEGAL SERVICES	\$1,365.03
							OTHER LEGAL SERVICES	\$49.50
							OTHER LEGAL SERVICES	\$165.00
							VENDOR TOTAL:	\$1,662.03
HOLLAND PRINTING INC	74692	11/16/23	\$175.23		VILLAGE NOTECARDS / ENVELOPES	01-41-4-635	PRINTING	\$175.23
							VENDOR TOTAL:	\$175.23

Village of Flossmoor
Detail Board Report
Invoices Due On/Before: 12/05/23

Vendor Name	Invoice #	Invoice Date	Invoice Amount	PO #	Invoice Description	GL Number	GL Description	Line Amount
HOME DEPOT CREDIT SERVICES								
111523		11/15/23	\$35.96		2 MIXING PANS FOR CONCRETE	08-14-3-615	SMALL TOOLS & EQUIPMENT	\$35.96
1936		11/18/23	\$269.00		STATION LADDER	01-49-3-611	DORMITORY SUPPLIES	\$269.00
							VENDOR TOTAL:	\$304.96
JONES AND BARTLETT LEARNING								
799938		10/23/23	\$290.21		MEDIA BOOK	01-49-5-664	TRAINING MATERIALS	\$290.21
							VENDOR TOTAL:	\$290.21
MENARDS								
95677		11/13/23	\$84.82		B-BOX ADJUSTMENT PARTS	08-11-6-675	WATER SYSTEM MAINT & REPAIRS	\$42.41
95794		11/15/23	\$130.82		DT BIG TREE HOLIDAY LIGHTS	08-13-3-619	PROGRAM COMMODITIES	\$42.41
							SMALL TOOLS & EQUIPMENT	\$130.82
							VENDOR TOTAL:	\$215.64
MENARD'S-HOMEWOOD								
66845		11/14/23	\$61.34		PVC PARTS & ELECTRIC TAPE	40-33-3-615	SMALL TOOLS & EQUIPMENT	\$61.34
66857		11/14/23	\$(12.49)		RETURN: 2X2X1 1/2 DBL TEE PVC (FROM RECPT #66845)	40-33-3-615	SMALL TOOLS & EQUIPMENT	\$(12.49)
66647		11/10/23	\$119.40		EXPANSION JOINTS	01-65-6-677	PROGRAM MAINTENANCE	\$119.40
66861		11/14/23	\$626.68		DT BIG TREE LIGHTS / SPRAY PAINT / PVC	08-11-3-605	OPERATING SUPPLIES	\$31.86
66934		11/15/23	\$(103.17)		RETURN FROM INV#66861: HOLIDAY LIGHTS	40-32-4-634	MISCELLANEOUS SERVICES	\$594.82
							VENDOR TOTAL:	\$(103.17)
MIDWEST LASER SPECIALISTS								
1159168		11/06/23	\$134.00		FINANCE PRINTER REPAIR	01-43-3-607	COMPUTER EQUIPMENT & SUPPLIES	\$134.00
							VENDOR TOTAL:	\$134.00

Village of Flossmoor
Detail Board Report
Invoices Due On/Before: 12/05/23

Vendor Name		Invoice #	Invoice Date	Invoice Amount	PO #	Invoice Description	GL Number	GL Description	Line Amount
MONARCH AUTO SUPPLY INC		6981608804	11/08/23	\$147.58		PD 116 & 216 REPAIRS / DPW P27 BRAKE PADS			
							01-60-6-671	MAINTENANCE AND SUPPLIES	\$14.30
							08-11-6-671	MAINTENANCE AND SUPPLIES	\$14.30
							08-21-6-671	MAINTENANCE AND SUPPLIES	\$14.31
							09-01-6-671	MAINTENANCE AND SUPPLIES	\$14.31
							01-48-6-671	VEHICLE MAINTENANCE & SUPPLIES	\$90.36
6981608929			11/09/23	\$164.01		SHOP SUPPLIES / NEW BATTERIES - WELDING AREA			
							01-60-6-671	MAINTENANCE AND SUPPLIES	\$41.01
							08-11-6-671	MAINTENANCE AND SUPPLIES	\$41.00
							08-21-6-671	MAINTENANCE AND SUPPLIES	\$41.00
							09-01-6-671	MAINTENANCE AND SUPPLIES	\$41.00
							VENDOR TOTAL:		\$311.59
NATIONAL TANK OUTLET		58901	10/31/23	\$1,949.81		DEICING LIQUID TANKS	01-61-6-677	PROGRAM MAINTENANCE	\$1,949.81
							VENDOR TOTAL:		\$1,949.81
KATHLEEN FIELD ORR & ASSOCIATE		120123	11/01/23	\$11,902.50		VILLAGE ATTY RETAINER - DECEMBER 2023	01-44-4-630	VILLAGE ATTY RETAINER	\$11,902.50
							VENDOR TOTAL:		\$11,902.50
RELIABLE FIRE EQUIPMENT CO		96844	11/14/23	\$468.00		FIRE ALARM INSPECTION	01-67-6-680	MAINTENANCE CONTRACTS	\$468.00
							VENDOR TOTAL:		\$468.00
S&J INDUSTRIAL SUPPLY CORP		1096	11/07/23	\$323.63		RESTOCK PAPER PRODUCTS	01-67-3-616	CLEANING SUPPLIES	\$323.63
							VENDOR TOTAL:		\$323.63
SAFETY KLEEN SYSTEMS INC		93026931	11/08/23	\$391.97		PARTS WASHER - SOLVENT	01-49-6-674	EQUIP MAINTENANCE & SUPPLIES	\$391.97
							VENDOR TOTAL:		\$391.97

5

Village of Flossmoor
Detail Board Report
Invoices Due On/Before: 12/05/23

Vendor Name		Invoice #	Invoice Date	Invoice Amount	PO #	Invoice Description	GL Number	GL Description	Line Amount
SANDENO EAST INC.									
11694		10/31/23	\$211.42			ASPHALT MIX			
							01-68-3-619	PROGRAM COMMODITIES	\$52.85
							08-14-3-612	ASPHALT MIX	\$52.85
							08-24-3-612	ASPHALT MIX	\$52.86
							02-01-3-606	ASPHALT MIX	\$52.86
VENDOR TOTAL:									\$211.42
SECURITAS TECHNOLOGY CORPORATION									
30074692		06/01/23	\$163.41			DPW SECURITY ALARM			
6003412527		06/01/23	\$116.13			MAINTENANCE & MONITORING CHARGES 7/1/23-9/30/23	01-67-4-634	MISCELLANEOUS SERVICES	\$163.41
							01-67-4-634	MISCELLANEOUS SERVICES	\$116.13
VENDOR TOTAL:									\$279.54
SHARK SHREDDING INC.									
64644		11/09/23	\$116.90			VH/PD SHREDDING SERVICES CERT #74921			
							01-42-4-634	OTHER MISCELLANEOUS SERVICES	\$33.45
							01-48-3-611	SPECIAL POLICE COMMODITIES	\$83.45
VENDOR TOTAL:									\$116.90
STANDARD EQUIPMENT COMPANY									
P46665		11/09/23	\$656.49			PARTS / HOSE			
							01-60-6-671	MAINTENANCE AND SUPPLIES	\$164.12
							08-11-6-671	MAINTENANCE AND SUPPLIES	\$164.12
							08-21-6-671	MAINTENANCE AND SUPPLIES	\$164.12
							09-01-6-671	MAINTENANCE AND SUPPLIES	\$164.13
VENDOR TOTAL:									\$656.49
THE BLUE LINE.COM									
45732		11/20/23	\$447.00			OFFICER RECRUITMENT LISTING			
							01-48-4-638	ADVERTISING	\$447.00
VENDOR TOTAL:									\$447.00

Village of Flossmoor
Detail Board Report
Invoices Due On/Before: 12/05/23

Vendor Name	Invoice #	Invoice Date	Invoice Amount	PO #	Invoice Description	GL Number	GL Description	Line Amount
WALT'S FOOD CENTER								
3183		11/21/23	\$18.08		STAFF MEETING - BAKERY	01-42-4-652	MEETINGS AND EVENTS	\$18.08
2631		10/28/23	\$102.56		HALLOWEEN CANDY	01-49-5-665	PUBLIC EDUCATION	\$102.56
3575		10/26/23	\$50.71		CESSA MTG.	01-49-3-605	OPERATING SUPPLIES	\$50.71
							VENDOR TOTAL:	\$171.35
WORKING WELL								
0041915100		10/31/23	\$498.00		PRE-EMPLOYMENT PHYSICAL	01-49-4-636	PRE-EMPLOYMENT PHYSICALS	\$498.00
							VENDOR TOTAL:	\$498.00
STEPHANIE WRIGHT								
111323		11/13/23	\$35.23		CANDY FOR HALLOWEEN - COFFEE W/ COP	01-41-4-651	COMMUNITY RELATIONS COMMISSIO	\$35.23
							VENDOR TOTAL:	\$35.23
ZOLL MEDICAL CORPORATION								
3845413		10/27/23	\$146.88		ECG ELECTRODES	01-49-3-622	EMS EQUIPMENT & SUPPLIES	\$146.88
3845019		10/26/23	\$366.54		EMS SUPPLIES	01-49-3-622	EMS EQUIPMENT & SUPPLIES	\$366.54
3849148		11/01/23	\$115.50		CABLE	01-49-6-675	EMS EQUIPMENT MAINTENANCE	\$115.50
							VENDOR TOTAL:	\$628.92

Village of Flossmoor
Detail Board Report
Invoices Due On/Before: 12/05/23

Vendor Name	Invoice #	Invoice Date	Invoice Amount	PO #	Invoice Description	GL Number	GL Description	Line Amount
-------------	-----------	--------------	----------------	------	---------------------	-----------	----------------	-------------

