

**VILLAGE OF FOX RIVER GROVE
PUBLIC HEALTH & SAFETY
DECEMBER 4, 2012**

CALL TO ORDER

Chairperson Knar called the meeting to order at 7:00 p.m.

ROLL CALL

Present at roll call were Trustees Colletti, Menzel, and Knar. Trustee Ireland was absent. Also present were Village Administrator Warwick, Chief Lukasik, Building & Zoning Superintendent Vernon and Deputy Clerk Majkrzak. President Nunamaker and Trustee Schiestel were in the audience.

APPROVAL OF THE NOVEMBER 6, 2012 MINUTES:

Trustee Knar made a motion to approve the Public Health & Safety meeting minutes of November 6, 2012. Trustee Colletti seconded. Roll call vote was taken – all were in favor.

RESIDENTS COMMENTS

Rich Kreher, FRG Fire Protection Inspector

Tom Anderson, 117 Harding – here to observe.

Ted Johnson, 420 Concord – here to observe.

BUILDING & ZONING DEPARTMENT

Monthly Report

Pete Vernon went over the monthly report. METRA – the footings are in for the warming shelter. There was a meeting today regarding a possible restaurant in the Café Salsa building. On Friday Pete will be going with them as they walk through the building. CBRE Group, Inc. (the world's largest commercial real estate service) has inquired about B-2 Zoning along Route 14. A demolition permit has been pulled for 403 Lucille. They will be taking it down to the framing. House contains lead. Pete has contacted Attorney Donahue about the next step to take regarding 910 Ski Hill. Adm. Warner explained nuisance properties and abatement. He may bring a draft ordinance to the January PH&S meeting. The landlord came in and picked up the paperwork regarding the deck at 1023 Victoria. Bella Vista Montessori School has inquired into what is required to provide day-care for children younger than 3. They would need a special use. It was discovered that they should have applied for a special use before the school was built. Pete suggested waiving the fee. Trustee Colletti said no. Trustee Knar and Menzel suggested a reduced fee that would cover costs. Adm. Warwick said they could submit a request for reduction to the Board and then he explained the breakdown of costs associated with a zoning hearing (attorney time, member salaries, cost to run ad). King Pin has submitted a tentative

plan/timeline for rehabilitation of 418 Lincoln with completion in 2014. Trustee Knar explained that work needs to be done before he can apply for a video gaming permit. The final plan will be attached to a compliance agreement. If he doesn't complete, the Village could process the violations/fines. Trustee Knar inquired about Village liability, if someone is injured before work is completed. The liability issues are addressed in Phase 1. President Nunamaker stated that he did the research and the Village would not be liable. Pete will meet with Mr. Nielsen and "firm up" the details. Pete brought up a system that the Village could use for annual commercial & multi-family inspections. It is automated and it would monitor compliance and inspection of alarm, suppression and life/safety systems. All costs would be paid by the property owner. Trustees Knar and Colletti do not want to add additional costs to property owners. Rich Kreher (Fire District) stated that he is trying to work with businesses to set up inspections but that it is taking longer than he anticipated.

POLICE DEPARTMENT

Monthly Report

Chief Lukasik reported that 30 tickets were issued for overnight parking violations but some were administratively dismissed because they did not receive a prior warning. Union negotiations are scheduled for Wednesday. One officer has resigned to take another position. Trustee Knar inquired about the traffic safety stops. It was a grant from IDOT. He then asked if seat belt violations could be issued as a local traffic ticket. Chief Lukasik responded that he would have to ask the Village attorney. Opinion of members was to go ahead.

Intergovernmental Agreement – Range Training – Village of Barrington

Historically the Police Department has been using the Village of Barrington gun range free of charge. But as of 1-1-13, they will be asking for \$30/officer/year. Total cost \$360/year. He checked with Lake Zurich (\$500/year) and On-Target (Crystal Lake)(\$120/hour with restrictions). Chief Lukasik would like each officer to go to the range twice – once for practice and then for the State mandated qualification. Adm. Warwick has reviewed the Agreement and recommended Village approval. Trustee Menzel would like the Village Attorney to review. **Trustee Knar made a motion to approve the Intergovernmental Agreement with the Village of Barrington for the use of their firing range without any attorney review.** Seconded by Trustee Colletti. Roll call vote was taken – Menzel – no; Colletti – yes, Knar – yes.

Ordinance: Synthetic Marijuana

Chief Lukasik explained that under the State Statute it is a felony to be in possession of synthetic marijuana but the Village could enact a local ordinance making this a misdemeanor. Discussion held. President Nunamaker said that the McHenry County Council of Governments voted in favor of all towns doing this. **Trustee Colletti made a motion to accept the synthetic drug ordinance and forward it to the Board for approval and to have counsel review the ordinance.** Seconded by Trustee Knar. Roll call vote was taken – Colletti – yes; Knar – yes, Menzel – no.

Ordinance: Social Hosting

The McHenry County Underage Drinking Taskforce put together a model ordinance that is much "cleaner" and has better definitions than ours. Chief Lukasik recommended adopting it. **Trustee Knar made a motion to direct counsel to prepare revisions to the social hosting ordinance.**

Seconded by Trustee Colletti. Roll call vote was taken – all in favor.

OTHER BUSINESS

Vehicle Sticker Program

Adm. Warwick reviewed the Vehicle Sticker Program – revenue generated (\$60-65,000/year) printing/ mailing costs (\$3,200) plus staff and police time. Chief Lukasik is in favor of eliminating vehicle stickers as it is time consuming for his officers to enforce. If the Village eliminated this program, they could add a yearly vehicle license fee of \$40/residence or \$20/senior residence. There are 199 homes that don't receive a water or sewer bill from the Village so they would have to be billed separately. Discussion held on homes without cars, policy for non-payment, age for senior discount. **Trustee Knar made a motion to move the proposed ordinance to eliminate vehicle stickers to Finance.** Discussion held on changing "vehicle license fee" to "road maintenance/transportation fee". Seconded by Trustee Colletti. Roll call vote was taken – all in favor.

Home Occupation Regulations

Administrator Warwick explained that he researched other towns to see how they handle home occupations and one option is to require a temporary use permit. A temporary use permit could be defined by the number of days or number times allowed with certain conditions. The permit would have to be filled out beforehand and approved by the Village Administrator. Trustee Knar feels an ordinance requiring a special use would mean further litigation and that the Village needs to get additional advice from an attorney specializing in zoning. Discussion held. **Trustee Knar made a motion to recommend to Finance to authorize Administrator Warwick to contact a zoning attorney not to exceed \$2,000.** Seconded by Trustee Menzel. Roll call vote was taken – all in favor.

ADJOURNMENT:

Trustee Menzel made a motion to adjourn. Trustee Colletti seconded. All were in favor to adjourn. Meeting adjourned at 8:15p.m.

Steve Knar, Chairperson

Barbara Majkrzak, Secretary

Date Approved