

**VILLAGE OF FOX RIVER GROVE  
PUBLIC HEALTH & SAFETY  
JANUARY 8, 2013**

**CALL TO ORDER**

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

**ROLL CALL**

Present at roll call were Trustees Colletti, Ireland, Menzel, and Knar. Also present were Village Administrator Warwick, Chief Lukasik, Building & Zoning Superintendent Vernon, Village Planner Al Maiden and Deputy Clerk Majkrzak. President Nunamaker and Trustee Petitioner C. Olencheck were in the audience.

**APPROVAL OF THE DECEMBER 4, 2012 MINUTES:**

**Trustee Knar made a motion to approve the Public Health & Safety meeting minutes of December 4, 2012.** Trustee Colletti seconded. Roll call vote was taken – Colletti, Menzel, Knar in favor. Trustee Ireland abstained.

**RESIDENTS COMMENTS**

**Ted Johnson**, 420 Concord – here to observe.

**BUILDING & ZONING DEPARTMENT**

**Monthly Report**

Pete Vernon went over the monthly report. Ringers expanded their business into residential area so owner will need to apply for a zoning change and then to amend their special use. We are waiting for their application. Trustee Menzel stated that he feels that Ringers has improved the property. Bamboo Garden will have a new owner and he has plans for a sushi bar. Pete has issued a permit for 403 Lucille for rehab. The work is almost done at 404 Orchard. King Pin has signed the compliance agreement. Trustee Ireland asked about work deadlines. If he doesn't complete, the Village could process the violations/fines. Trustee Knar thanked Pete for how he handled this situation and asked if they have applied for a gaming license. They have not applied to the Village. The gaming devices are operational at Dead End. Trustee Ireland feels that Tin Man's should remove the picnic tables. He has seen people there but there is no serving of alcohol. Trustee Menzel asked about Bella Vista Montessori School. They thought the landlord had taken care of the special use. They need to apply for the special use. Trustee Ireland asked about 200B Lincoln. Pete responded that this is a single family home changed into a 2-family without Village knowledge. The Village needs the owner's permission to enter the home to inspect the interior for safety concerns. He is waiting for the signed compliance agreement for the driveway. No parking permits will be issued until signed. Trustee Ireland wants action taken before the February PH&S meeting. Trustee Colletti agrees. Pete will contact again. President Nunamaker stated that his is uncomfortable with the idea that residents can convert their single-

family homes to multi-family without letting the Village know. Adm. Warwick said that Village would find out if/when a neighbor would call about work being done. Trustee Colletti asked if the Village had a list of rental homes. Fox River Grove does not. Some communities do require that these homes are registered but they charge a fee.

### **Nuisance Ordinance**

There is an abandoned house on Ski Hill that needs to be demolished. Adm. Warwick and Pete have talked to the owner who says they have no money for this. The house needs to be boarded up as animals are living inside and a neighbor's dog was injured by them. Discussion held on giving them till August to have demolished. Trustee Ireland doesn't agree – he thought matter had already gone to court. It has not. Currently the Village has no authority to secure the property. Proposed ordinance would create a process for the Village to declare the property a nuisance, abate the nuisance and file a priority lien to cover costs. This is a faster process than using the court system. **Trustee Colletti made a motion to move forward on the ordinance for amending the Village Code to establish nuisance and lien procedures to the Village Board for approval.** Seconded by Trustee Knar. Roll call vote was taken – all in favor.

### **Compliance Agreement – 412 Lincoln Avenue**

Discussed under B&Z Report. **Trustee Knar made a motion to approve the compliance agreement between the Village and the owner of 412 Lincoln.** Seconded by Trustee Ireland. Roll call vote was taken – all in favor

## **POLICE DEPARTMENT**

### **Monthly Report**

Chief Lukasik reported that LITH PD will be reimbursing the Village for Sgt. Domagala's vest. There is a tentative police union agreement. As of today, department is fully staffed – field training ends this week. One part-time officer has been upgraded to full-time. Officer Shuman replaces Officer Diskin. Ron is talking to a possible full-time officer – will need to start the new hire process/testing. He would replace Officer Caselli whose last day is January 10<sup>th</sup>. Trustee Colletti asked about medicinal marijuana. The State is working on a bill for this which deals with zoning areas for the sale of medicinal marijuana. Crystal Lake has been discussing. Chief Lukasik said to wait and see what happens. Trustee Menzel asked about the hit and run accident at Route 22 and 14. This is an example of why the Village needs the RedSpeed camera there.