Total Amount Being Paid: \$168,706.18
Total Number of Invoices: 68

Vendor Code	Vendor Name	1099	Invoice Total	Check Total	Net Inv/(
AIRONEEQ	AIR ONE EQUIPMENT INC	N	(2) 3,677.00	(0) 0.00	3,677.
AIRGASUS	AIRGAS USA, LLC	N	(1) 97.18	(0) 0.00	97.
ALWARREN	AL WARREN OIL COMPANY INC	N	(3) 6,385.81	(0) 0.00	6,385.
AMAZON	AMAZON CAPITAL SERVICES	N	(3) 91.84	(0) 0.00	91.
BALLAN	B ALLAN GRAPHICS	N	(1) 1,500.00	(0) 0.00	1,500.
BATTPLUS	BATTERIES PLUS #276	N	(1) 50.30	(0) 0.00	50.
BESTWEST	BEST WESTERN	N	(1) 355.20	(0) 0.00	355.
BOUND	BOUND TREE MEDICAL LLC	Y	(1) 99.87	(0) 0.00	99.
CHICOMM	CHICAGO COMMUNICATIONS, LLC.	Y	(2) 671.30	(0) 0.00	671.
COMCAST3	COMCAST	N	(1) 212.96	(0) 0.00	212.
COM0253	COMED	N	(1) 224.16	(0) 0.00	37.
CORE&MAI	CORE & MAIN LP	Y	(1) 129,870.00	(0) 0.00	129,870.
EAGLEUNI	EAGLE UNIFORM CO INC	N	(4) 494.49	(0) 0.00	494.
EASTJORD	EJ USA INC.	N	(1) 1,050.00	(0) 0.00	1,050.
EXPERT	EXPERT CHEMICAL & SUPPLY INC	N	(1) 936.51	(0) 0.00	936.
FITZSIMM	FITZSIMMONS	N	(1) 20.00	(0) 0.00	20.
FORDOPHOME	FORD OF HOMEWOOD	N	(1) 250.88	(0) 0.00	250.
GASVODA	GASVODA & ASSOCIATES INC	N	(1) 603.00	(0) 0.00	603.
GBJSALES	GBJ SALES, LLC	Y	(1) 249.50	(0) 0.00	249.
HISKES	HISKES, DILLNER, O'DONNELL,	Y	(4) 1,662.03	(0) 0.00	1,662.
HOLLANDP	HOLLAND PRINTING INC	N	(1) 175.23	(0) 0.00	175.
HOMEDEPO	HOME DEPOT CREDIT SERVICES	N	(2) 304.96	(0) 0.00	304.
JONES	JONES AND BARTLETT LEARNING	N	(1) 290.21	(0) 0.00	290.
MENARDS	MENARDS	N	(2) 215.64	(0) 0.00	215.
MENARDHM	MENARD'S-HOMEWOOD	N	(5) 691.76	(0) 0.00	691.
MIDWESTFL	MIDWEST LASER SPECIALISTS	N	(1) 134.00	(0) 0.00	134.
MONARCH	MONARCH AUTO SUPPLY INC	N	(2) 311.59	(0) 0.00	311.
NAT TANK	NATIONAL TANK OUTLET	N	(1) 1,949.81	(0) 0.00	1,949.
ORRASSOC	KATHLEEN FIELD ORR & ASSOCIATE	Y	(1) 11,902.50	(0) 0.00	11,902.
RELIABLE	RELIABLE FIRE EQUIPMENT CO	N	(1) 468.00	(0) 0.00	468.
S&J	S&J INDUSTRIAL SUPPLY CORP	N	(1) 323.63	(0) 0.00	323.
SAFETYKL	SAFETY KLEEN SYSTEMS INC	N	(1) 391.97	(0) 0.00	391.
SANDENO	SANDENO EAST INC.	N	(1) 211.42	(0) 0.00	211.
SECURITAS	SECURITAS TECHNOLOGY CORPORATION	N	(2) 279.54	(0) 0.00	279.
SHARK	SHARK SHREDDING INC.	N	(1) 116.90	(0) 0.00	116.
STANDEQU	STANDARD EQUIPMENT COMPANY	N	(1) 656.49	(0) 0.00	656.
BLUE.COM	THE BLUE LINE.COM	N	(1) 447.00	(0) 0.00	447.
WALTS	WALT'S FOOD CENTER	N	(3) 171.35	(0) 0.00	171.
WORKING	WORKING WELL	Y	(1) 498.00	(0) 0.00	498.
WRIGHTS	STEPHANIE WRIGHT	N	(1) 35.23	(0) 0.00	35.
ZOLLMED	ZOLL MEDICAL CORPORATION	N	(3) 628.92	(0) 0.00	628.
Grand Totals:			Total: 68 168,706.18	Total: 0 0.00	

TO: Bridget Wachtel, Village Manager
FROM: Ann Novoa, Finance Director
DATE: December 4, 2023
SUBJECT: Budget Amendments



FLOSSMOOR

While preparing the 2023 Tax Levy Ordinance for the December 4, 2023 Village Board meeting, it came to our attention that budget amendments are needed in order for the Tax Levy Ordinance to be in line with the FY 23-24 budget.

Specifically, an amendment is needed to the Village's budget for the IRMA Worker's Compensation and IRMA Liability Insurance line items (account numbers 01-xx-4-640 and 01-xx-4-641, respectively). The amendment is due largely to the FY 24 budget amount not anticipating the magnitude of the experience modifier debit; which IRMA has now preliminarily estimated will be \$64,871 (budget assumption was \$37,968) for 2023 as well as overall premium increases. The Village's claims experience has not been favorable over the last two years with large claims and has impacted the experience modifier to a larger degree than expected. A budget amendment of \$55,000 is needed so that the levy does not exceed the budget. Attached is a spreadsheet which details the specific account number allocations for the budget amendment.

Additionally, an amendment is needed to the Debt Service Fund, account 06-01-8-846, Debt Serv-21 GO Issue-Interest. When working on the levy, we realized the tax levy as structured in the bond ordinance for the 2021 GO Issue is basically matching to the previous year debt service. For example, the 2023 tax levy per the bond ordinance is funding the 2022 debt service schedule for FY 23. The budget amendment amount of \$(5,398) will match interest paid in FY 24 to the debt service schedule.

Please place approval of a motion for the above budget amendments on the December 4, 2023 Board Meeting agenda. The budget amendments should be placed on the agenda in an order which precedes approval of the 2023 Tax Levy Ordinance.

VILLAGE OF FLOSSMOOR
IRMA PREMIUM ALLOCATIONS
FY 24 BUDGET

Description	Account Number	Total Budget									
		Executive	Finance	PI & Zon	Police	Fire	PSRR	Building	PW Adm	PW Str	
Work Comp	01-xx-4-640	42	43	45	48	49	50	53	55	60	
		2,280	2,280	2,280	94,620	3,420	2,280	2,280	2,280	2,280	114,000
Allocation %		2%	2%	2%	83%	3%	2%	2%	2%	2%	2%
Liab Insurance	01-xx-4-641	13,680	2,280	2,280	17,100	12,540	2,280	33,060	2,280	28,500	114,000
Allocation %		12%	2%	2%	15%	11%	2%	29%	2%	25%	
Total		15,960	4,560	4,560	111,719	15,961	4,560	35,340	4,560	30,780	228,000

IRMA PREMIUM ALLOCATIONS
FY 24 BUDGET - BUDGET AMENDMENT 12-4-23

Description	Account Number	Budget Amendment									
		Executive	Finance	PI & Zon	Police	Fire	PSRR	Ins Serv	PW Adm	PW Str	
Work Comp	01-xx-4-640	42	43	45	48	49	50	53	55	60	
		550	550	550	22,822	825	550	550	550	550	27,500
Allocation %		2%	2%	2%	83%	3%	2%	2%	2%	2%	2%
Liab Insurance	01-xx-4-641	3,300	550	550	4,125	3,025	550	7,975	550	6,876	27,500
Allocation %		12%	2%	2%	15%	11%	2%	29%	2%	25%	
Total		3,850	1,100	1,100	26,947	3,850	1,100	8,525	1,100	7,426	55,000

VILLAGE OF FLOSSMOOR
IRMA PREMIUM ALLOCATIONS
FY 24 BUDGET - TOTALS AFTER BUDGET AMENDMENT

Description	Account Number	Amended Budget									
		Executive	Finance	PI & Zon	Police	Fire	PSRR	Ins Serv	PW Adm	PW Str	
Work Comp	01-xx-4-640	42	43	45	48	49	50	53	55	60	
		2,830	2,830	2,830	117,442	4,245	2,830	2,830	2,830	2,830	141,500
Allocation %		2%	2%	2%	83%	3%	2%	2%	2%	2%	2%
Liab Insurance	01-xx-4-641	16,980	2,830	2,830	21,225	15,565	2,830	41,035	2,830	35,377	141,500
Allocation %		12%	2%	2%	15%	11%	2%	29%	2%	25%	
Total		19,810	5,660	5,660	138,667	19,810	5,660	43,865	5,660	38,207	283,000
Deductibles	01-xx-4-642										19,252
Total											302,252

AllocBud

Attachment: Agenda 2023-12-4 (Budget Amendments)

RESOLUTION # _____
RESOLUTION AMENDING THE BUDGET FOR FISCAL YEAR 23-24 FOR THE VILLAGE OF FLOSSMOOR

WHEREAS, the Village of Flossmoor, County of Cook, State of Illinois has heretofore adopted a budget for the fiscal year ending April 30, 2024 passed by the Mayor and Board of Trustees of said Village of Flossmoor on April 17, 2023, a certified copy of said Budget and a Certificate of Estimate of Revenues having been filed in the Office of the County Clerk on May 31, 2023; and

WHEREAS, circumstances have arisen during the fiscal year by which said Village wishes to amend said budget filed with the County Clerk according to the general ledger numbers and amounts listed in attachment A; and

WHEREAS, said Village has additional revenue and/or designated fund balances that will be and is hereby allocated for said budget amendments as listed in attachment A;

NOW, THEREFORE, BE IT RESOLVED, that said budget filed with the County Clerk be amended according to changes listed in attachment A.

BE IT FURTHER RESOLVED, that the Village Clerk is hereby directed to cause to be filed with the County Clerk of Cook County, Illinois, a certified copy of this Resolution.

Passed this 4th day of December, 2023.

AYES: _____

NOES: _____

ABSENT: _____

ABSTAINED: _____

PASSED: _____

APPROVED: _____

PUBLISHED: _____

APPROVED:

Mayor

ATTEST:

Village Clerk

ATTACHMENT A - PAGE ONE OF ONE

BUDGET AMENDMENT

FY 2023-24 BUDGET

<u>Fund</u>	<u>Account Title</u>	<u>Account Number</u>	<u>Amount</u>
Debt Service	Debt Serv-2021 GO Issue-Interest	06-01-8-846	(\$5,398)
General	IRMA- Worker's Comp Premium	01-42-4-640	\$550
General	IRMA- Worker's Comp Premium	01-43-4-640	\$550
General	IRMA- Worker's Comp Premium	01-45-4-640	\$550
General	IRMA- Worker's Comp Premium	01-48-4-640	\$22,822
General	IRMA- Worker's Comp Premium	01-49-4-640	\$825
General	IRMA- Worker's Comp Premium	01-50-4-640	\$550
General	IRMA- Worker's Comp Premium	01-53-4-640	\$550
General	IRMA- Worker's Comp Premium	01-55-5-640	\$550
General	IRMA- Worker's Comp Premium	01-60-4-640	\$550
General	IRMA - Liability Premium	01-42-4-641	\$3,300
General	IRMA - Liability Premium	01-43-4-641	\$550
General	IRMA - Liability Premium	01-45-4-641	\$550
General	IRMA - Liability Premium	01-48-4-641	\$4,125
General	IRMA - Liability Premium	01-49-4-641	\$3,025
General	IRMA - Liability Premium	01-50-4-641	\$550
General	IRMA - Liability Premium	01-53-4-641	\$7,975
General	IRMA - Liability Premium	01-55-5-641	\$550
General	IRMA - Liability Premium	01-60-4-641	\$6,876

Attachment: Budamend 12.4 (Budget Amendment Resolution)

TO: Bridget Wachtel, Village Manager
FROM: Ann Novoa, Finance Director
DATE: December 4, 2023
SUBJECT: 2023 Tax Levy Ordinance



FLOSSMOOR

At its meeting on November 6, 2023, the Village Board established an estimated 2023 tax levy; thereby, allowing the Village to adopt the final levy at the December 4, 2023 Board Meeting. Attached for approval is the 2023 Tax Levy Ordinance.

The Tax Levy Ordinance has been prepared in accordance with the estimated levy approved by the Board on November 6. As discussed on November 6, the Village levy of \$7,164,685 results in a 4.37% increase in dollars as compared to the 2022 extension. The percentage increase without the 2014 General Obligation and 2021 General Obligation (referendum and refunding purposes) Bond Issues is 6.00%. The total percentage increase for the “capped” portion of the levy is 6.11%. The CPI portion of the increase is limited to a tax cap-imposed 5.0%. The remaining portion represents the Village’s new property growth which includes a factor this year for new developments consisting of Dunkin Donuts and Oasis Refuge. The total levy per the ordinance, which includes the Flossmoor Public Library, is \$9,037,550. The total levy will not be offset by any bond issue abatement this year as there was insufficient excess accumulation in the Debt Service Fund.

Please place approval of the 2023 Tax Levy Ordinance on the December 4, 2023 Village Board Meeting agenda. Approval of the 2023 Tax Levy Ordinance should be placed on the agenda in an order that follows budget amendments and precedes both the resolution directing the Cook County Clerk on reduction (if any) of the 2023 levy and the abatement resolution(s) (if any).

ORDINANCE NO. _____

**AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE FISCAL YEAR BEGINNING
MAY 1, 2023 AND ENDING APRIL 30, 2024 OF THE VILLAGE OF FLOSSMOOR, COUNTY OF
COOK, STATE OF ILLINOIS**

BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Flossmoor, Cook County, Illinois:

SECTION 1. That the total budget for all corporate purposes legally made to be collected from the tax levy of the fiscal year beginning May 1, 2023 and ending April 30, 2024 is hereby ascertained to be the sum of Nine Million, Thirty-Seven Thousand, Five Hundred and Fifty (\$9,037,550) Dollars.

SECTION 2. That the sum of Nine Million, Thirty Seven Thousand, Five Hundred and Fifty (\$9,037,550) Dollars, being the total of budgets heretofore legally made which are to be collected from the tax levy of the Village of Flossmoor for certain corporate expenses of said Village of Flossmoor as budgeted for the fiscal year beginning May 1, 2023 and ending April 30, 2024 as passed by the Mayor and Board of Trustees of said Village at the legally convened meeting of April 17, 2023, as amended, is hereby levied for the following purposes upon all taxable property of every name, nature, and description within the corporate limits of the Village of Flossmoor, Cook County, Illinois:

DIVISION 1 - GENERAL CORPORATE PURPOSES

Description	Budgeted
Section 1 - Legislative Services	
Personal Services	\$57,600
Fringe Benefits	4,247
Commodities	7,870
Contractual Services	\$246,150
Training and Conferences	12,808
Capital Outlay/Non-Operating	\$87,000
Transfers	(49,503)
Total Legislative Services	366,172
Section 2 - Executive Services	
Personal Services	\$507,296

Fringe Benefits	164,876
-----------------	---------

Description	Budgeted
-------------	----------

Section 2 - Executive Services - Continued

Commodities	\$8,500
Contractual Services	\$63,640
Training and Conferences	12,583
Maintenance	32,991
Capital Outlay/Non-Operating	62,850
Transfers	(15,555)
Total Executive Services	837,181

Section 3 - Finance Department

Personal Services	\$573,629
Fringe Benefits	252,416
Commodities	27,160
Contractual Services	118,035
Training and Conferences	8,430
Maintenance	37,241
Transfers	(255,113)
Total Finance Department	761,798

Section 4 - Legal Services

Contractual Services	\$212,830
Transfers	(20,791)
Total Legal Services	192,039

Section 5 - Planning and Zoning

Personal Services	\$96,807
Fringe Benefits	16,224
Commodities	1,400
Contractual Services	18,100
Training and Conferences	4,100

Maintenance	6,161
Capital Outlay/Non-Operating	0
Transfers	(14,728)
Total Planning and Zoning	128,064
 Section 6 - Police Department	
Personal Services	\$2,614,608
Fringe Benefits	1,724,813
Commodities	148,150
Contractual Services	171,272
Training and Conferences	22,000
Maintenance	118,311
Capital Outlay/Non-Operating	25,000
Transfers	(74,469)
Total Police Department	4,954,741
 Description	Budgeted
 Section 7 - Fire Department	
Personal Services	\$1,319,782
Fringe Benefits	598,204
Commodities	176,952
Contractual Services	769,640
Training and Conferences	47,800
Maintenance	184,114
Capital Outlay/Non-Operating	37,785
Transfers	60,294
Total Fire Department	3,194,571
 Section 8 - Public Safety Reception and Records	
Personal Services	\$399,885
Fringe Benefits	167,533
Commodities	19,500
Contractual Services	87,338
Training	200

Maintenance	23,293
Transfers	(70,577)
Total Public Safety Reception and Records	627,172

Section 9 - Building

Personal Services	\$216,017
Fringe Benefits	26,950
Commodities	7,650
Contractual Services	30,600
Training and Conferences	4,200
Maintenance	11,538
Transfers	(11,677)
Total Building	285,278

Section 10 - Public Works Administration

Personal Services	\$233,153
Fringe Benefits	68,692
Commodities	7,950
Contractual Services	129,648
Training and Conferences	3,200
Maintenance	42,948
Capital Outlay/Non-Operating	3,506,098
Transfers	(246,038)
Total Public Works Administration	3,740,651

Description	Budgeted
Section 11 - Building Maintenance	
Commodities	\$17,850
Contractual Services	82,000
Maintenance	78,500
Capital Outlay/Non-Operating	404,075
Transfers	51,622
Total Building Maintenance	634,677

Section 12 - Streets and Grounds

Personal Services	\$1,115,466
Fringe Benefits	408,509
Commodities	70,365
Contractual Services	387,819
Training and Conferences	1,800
Maintenance Capital Outlay/Non-Operating	333,016
	95,625
Transfers	(597,405)
Total Streets and Grounds	1,815,195

Total Budget For General Corporate Purposes:	\$17,537,539
--	--------------

Description	Tax Levy
Levy For General Corporate	\$970,915
Levy For Police Protection	1,330,643
Levy For Fire Protection	1,330,349
Levy For Workers Compensation Insurance	53,073
Levy For Liability Insurance	53,073
Levy For Auditing	40,525
Levy For Social Security	332,639
Levy For Illinois Municipal Retirement Fund	166,700

Total Tax Levy For General Corporate Purposes:	\$4,473,687
--	-------------

Total Revenue From Other Sources:	\$13,063,852
-----------------------------------	--------------

DIVISION 2 - POLICE PENSION FUND

Total Budget For Police Pension Fund:	\$1,584,095
---------------------------------------	-------------