### **Local Seat Belt Ordinance**

Chief Lukasik researched and seat belt violations are not a moving violation so the Village can have a local seat belt ordinance. Currently under State Statute, \$25 fine is given but money goes to the Courthouse. If Village creates an ordinance for seat belt violations, it would be a parking ticket. The fine money would stay in the Village, a contested ticket would be handled by adjudication and violation would not go on their record. **Trustee Knar made a motion to write an ordinance so the Village can create a local seat belt ordinance with a \$25 fine.** Seconded by Trustee Ireland. Roll call vote was taken – all in favor.

## OTHER BUSINESS

### Home Tour & Home Occupation Regulations

Village Planner Al Maiden has looked over the regulations they have done for other towns and is suggesting regulations with 3 levels which would depend on the number of tours per year. Permits issued under the first tier would be approved by Village Staff. The second tier would be approved by the Village Board and the third tier would require a special use and go before the ZBA and then the Village Board. The Village would have to decide on the numbers for each tier. He explained that by not including a maximum number allowed, it will prevent a resident from bypassing these regulations and taking matter directly to the Court. There was a discussion on hours and numbers for each tier; to not do 2(a)-(d), only 2e; sound permits/requirements; require written exhibits. It was decided to discuss further with our Village Attorney. Trustee Knar wants to maintain the sanctity of the neighborhoods. Al Maiden said he reviewed our Ordinances and we allow temporary parking of RV's, personal watercraft so the Village could create a separate section dealing with temporary uses and include this matter. Trustee Ireland is concerned about birthday parties, weddings, graduations, etc and how the regulations would affect the entire town and how the Village can legally enforce these regulations. The draft regulations do not cover special events. So he asked the Committee what direction they want to take. Al Maiden said he spoke to legal counsel and they replied that most towns exempt those activities as they charge no fees. Trustees Knar and Colletti asked how the Village can determine the difference between a gathering of friends and a home tour. Trustee Menzel asked how the Village would monitor the number of tours. Owner would have to call the Village or if a neighbor would call. President Nunamaker reiterated the discussion and feels that the Village needs some forward progress on this. Trustee Knar then polled the committee: a) go with draft regulations or b) have separate section in Zoning Ordinances for temporary uses. Trustees Colletti and Knar want to move forward with draft regulations and to create temporary use section at a later date. Trustee Ireland wants it reviewed by legal counsel first. It was decided to have Al Maiden revise regulations including a range of numbers and then have Adm. Warwick talk to our attorney before the Board meeting.

### Street Maintenance Fee Ordinance

Ordinance is to eliminate vehicle stickers and simplify process by billing residents one time a year with a street maintenance fee. Adm. Warwick had ordinance reviewed by our Village Attorney. Legal basis for this fee is that you must have a motor vehicle. If a resident doesn't own a vehicle, they can fill out a form and the Village will remove their fee. Fee will be billed in May/June instead of June/July because bills historically are bigger in June/July. Trustee Menzel is concerned about households that own 5 cars and they'll pay the same amount as those with only 1 car. The average number of cars per resident is 2.8. Figures show that 90% of households will be paying less but Village will be collecting money from those who haven't been purchasing stickers. There will be less inconvenience. Trustee Colletti would like fee lowered for seniors. Trustee Knar disagreed because they drive on the streets also. Fee will be \$18 for seniors. **Trustee Knar made a motion to amend Article VI of Chapter 15 of our ordinances in regards to elimination of the vehicle sticker fees as noted \$36 per household and \$18 for households that are seniors.** Seconded by Trustee Menzel. Roll call vote was taken – Colletti – yes; Knar – yes; Menzel – yes; Ireland – no.

**ADJOURNMENT:**

**Trustee Menzel made a motion to adjourn. Trustee Knar seconded.** All were in favor to adjourn. Meeting adjourned at 8:45 p.m.

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Steve Knar, Chairperson

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Barbara Majkrzak, Secretary

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Date Approved