Total Tax Levy For Police Pension Fund:	\$1,379,223
---	-------------

Total Revenue From Other Sources:	\$204,872
-----------------------------------	-----------

DIVISION 3 - FIRE PENSION FUND

Total Budget For Fire Pension Fund:	\$399,675
-------------------------------------	-----------

Additional Board Approved Funding For Future Benefit Obligations	\$96,007
--	----------

Description

Levy For Fire Pension-Subject To Tax Cap	\$455,115
--	-----------

Levy For Fire Pension-Not Capped Due To Impact of PA 93-0689	\$40,567
--	----------

Total Tax Levy For Fire Pension Fund:	\$495,682
---------------------------------------	-----------

Total Revenue From Other Sources:	\$0
-----------------------------------	-----

DIVISION 4 - PUBLIC LIBRARY FUND-CORPORATE PURPOSES

Description	Budgeted
-------------	----------

Personnel Services	\$1,001,645
--------------------	-------------

Commodities	194,460
-------------	---------

Contractual Services	173,950
----------------------	---------

Staff Development	13,000
-------------------	--------

Maintenance	152,000
-------------	---------

Capital Outlay/Non-Operating	305,000
------------------------------	---------

Total Budget For Library Corporate Purposes:	\$1,840,055
--	-------------

Description	Tax Levy
-------------	----------

Levy For Public Library General Corporate	\$1,457,755
---	-------------

Levy For Public Library Social Security	57,184
---	--------

Levy For Public Library Illinois Municipal Retirement Fund	45,000
--	--------

Total Tax Levy For Library Corporate Purposes:	\$1,559,939
--	-------------

Total Revenue From Other Sources:	\$280,116
-----------------------------------	-----------

DIVISION 5 - BOND AND INTEREST COMPONENTS

Bond Issue	Tax Levy
2021 General Obligation	\$883,169
2014 General Obligation	\$245,850
Total Tax Levy For Bond and Interest	\$1,129,019

SECTION 3. That the total amount of Nine Million, Thirty-Seven Thousand, Five Hundred and Fifty (\$9,037,550) Dollars is hereby levied and assessed on all property subject to taxation within the Village of Flossmoor according to the value of said property as the same is assessed and equalized for State and County purposes for the current year.

SECTION 4. That the Village Clerk of said Village is hereby authorized and directed to certify this Levy and Ordinance and file with the County Clerk of Cook County on or before the time required by law, a certified copy of this Ordinance. Said County Clerk is hereby authorized and directed to extend said taxes that the same may be collected in the manner other general taxes are collected, in manner and form provided by law, and this shall be sufficient authority to do so.

SECTION 5. This Ordinance shall take effect and be in full force immediately on and after its passage and approval as required by law.

PASSED this 4th day of December, 2023.

AYES: _____

NOES: _____

ABSENT: _____

ABSTAINED: _____

PASSED: _____

APPROVED: _____

PUBLISHED: _____

APPROVED:

Mayor

ATTEST:

Village Clerk

TO: Bridget Wachtel, Village Manager
FROM: Ann Novoa, Finance Director
DATE: December 4, 2023
SUBJECT: County Clerk Reduction Resolution-2023 Tax Levy



FLOSSMOOR

Tax cap legislation that became effective with the 1994 levy provides the County Clerk with a mechanism to reduce tax levies upon extension if the tax levy extension exceeds the tax cap calculations. Absent specific direction from the taxing body, the County Clerk reduces each levy category other than debt service and non-capped fire pension proportionately. The taxing body can, however, file a resolution along with the tax levy ordinance that directs the County Clerk to reduce the levy in a manner other than proportionate. Such direction is effective for one specific tax levy and is, therefore, not perpetual.

Since the beginning of tax caps, the Village has utilized a strategy to maximize its tax levy by including estimates for new property growth. The Village's new property estimates have typically been aggressive from the standpoint of trying to capture all new property value. This approach has almost always resulted in an over estimate. Beginning with the 2000 levy, the Village has annually passed specific direction to the County Clerk regarding reduction of the Village's levy. Since the 2000 levy, the Village has generally been able to at least recognize either the full maximum allowable levy amounts (rates) as determined by the tax cap extension or the full levy ordinance amounts. In 2021 and 2022 with EAV declining, the Village was able to recognize the maximum allowable levy and statutory maximum ceiling rates but was unable to recognize the ordinance amounts for capped levies subject to ceiling rates.

As discussed at the November 6, 2023 Board meeting, the approved 2023 levy estimate presents a situation where all three "capped-ceiling" lines are unlikely to be extended for the full "maximum allowable levy" amounts (i.e. ceiling rates). In order to minimize the impact of the 2023 "capped-ceiling" levy lines possibly being reduced further below their statutory maximum ceiling rates; the attached resolution should be approved for the 2023 tax levy as was done last year. The resolution directs the County Clerk, in the event of the 2023 tax levy exceeding tax cap calculations at extension, to reduce the levy in a manner which does not reduce the three "capped-ceiling" levy lines below the amounts levied by the Village Board (subject; of course, to the maximum allowable levy per the 2023 EAV). If a reduction is needed, the levy would be reduced proportionately among the "non-ceiling" lines.

Please place approval of the attached resolution on the December 4, 2023 Village Board Meeting agenda in an order which follows approval of the 2023 Tax Levy Ordinance and Abatement Resolutions (if any).

RESOLUTION # _____

**A RESOLUTION DIRECTING THE COOK COUNTY CLERK FOR REDUCTION OF THE 2023 TAX LEVY
IN THE EVENT TAX CAP LIMITATIONS ARE EXCEEDED BY THE VILLAGE OF FLOSSMOOR,
COUNTY OF COOK, STATE OF ILLINOIS**

WHEREAS, the Village of Flossmoor has approved an ordinance for the levy and assessment of taxes for 2023; and,

WHEREAS, the Village of Flossmoor is a non-home rule municipality and is, therefore, subject to the Property Tax Extension Limitation Act (PTELA); and,

WHEREAS, PTELA provides that a municipality may direct the Cook County Clerk as to the reduction of the tax levy of each fund in the event the municipality exceeds the tax cap limitation; and,

WHEREAS, the Village has three levy funds which are subject to individual ceilings and the method of the tax cap calculations has in the past resulted in these funds being reduced below the ceiling rates; and,

WHEREAS, the Village desires to maintain the three levy funds subject to individual ceilings at or as close as possible to the ceiling rates; and,

NOW, THEREFORE, BE IT RESOLVED, that in the event the Village of Flossmoor's total 2023 tax levy exceeds the tax cap limitations, the Cook County Clerk is directed that the following levies shall be no less than the amounts indicated:

-001 - General Corporate	\$ 970,915
-013 - Fire Protection	\$1,330,643
-014 - Police Protection	\$1,330,643

and that levy funds are to be reduced, if any, according to the following percentages:

-006 - Police Pension	52%
-007 - Fire Pension	17%
-008 - I.M.R.F.	6%
-016 - Social Security	12%
-018 - Auditing	1%
-019 - Liability Insurance	6%
-251 - Workmen's Compensation	<u>6%</u>
	100%

BE IT FURTHER RESOLVED, that the Village Clerk is hereby directed to cause to be filed with the County Clerk of Cook County, Illinois, a certified copy of this Resolution.

Passed this ____ day of _____, 2023.

AYES: _____

NOES: _____

ABSENT: _____

ABSTAINED: _____

PASSED: _____

APPROVED: _____

PUBLISHED: _____

APPROVED:

Mayor

ATTEST:

Village Clerk

TO: Bridget Wachtel, Village Manager
FROM: Jerel Jones, Police Chief
DATE: December 4, 2023
SUBJECT: An Ordinance Amending Chapter 150, Article 3 of the
Municipal Code (Fines)



The Village is seeking to amend the Police Department Fees and Fines-Chapter 150, Article 3, Section 1 (150-3-1) of the Village Municipal Code to specify the increase of fines, if not paid by the scheduled due date. The amendment addresses the failure of the violator to pay said fine, after the party has an opportunity to be heard in a court of law (local Adjudication Court). Furthermore, the Handicapped Parking Violation and fine amount is being added to this amendment for specification.

The Village of Flossmoor is a non-home rule municipality, which governs violations being committed within Village limits through the issuance of local ordinance citations. The ordinance violations are heard by a Hearing Officer through the Administrative Adjudication Court, in which an administrative fine disposition is rendered to the violator. A fine is only administered when the violator is found liable by the Court. The amended chapter (150-3-1) specifies Village fines for the following violations:

1. Compliance Tickets \$50.00 Fine
2. Except Seat Belt Violation \$25.00 Fine
3. Except Child Passenger Act \$25.00 Fine
4. Handicapped Parking \$250.00 Fine

"Past due" fines will increase for the following violations:

1. Compliance Tickets \$100.00 Fine
2. Except Seat Belt Violation \$50.00 Fine
3. Except Child Passenger Act \$50.00 Fine
4. Handicapped Parking \$750.00 Maximum Fine

The amendment to 150-3-1 of the Flossmoor Municipal Code is believed to be in the best interests of the Village and residents of the community. Specifically, the violating party will be subjected to the fine increase, after a scheduled hearing opportunity has been exhausted and said fine remains unpaid. Upon Village Board approval, the Village Manager or designee will proceed with updating the Municipal Code to reflect the amendment to 150-3-1.

FMC ORDINANCE NO. _____
AN ORDINANCE OF THE VILLAGE OF FLOSSMOOR, COOK COUNTY, ILLINOIS, AMENDING
CHAPTER 150, ARTICLE 3 OF THE VILLAGE OF FLOSSMOOR MUNICIPAL CODE

WHEREAS, the Village of Flossmoor, Cook County, Illinois (the “*Village*”) is a duly organized and validly existing non-home rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, Chapter 150, Article 3, Section 150-3-1 establishes Police Department Fines for compliance tickets, seat belt violations and violations of the Child Passenger Act; and,

WHEREAS, the Corporate Authorities believe it to be in the best interests of the Village and its residents to specify the increase of such fines if not paid when due after the violator has been given an opportunity to be heard and to impose a fine for violating handicapped parking restrictions, all as hereinafter provided.

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

Section 1: That Section 150-3-1 of Chapter 150 of the Village of Flossmoor Municipal Code is hereby amended by replacing Section 150-3-1 with the following:

“Section 150-3-1.

	<u><i>Fine</i></u>	<u><i>Past Due</i></u>
A. Compliance Tickets	\$50.00	\$100.00*
B. Except seat belt violation	\$25.00	\$ 50.00 *
C. Except Child Passenger Act	\$25.00	\$ 50.00 *
D. Handicapped Parking	\$250.00	\$750.00**

**After notice of an opportunity to be heard has been issued.”*

***Maximum fine amount for Handicapped parking.”*

Section 2: This Ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law.

This Ordinance shall be in effect upon its passage, approval and publication as provided by law.
PASSED this _____ day of _____, 2023.

AYES: _____

NOES: _____

ABSENT: _____

ABSTAINED: _____

PASSED: _____

APPROVED: _____

PUBLISHED: _____

APPROVED:

Mayor

ATTEST:

Village Clerk

TO: Mayor Nelson and Board of Trustees
FROM: Bridget Wachtel, Village Manager
DATE: December 4, 2023
SUBJECT: Designation of Board Meetings for 2024



FLOSSMOOR

According to the Open Meetings Act (5 ILCS 120/2.02), at the beginning of each calendar or fiscal year, every public body must create and make available to the public the schedule for regular meetings for the year, including the dates, times and locations of the meetings. Once approved, a notice of these meeting dates and locations must also be posted at Village Hall and on the website.

Attached for your approval is a listing of the proposed Village Board regular meetings for 2024. The Board will consider the approval of these meeting dates at the December 4, 2023 meeting.



FLOSSMOOR

Welcoming. Beautiful. Connected.

Village Board of Trustees

Village of Flossmoor
2800 Flossmoor Road
Village Hall Board Room
7:30 p.m.

If a virtual option is provided, refer to meeting agendas at www.flossmoor.org for call-in information to attend the meetings remotely.

2024 MEETING SCHEDULE

Tuesday, January 2, 2024 (Rescheduled due to New Year's Day)

Tuesday, January 16, 2024 (Rescheduled due to Martin Luther King Jr. Day)

Monday, February 5, 2024

Monday, February 19, 2024

Monday, March 4, 2024

Monday, March 18, 2024

Monday, April 1, 2024

Monday, April 15, 2024

Monday, May 6, 2024

Monday, May 20, 2024

Monday, June 3, 2024

Monday, June 17, 2024

Monday, July 1, 2024

Monday, July 15, 2024

Monday, August 5, 2024

Monday, August 19, 2024

Tuesday, September 3, 2024 (Rescheduled due to Labor Day)

Monday, September 16, 2024

Monday, October 7, 2024

Monday, October 21, 2024

Monday, November 4, 2024

Monday, November 18, 2024

Monday, December 2, 2024

Monday, December 16, 2024

Attachment: 2024 BOARD SCHEDULE (2024 Board Meeting Schedule)

TO: Bridget Wachtel, Village Manager
FROM: Jerel Jones, Police Chief
DATE: December 4, 2023
SUBJECT: An Ordinance Repealing and Replacing Article I,
 Chapter 35 of the Flossmoor Municipal Code



On June 30, 2023, Governor Pritzker signed into law Public Act 103-0260 which affords non-home rule municipalities the opportunity to adopt Section 5/1-2.1-1 *et seq.* of the Illinois Municipal Code (65 ILCS 5/1-2.1-1 *et seq.*). Public Act 103-0260 expands control for local municipalities to adopt administrative adjudication systems and allows non-home rule communities to establish hearing units, as similar to home-rule communities. Administrative adjudication further permits municipalities the opportunity to mitigate alleged ordinance violations without pursuing litigation. The matters for resolution locally include building code violations, nuisance abatements and non-moving vehicle code violations.

The public act allows for municipalities to adopt ordinances to establish hearing units, which is a current practice in the Village of Flossmoor. The Village ordinances must establish the jurisdiction of the hearing unit, specifically outlining the municipal codes to be adjudicated. Furthermore, all adjudication hearings require a hearing officer to preside which remains the practice in Flossmoor.

There are several municipal responsibilities before adjudication hearings. The Village must afford parties due process, which include providing a notice and for an opportunity for a hearing. An ordinance violation notice can be served in-person, by mail, or posted on the property in violation. The notice shall include the type and nature of the alleged code violation. Furthermore, the violator must be provided with the date and location of the adjudication hearing, the jurisdiction of the hearing, and the penalties for failure to appear violations. Additionally, the individual in violation must be provided at least fifteen (15) days of hearing preparation, following said violation. The defendant is allowed representation by legal counsel, can present witnesses and cross-examine opposing witnesses in court.

Public Act 103-0260 should allow non-home rule municipalities the ability to address building code violations expeditiously, while eliminating issues impacting property values in the community. Attached to this memorandum is the Village Ordinance for your review and consideration. An additional attachment includes the updated legislative memorandum from Village Attorney Orr for your review. Upon your approval, the Village Manager or her designee will proceed with enacting the revised legislation, which is scheduled to take effect in Illinois on January 1, 2024.

Kathleen Field Orr
Ottosen DiNolfo Hasenbalg Castaldo
 1804 N. Naper Blvd., Suite 350
 Naperville, Illinois 60563

ADMINISTRATIVE ADJUDICATION

Home Rule vs. Non-Home Rule

On June 30, 2023, Governor Pritzker signed into law Public Act 103-0260 which affords non-home rule municipalities the opportunity to adopt Section 5/1-2.1-1 *et seq.* of the Illinois Municipal Code (65 ILCS 5/1-2.1-1 *et seq.*) authorizing administrative adjudication of municipal code violations by home-rule municipalities. The differences in the authority and procedures to adjudicate local ordinance violations between home rule and non-home rule municipalities are substantial and the implementation of the home rule statute for code enforcement by non-home rule municipalities can be very beneficial. A summary of the differences between the statutes follows.

A. AUTHORITY OF HOME RULE MUNICIPALITIES

Public Act 90-516 effective January 1, 1998, authorized home rule municipalities to enforce all violations of its Municipal Code other than those requiring incarceration or citations for moving motor vehicles. In order to establish a system of administrative adjudication, the municipality must create a “hearing unit” conducted by a “Hearing Officer” who must have completed a formal training program. The Hearing Officer is required to preserve and authenticate the record of the hearing including all exhibits and testimony introduced at the hearing. Formal rules of evidence do not apply. All determinations of the Hearing Officer must be in writing and shall include the fine, penalty or action required for code compliance.

Any fine, other sanction, or costs imposed by a Hearing Officer or part of any fine, other sanction, or costs imposed, remaining unpaid after the exhaustion of or the failure to exhaust judicial review procedures under the Illinois Administrative Review Law are a debt due and owing the municipality and may be collected in accordance with applicable law. After expiration of the period in which judicial review under the Illinois Administrative Review Law may be sought for a final determination of a code violation, unless stayed by a court of competent jurisdiction, the findings, decisions, and order of the hearing officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

In any case in which a defendant has failed to comply with a judgment ordering a defendant to correct a code violation or imposing any fine or other sanction as a result of a code violation, any expenses incurred by a municipality to enforce the judgment, including, but not limited to, attorney’s fees, court costs, and costs related to property demolition or foreclosure, after they are fixed by a hearing officer, shall be a debt due and owing the municipality and may be collected in accordance with applicable law. Prior to any expenses being fixed by a hearing officer, the municipality shall provide notice to the defendant to appear at a hearing before the administrative hearing officer to determine whether the defendant has failed to comply with the judgment. The notice shall set the date for such a hearing, which shall not be less than seven (7) days from the

date that notice is served. If notice is served by mail, the 7-day period shall begin to run on the date that the notice was deposited in the mail.

Upon being recorded in the manner required by Article XII of the Code of Civil Procedure or by the Uniform Commercial Code, a lien shall be imposed on the real estate or personal estate, or both, of the defendant in the amount of any debt due and owing the municipality pursuant to this law. The lien may be enforced in the same manner as a judgment lien pursuant to a judgment of a court of competent jurisdiction.

The Hearing Officer is authorized to impose penalties consistent with the municipality's code and assess costs; provided, however, the Hearing Officer is not authorized to impose a penalty of incarceration or impose a fine in excess of \$50,000 exclusive of the costs of enforcement or to secure compliance. Such maximum fine is not applicable to cases to enforce the collection of a tax imposed by the municipality.

Any final decision by a code hearing unit that a code violation does or does not exist shall constitute a final determination for purposes of judicial review and shall be subject to review under the Illinois Administrative Review Law.

B. LIMITATIONS OF NON-HOME RULE MUNICIPALITIES

Pursuant to Public Act 90-777, effective January 1, 1999, non-home rule municipalities were authorized to establish a code hearing department to expedite the prosecution and corrections of code violations. Such code hearing department however was not authorized to adjudicate building code violations or traffic regulations governing the movement of vehicles. The processing of all building code violations was to be solely heard pursuant to Section 11-31.1-1 *et seq.* of the Illinois Municipal Code (65 ILCS 5/1-1-1 *et seq.*) (the "*Code Hearing Department*"). Additional differences between home rule and non-home rule included the following:

1. As with home rule municipalities, all notices of violations must include the type and nature of violation, date and time of the hearing and the penalties for not appearing; however, non-home rule municipalities are required to provide multiple copies of the notice of violation and report form (no less than three (3) copies) which indicates name and address of the defendant; the date and time the violation was observed; the names of witnesses to the violation; and, the date of the hearing.
2. One copy of the citation form must be forwarded to the code hearing department which copy remains with the Code Hearing Department; one copy to be sent to the individual representing the municipality; and, one copy must be sent to the defendant by first class mail with a summons to appear at the hearing. On the other hand, home rule municipalities may serve a defendant using any manner reasonably calculated to give actual notice, including personal service, service by mail or posting on the subject property.
3. For non-home rule code hearing departments, the hearing date shall not be less than thirty (30) nor more than forty (40) days after the violation is reported, thereby mandating no less than two (2) hearings per month. The home rule statute does not mandate any minimum

or maximum time for service prior to the hearing; however, if requested by the defendant, the defendant shall have at least 15 days from the date of mailing the notice to prepare for a hearing.

4. Non-home rule statute prohibits continuances of any proceeding unless absolutely necessary to protect the rights of the defendants, however, such continuances may not exceed twenty-five (25) days. Home rule statute does not address continuances. Both home rule and non-home rule statutes provide that a hearing officer may set aside a default judgment and set a new hearing date if a petition is filed within twenty-one (21) days after the issue of an order if failure to appear was for good cause or lack of proper service.
5. Non-home rule caps the fine and costs to be imposed at \$2,500 for all code violations unlike home rule which permits fines not to exceed \$50,000, exclusive of costs of enforcement or costs imposed to ensure compliance. Furthermore, such maximum fine for home rule municipalities is not applicable to cases to enforce the collection of any tax imposed by the municipality.
6. In 2015, the non-home rule statute was amended to provide that a finding, decision or order of a hearing officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction, as in the case of a home rule municipality, but this amendment does not apply to any building code violations.
7. For non-home rule municipalities, a building code violation must be issued by a building inspector and must be heard by a hearing officer of a Code Hearing Department. The statute does not require any qualification to hold the position of a hearing officer nor does it require any training for the position.
8. The statute governing enforcement of building code violations for a non-home rule building violation provides specific defenses to the property owner:
 - (a) The code violation alleged in the notice does not in fact exist or at the time of the hearing the violation has been remedied or removed;
 - (b) The code violation has been caused by the current property occupants and that in spite of reasonable attempts by the owner to maintain the dwelling free of such violations, the current occupants continue to cause the violations;
 - (c) An occupant or resident of the dwelling has refused entry to the owner or his agent to all or a part of the dwelling for the purpose of correcting the code violation.
9. For home rule municipalities, the findings, decision and order resulting from a building code violation shall include the hearing officer's findings of fact, a decision whether or not a code violation exists based upon the findings of fact, and an order, ordering the owner to correct the violation or dismissing the case, in the event a violation is not proved. If a code violation is proved, the order may also impose the sanctions that are provided in the code for the violation proved. A copy of the findings, decision, and order shall be served

on the owner within five (5) days after they are issued; service shall be in the same manner as the report form and summons are served pursuant to Section 11-31.1-4.

10. For non-home rule municipalities, a decision of a hearing officer regarding a building code violation is not an enforceable judgment and must be taken to the circuit court to determine that the findings, decision and order of the hearing officer were in accordance with the statute and the applicable municipal ordinance and the property owner had an opportunity for a hearing and to request a judicial review. Only if such determination is made by the court, the judgment may be enforced.

C. RESULT ON NEW LEGISLATION

Understanding the differences in the authority of home rule municipalities to hear and process building code violations versus the limitations of non-home rule municipalities which are eliminated by Public Act 103-0260 should allow non-home rule municipalities to address building code violations more expeditiously thereby eliminating issues which negatively affect property values within a community. The law is effective January 1, 2024, and non-home rule communities should begin to amend their municipal code to invoke this new authority.

FMC ORDINANCE NO. _____
AN ORDINANCE REPEALING AND REPLACING ARTICLE I, CHAPTER 35 OF THE FLOSSMOOR
MUNICIPAL CODE

WHEREAS, the Village of Flossmoor, Cook County, Illinois (the “Village”) is a non-home rule municipality pursuant to the Illinois Constitution of 1970 and the laws of this State; and

WHEREAS, the Village has in full force and effect a codified set of ordinances which are of a general and permanent nature, which said codified set is known and designated as the Flossmoor Municipal Code, as amended; and

WHEREAS, the Village has the authority to pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities, with such fines or penalties as may be deemed proper; and

WHEREAS, the Flossmoor Municipal Code currently authorizes administrative adjudication processes and procedures pursuant to Section 5/1-2.2-1 *et seq.* of the Illinois Municipal Code (65 ILCS 5/1-1 *et seq.*); and

WHEREAS, Governor J. B. Pritzker has signed into law Public Act 103-0260 authorizing non-home rule municipalities to adopt the administrative adjudication provisions of Section 5/1-2.1-1 *et seq.* of the Illinois Municipal Code, as previously applicable solely to home rule municipalities; and

WHEREAS, adopting the provisions of Section 5/1-2.1-1 *et seq.* of the Illinois Municipal Code would provide for significant cost and time savings by the Village; and

WHEREAS, the Mayor and Board of Trustees believe that it is in the best interests of the safety, health and welfare of its residents to authorize the use of administrative adjudication

provisions of Section 5/1-2.2-1 et seq. of the Illinois Municipal Code to address and enforce the Flossmoor Municipal Code.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and the Board of Trustees of the Village of Flossmoor, Cook County, Illinois as follows:*

Section One - Repeal and Replacement of Title 1, Chapter 14.

Article I, Chapter 35, is hereby repealed in its entirety and replaced with the following:

35-1-1: PURPOSE AND CREATION:

A. Purpose: To provide for fair and efficient enforcement of Village ordinances, as may be allowed by law and directed by ordinance, through an administrative adjudication of violations of Village ordinances thereby expediting the prosecution and correction of code violations. To that end, there is hereby adopted Article 1, Division 2.1 of the Illinois Municipal Code. 65 ILCS 5/1-1-1 *et seq.*

B. Creation: There is hereby established a department of the municipal government to be known as the Village of Flossmoor Ordinance Enforcement Department to have the power to enforce compliance with all municipal ordinances as from time to time are authorized by the Mayor and Board of Trustees, except for any offense under Section 6-204 of the Illinois Vehicle Code that is a traffic regulation governing the movement of vehicles and except for any reportable offense under section 6-204 of the Illinois Vehicle Code. The establishment of the Flossmoor Ordinance Enforcement Department does not preclude the Board of Trustees from using any legal system or other method to enforce ordinances of the Village. Unless the context clearly indicates otherwise, any references throughout this chapter to "Village code", "this code", "code", or "ordinance" shall be a reference to the Flossmoor Municipal Code, as amended, or to any municipal ordinance as from time to time authorized by the Mayor and Board of Trustees.

35-1-2: DEPARTMENT COMPOSITION:

A. Organization: The Ordinance Enforcement Department shall be composed of a hearing officer, an ordinance enforcement administrator, and such other personnel as deemed necessary and as appointed by the Mayor, with the powers and authority as hereinafter set forth.

B. Hearing Officer:

1. A hearing officer must be an attorney licensed to practice law in the State of Illinois for at least three (3) years.

2. The hearing officer shall have the following duties:

a. Preside over all adjudicatory hearings to determine whether or not a Village Code violation exists and administer oaths and affirmations;

b. Hear testimony and accept evidence that is relevant to the existence of a Village Code violation;

c. At any time prior to the hearing date, the hearing officer assigned to hear the case may, at the request of either party, issue subpoenas directing witnesses to appear and give testimony at the hearing or produce relevant documents;

d. Preserve and authenticate the record of the hearing and all exhibits and evidence introduced at the hearing;

e. Issue and sign a written finding, decision and order stating whether a Village code violation exists;

f. Impose penalties and sanctions or such other relief consistent with applicable provisions of this code and assess costs upon finding a party liable for the charged violation, except, however, that in no event shall the hearing officer have the authority to impose a penalty of incarceration, or fines in excess of \$50,000;

g. Upon a finding of liable a thirty-dollar (\$30.00) penalty is to be imposed by the hearing officer as an administrative adjudication hearing cost. This additional penalty shall not be construed as part of the fine for the purposes of any reduction made in the fine for compliance.

3. Prior to conducting administrative adjudication proceedings under this chapter, the hearing officer shall have successfully completed a formal training program which includes the following:

a. Instruction on the rules of procedure of the administrative hearings over which the hearing officer shall preside;

b. Orientation to each subject area of the code violations that he/she will adjudicate;

c. Observation of administrative hearings; and

d. Participation in hypothetical cases, including rules on evidence and issuing final orders.

4. The hearing officer shall be employed as an independent contractor of the Village and shall not be considered an employee of the Village. A hearing officer may be removed with or without cause by the Mayor or his or her designee.

C. Ordinance Enforcement Administrator: The ordinance enforcement administrator is authorized and directed to:

1. Operate and manage the system of administrative adjudication of Village ordinance violations as may be permitted by law and directed by ordinance.

2. Adopt, distribute and process all notices as may be required under this chapter or as may be reasonably required to carry out the purpose of this chapter.

3. Collect monies paid as fines and/or penalties assessed after a final determination of liability.

4. Certify copies of final determination of an ordinance violation adjudicated pursuant to this chapter, and any factual reports verifying the final determination of any violation liability which was issued in accordance with this chapter, the laws of the State of Illinois including 625 ILCS 5/11-208.3 as from time to time amended.

5. Promulgate rules and regulations reasonably required to operate and maintain the administrative adjudication system hereby created.

6. Collect unpaid fines and penalties through private collection agencies and pursuit of all post-judgment remedies available by current law.

35-1-3: VIOLATION NOTICES:

A. Issuance of Violation Notices:

1. Violation notice of any ordinance violation shall be issued by the Mayor or Administrator and such persons authorized under this Code.

2. All full time, part time and auxiliary police officers as well as other specific individuals authorized by any Village department head shall have the authority to issue violation notices.

3. Any individual authorized hereby to issue violation notices and who detects an ordinance violation authorized to be adjudicated under this chapter or a violation of any section of any Village ordinance, is authorized to issue notice of violation thereof and shall make service thereof as is hereinafter set forth.

4. All violation notices and contain information and shall be certified and constitute prima facie evidence of the violation cited as hereinafter set forth.

B. Violation Notice Requirements:

1. The violation notice shall contain, but not be limited to, the following information:

a. The name and address of the party violating the ordinance, if known.

b. The date and time of the violation (date of issuance).

c. The type and nature of the violation and the ordinance violated.

d. Vehicle make and state registration number (if applicable).

e. The names of any witnesses to the violation.

f. The signature and identification number of the person issuing the notice.

g. The date and location of the adjudication hearing of ordinance violations which date shall be not less than fifteen (15) nor more than sixty (60) days after the date of the violation notice. The legal authority and jurisdiction under which the hearing is to be held and the penalties for failure to appear at the hearing.

h. In the case of a violation pertaining to real property, the address of the property where the violation is observed; and,

i. If applicable to the violation in question, the amount of the fine that may be paid by a party upon a written admission of a violation and waiver of a hearing, which fine shall be no less than the minimum fine set by this code relative to the violation at issue.

2. The correctness of facts contained in any violation notice shall be verified by the person issuing said notice by:

a. Signing his/her name to the notice at the time of issuance; or

b. In the case of a notice produced by a computer device, by signing a single certificate, to be kept by the ordinance enforcement administrator, attesting to the correctness of all notices produced by the device while under his/her control.

3. Parties shall be served with process in a manner reasonably calculated to give them actual notice including, as appropriate, personal service of process upon a party or his/her employer or agent; service by mail at a party's address; affixing the original or facsimile of the notice to an unlawfully standing or parked vehicle, unstickered vehicle, vehicle violating any compliance regulation; or, posting a notice upon the property where the violation is found where the party is the owner, tenant or administrator of the property as follows:

a. The original or a facsimile of the violation notice shall be retained by the ordinance enforcement administrator where a docket number shall be stamped on all copies and a hearing date noted;

b. The notice shall be kept as a record in the ordinary course of business by the ordinance enforcement administrator and shall be a part of the hearing record;

c. One copy of the violation notice shall be returned to the person issuing the notice so that he or she may prepare evidence for presentation at the hearing on the date indicated;

d. One copy of the violation notice shall be served to the alleged violator along with a summons commanding the alleged violator to appear at the hearing;

e. In the case of a violation pertaining to real property, if the name of the property owner cannot be ascertained or if service on the owner cannot be made by mail, service may be made on the owner by posting or nailing a copy of the violation notice form on the front door of the structure where the violation is found, not less than fifteen (15) days before the hearing is scheduled.

4. Any violation notice issued, signed and served in accordance herewith, or a copy of the notice, shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice.

35-1-4: ADMINISTRATIVE HEARINGS:

A. Continuances: No continuances shall be authorized by the hearing officer in proceedings under this chapter except in cases where a continuance is absolutely necessary to protect the rights of the alleged violator. Lack of preparation shall not be grounds for a continuance. Any continuance authorized by a hearing officer under this chapter shall not exceed thirty (30) days.

B. Hearing And Evidence:

1. At the hearing, a hearing officer shall preside, shall hear testimony, and shall accept any evidence relevant to the existence or nonexistence of a village code violation. The strict rules of evidence applicable to judicial proceedings shall not apply to hearings authorized by this chapter.

2. The case for the Village may be presented by an attorney designated by the Mayor or by any other Village employee. The case for the alleged violator may be presented by the alleged violator, his or her attorney, or any other agent or representative of the violator.

3. If on the date set for hearing the alleged violator or his or her attorney fails to appear, the hearing officer may find the alleged violator in default and shall proceed with the hearing and accept evidence relevant to the existence of a code violation.

4. Upon finding the alleged violator in default, the ordinance enforcement administrator shall send or cause to be sent notices by first class mail, postage prepaid, to the violator who received the notice of an ordinance violation. Service of notices sent in accordance herewith shall be complete as of the date of deposit in the United States mail.

5. A hearing officer may set aside any judgment entered by default and set a new hearing date, upon a petition filed within twenty one (21) days after the issuance of the order of default, if the hearing officer determines that the petitioner's failure to appear at the hearing was for good cause or at any time if the petitioner establishes that the municipality did not provide proper service of process. If any judgment is set aside pursuant to this subsection, the hearing officer shall have authority to enter an order extinguishing any lien which has been recorded for any debt due and owing the municipality as a result of the vacated default judgment.

C. Findings, Decision And Order:

1. At the conclusion of the hearing, the hearing officer shall make a determination on the basis of the evidence presented at the hearing as to whether or not a code violation exists.

2. The determination shall be in writing and shall be designated as the findings, decision, and order, including the fine, penalty or action with which the defendant must comply.

3. The findings, decision, and order shall include:

a. The hearing officer's findings of fact;

b. A decision of whether or not a code violation exists based upon the findings of fact;

c. In the case of a code violation other than a building code violation, an order that states the sanction or dismisses the case if a code violation is not proved.

d. In the case of a building code violation only, an order ordering the owner to correct the building code violation or dismissing the case if a building code violation is not proved; and

e. In the case of a building code violation, if a building code violation is proved, the order may also impose the sanctions that are provided in the building code for the building code violation proved.

4. A monetary sanction under this chapter shall be consistent with applicable Village code provisions with a maximum of fifty thousand dollars (\$50,000.00) for all code violations.

5. The maximum monetary fine imposed under the Village code shall be exclusive of costs of enforcement or costs incurred by the Village to secure compliance with the Village code, and shall not be applicable to cases to enforce the collection of any tax imposed and collected by the Village.

6. A copy of any findings, decisions, or orders shall be served on the alleged violator within five (5) days after it is issued. Service shall be made in person or by first class mail.

7. Payment of any penalty or fine and the disposition of any fine money shall be in the manner as set forth in the Village code.

8. In the case of a building code violation only, the order to correct a building code violation and the sanctions imposed by the Village as the result of a finding of a building code violation under this Chapter shall attach to the property as well as to the property owner so that a finding of a building code violation against one owner cannot be avoided by conveying or transferring the property to another owner. Any subsequent transferee or owner of the property takes subject to the findings, decision and order of a hearing officer under this chapter.

35-1-5: ENFORCEMENT OF JUDGMENTS:

A. Debt Due Village:

1. Any fine, other sanction, or costs imposed, or part of any fine, other sanction or costs imposed, remaining unpaid after the exhaustion of, or the failure to exhaust judicial review procedures under the Administrative Review Law (735 ILCS 5/3-101 *et seq.*) shall be a debt due and owing the Village and, as such, may be collected in accordance with applicable law.

2. After expiration of the period within which judicial review under the Administrative Review Law (735 ILCS 5/3-101 *et seq.*) may be sought for a final determination of the code violation, unless stayed by a court of competent jurisdiction, the findings, decision and order

of the hearing officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

3. In any case in which a defendant has failed to comply with a judgment ordering a defendant to correct a code violation or imposing any fine or other sanction as a result of a code violation, any expenses incurred by the village to enforce the judgment, including, but not limited to, attorney's fees, court costs, and costs related to property demolition or foreclosure, after they are fixed by a court of competent jurisdiction or a hearing officer, shall be a debt due and owing the Village and may be collected in accordance with applicable law. Prior to any expenses being fixed by a hearing officer pursuant to this subsection, the Village shall provide notice to the violator that states that the defendant shall appear at a hearing before the administrative hearing officer to determine whether the defendant has failed to comply with the judgment. The notice shall set the date for such a hearing, which shall not be less than seven (7) days from the date that notice is served. If notice is served by mail, the seven (7) day period shall begin to run on the date that the notice was deposited in the mail.

4. Upon being recorded in the manner required by Article XII of the Code of Civil Procedure or by the Uniform Commercial Code, a lien shall be imposed on the real estate or personal estate, or both, of the defendant in the amount of any debt due and owing the Village under this section. The lien may be enforced in the same manner as a judgment lien pursuant to a judgment of a court of competent jurisdiction.

B. Judicial Review: The findings, decision, and order of the hearing officer shall be subject to review in the circuit court of Cook County. The provisions of the administrative review law, and the rules adopted pursuant thereto, shall apply to and govern every action for the judicial review of the findings, decision, and order of the hearing officer under this chapter.

35-1-6: SCHEDULE OF FINES AND PENALTIES:

A. General fines for any ordinance other than Chapter 270 (Vehicle Code) of this Code: For violation of any Village ordinance other than a violation under Chapter 270 (vehicle code) of this code, fines and penalties shall be as established from time to time by the Board of Trustees but in no event more than fifty thousand dollars (\$50,000.00) or the amount prescribed by the Illinois Supreme Court for the mandatory arbitration system, whichever is greater.

B. Fines for violation of Chapter 270 (Vehicle Code) of this Code other than Handicapped Parking and Regulated Parking: For violation of any provision of Chapter 270 (vehicle code) of this code; or any compliance violation; or, violation of any other Village ordinance regulating, restricting or prohibiting the standing or parking of motor vehicles along the streets, byways, alleyways, regulated parking lots or such other locations as may be controlled by off street parking agreements, located within the geographical boundaries of this Village, other than for handicapped parking, the fine shall be a maximum of seven hundred fifty dollars (\$750.00).

C. Fines for violations of certain regulated parking restricting or prohibiting the standing or parking of motor vehicles along the streets, byways, alleyways, regulated parking lots or such other locations as may be controlled by off street parking agreements, located within the geographical boundaries of this Village for areas specifically designated for handicapped parking shall be a maximum of seven hundred fifty dollars (\$750.00).

35-1-7: VEHICLE IMPOUNDMENT:

A. Authorization to Impound, Boot or Tow Motor Vehicle: Any motor vehicle whose registered owner has been determined to be liable for ten (10) or more vehicular standing or parking regulation violations, for which the fines or penalties assessed remain unpaid, may be immobilized, booted or towed and impounded if:

1. The ordinance enforcement administrator has determined that a person has been determined to be liable for ten (10) or more ordinance violations, for which the fines or penalties remain unpaid.

2. The person determined to be liable for ten (10) or more violations is the registered owner of a motor vehicle located within the Village geographical boundaries.

3. A seizure notice has been sent to the registered owner of the motor vehicle located within the geographical boundaries of the Village which contains, but shall not be limited to, the following:

a. That a final determination has been made on ten (10) or more ordinance violations, for which the fines and penalties remain unpaid;

b. A listing of the violations for which the person has been determined to be liable, which shall include for each violation:

(1) The ordinance violation notice number;

(2) Date of issuance; and

(3) Total amount of fines and penalties assessed;

c. That the motor vehicle owned by the person and located within the Village is subject to immobilization and/or towing and impoundment if the fines and penalties are not paid within, but not later than, fifteen (15) days of the date of the notice;

d. Date of immobilization;

e. Date of impending towing and impoundment; and

f. That the registered owner may contest the validity of the notice by appearing in person before the ordinance enforcement administrator within fifteen (15) days of the date of the notice and submitting evidence which would conclusively disprove liability, such as the following:

(1) The registered owner was not the owner or lessee of the vehicle on the date or dates the notices of violation were issued; or

(2) The fines or penalties for the violations cited in the notice were paid in full; or

(3) The registered owner has not accumulated ten (10) or more ordinance violation notices which are unpaid, not adjudicated or for which no appearance was made.

4. The motor vehicle of the registered owner to whom notice is sent has failed to make payment of the fines or penalties as specified in the notice and has failed to appear with evidence to conclusively disprove liability before the ordinance enforcement administrator to contest the validity of the notice.

B. Criminal Violations Authorizing Seizure/Impoundment: A motor vehicle, operated with the permission, express or implied, of the owner of record, that is used in connection with the following violations, shall be subject to seizure and impoundment by the Village, and the owner of record of said vehicle shall be liable to the Village for an administrative penalty of five hundred dollars (\$500.00), in addition to costs of prosecution and any towing and storage fees as hereinafter provided:

1. Operation or use of a motor vehicle in the commission or attempted commission of any offense for which a motor vehicle may be seized and forfeited pursuant to 720 ILCS 5/36-1.

2. Driving under the influence of alcohol, other drug or drugs, intoxicating compounds, 625 ILCS 5/11-501.

3. Operation or use of a motor vehicle in connection with the commission or attempted commission of any felony offense or in violation of the provisions of the Illinois cannabis control act, 720 ILCS 550/1.

4. Operation or use of a motor vehicle in connection with the commission or attempted commission of any offense in violation of the Illinois controlled substances act, 720 ILCS 570/100.

5. Unlawful use of a weapon in violation of 720 ILCS 5/24-1; aggravated discharge of a firearm in violation of 720 ILCS 5/24-1.5; unlawful possession of a firearm and firearm ammunition in violation of 720 ILCS 5/24-3.1.

6. Driving while license, permit or privilege to operate a motor vehicle is suspended or revoked, 625 ILCS 5/6-303; vehicles shall not be subject to seizure/impoundment if the suspension is for unpaid citations, due to failure to comply with emission testing.

7. Operating a motor vehicle without a valid driver's license, 625 ILCS 5/6-101 in combination with operation of motor vehicle with no insurance 625 ILCS 5/3-707.

a. Except a person that had a valid driver's license that is expired for less than six (6) months.

b. Except a person who is less than seventeen (17) years of age operating a motor vehicle on any street or highway when in violation of the child curfew act.

C. Request for Hearing in Case of Impoundment and Towing of Motor Vehicle: Upon the receipt of the request for hearing to contest the validity of the immobilization or towing and impoundment, the Ordinance Enforcement Administrator shall schedule an administrative hearing to contest the validity of the immobilization or towing and impoundment on the next scheduled hearing date or, if sooner, scheduled by the Ordinance Enforcement Administrator for good cause shown, but in no case shall the hearing be scheduled later than thirty (30) days after the request for hearing is filed and shall serve notice of the hearing date upon the registered owner by first class mail, postage prepaid, to the address as is set forth on the request for hearing. Service of the notice shall be complete on the date it is placed in the United States mail.

D. Notice Affixed to Vehicle in Cases of Immobilization: Upon immobilization of an eligible vehicle, a notice shall be affixed to the vehicle in a conspicuous place. Such notice shall warn that the vehicle is immobilized and that any attempt to move the vehicle may result in its damage. The notice shall also state that the unauthorized removal of or damage to the immobilizing restraint is a violation of sections 16-1 and 21-1 of the Illinois criminal code. The notice also shall provide the following information specifying that a release of the immobilizing restraint may be had by:

1. Paying all the fines and penalties, if any, on the outstanding complaints for which notice has been sent prior to the date of the immobilization; or

2. Completing appearance forms on all outstanding parking violation complaints for which notice had been sent prior to the date of the immobilization and depositing collateral in

the amount of fifty percent (50%) of the total fines for these outstanding parking violation complaints, or five hundred dollars (\$500.00), whichever is less.

E. Towing of Immobilized Vehicle: Except where the vehicle is otherwise subject to towing, if the immobilizing restraint has not been released as hereinabove provided within seventy two (72) hours of its placement, the vehicle shall be towed and impounded.

F. Post-impoundment Notice: Within ten (10) days after a vehicle has been impounded, notice of impoundment shall be sent by certified mail, return receipt requested, to the registered owner of the vehicle. The notice shall state that the owner has the right to a post-immobilization and post-towing hearing as provided in subsection G of this section and that if the vehicle is not claimed within thirty (30) days from the date of the notice, the vehicle may be sold or otherwise disposed of in accordance with the Illinois vehicle code.

G. Hearing in Case of Vehicle Immobilization: The owner of an immobilized vehicle or other interested person shall have the right to a hearing to determine whether the immobilization or any subsequent towing was erroneous or whether the vehicle was properly included on an immobilization list, if the owner files a written demand for a hearing before the ordinance enforcement administrator within fourteen (14) days after issuance of the notice specified in subsection F of this section or within fourteen (14) days of immobilization, whichever is later. A hearing shall be conducted on any business day within forty eight (48) hours of receipt of a written demand for hearing, unless otherwise mutually agreed by the parties. Failure to request or attend a scheduled hearing shall be deemed a waiver of the right to a hearing. In the event of such failure, any amount deposited pursuant to subsection D of this section shall be forfeited. A hearing provided by this subsection shall not determine the validity of or otherwise adjudicate any citation or notice of ordinance violation issued relative to the immobilized vehicle, but shall only relate to whether the vehicle was properly immobilized or towed by determining whether the owner previously submitted evidence required by this chapter.

H. Fines and Fees for Immobilization: The fine for immobilization shall be five hundred dollars (\$500.00) and the fine for impoundment and towing shall be an amount not to exceed six hundred fifty dollars (\$650.00). The owner of the vehicle shall also be charged reasonable storage and towing fees should the vehicle be removed to a private storage facility, provided that no fees shall be assessed for any immobilization or tow which has been determined to be erroneous.

I. Towing Services: The Ordinance Enforcement Administrator shall appoint or retain the services of an individual agency or company to tow and impound vehicles in accordance herewith, provided that that individual, agency or company is fully insured and licensed according to local or state law and has available a secured impound area within which to retain vehicles impounded hereunder. For the purpose of this subsection a "secured area" shall mean an area bounded by a fence, chainlink or otherwise, of a sufficient height and with locking gates so as to minimize or prevent unauthorized entry into the impounded vehicles.

35-1-8: IMPOSITION OF COLLECTION COSTS ON UNPAID FINES:

The Village and the Village attorney or the finance director or their designees may retain attorneys and private collection agents for the purpose of collecting any default in payment of any fine or penalty imposed by this Code, or any installment of a fine or penalty. The Village shall add a thirty five percent (35%) cost of collections to any outstanding balance that requires

the Village to retain the services of a collection agency. This thirty five percent (35%) cost includes any default in a fine or penalty or any installment of a fine or penalty that was previously referred to an attorney or private collection agency and the payment of which remains outstanding.

Section Two - Effective Date

This Ordinance shall be in full force and effect on January 1, 2024.

Section Three - Conflict Clause

That all ordinances, parts of ordinances, resolutions, parts of resolutions and/or board actions in conflict with the terms of this ordinance shall be repealed to the extent of said conflict.

Section Four - Constitutionality Clause

Any part or parts of this Ordinance declared by a court of law to be invalid or unconstitutional shall not affect the validity of the remaining provisions of this Ordinance or the Flossmoor Municipal Code.

Section Five - Publication

This Ordinance shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

This Ordinance shall be in effect upon its passage, approval and publication as provided by law.

PASSED this _____ day of _____, 2023.

AYES: _____

NOES: _____

ABSENT: _____

ABSTAINED: _____

PASSED: _____

APPROVED: _____

PUBLISHED: _____

APPROVED:

Mayor

ATTEST:

Village Clerk