

MINUTES OF THE REGULAR MEETING OF THE LAW AND ORDINANCES COMMITTEE OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, MARCH 8, 2021 AT 5:30 pm AT THE WILLOWBROOK VILLAGE HALL, LOWER-LEVEL CONFERENCE ROOM, 835 MIDWAY DRIVE, VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

(IT SHOULD BE NOTED THAT THIS MEETING WAS HELD PARTIALLY VIA “ZOOM/CONFERENCE CALL”

DUE TO THE COVID 19 PANDEMIC, THE VILLAGE WILL BE UTILIZING A CONFERENCE CALL FOR THIS MEETING.

THE PUBLIC CAN UTILIZE THE FOLLOWING CALL IN NUMBER:

Dial-in Phone Number: (312) 626-6799

Meeting ID: 825 4985 2595

Passcode: 507799

1. CALL TO ORDER

Chairman/Trustee Gayle Neal called the meeting to order at the hour of 5:30 pm.
(Meeting was being recorded)

2. ROLL CALL

Those present at roll call were: Chairman/Trustee Gayle Neal (in person at Village Hall), Trustee Umberto Davi (in person at Village Hall), Trustee Paul Oggerino (via Zoom), Village Administrator Brian Pabst (via Zoom), Assistant Village Administrator Michael Mertens (via Zoom), Village Attorney Thomas Bastion (via Zoom) and Building Official Roy Giuntoli (via Zoom).

3. APPROVAL OF MINUTES

Due to unforeseen circumstances and the length of the agenda, the approval of January 11, 2021 the minutes will be deferred until the next Law & Ordnance Committee meeting.

4. DISCUSSION – Chapter 13 Solicitors Regulations

Chairman/Trustee Gayle Neal passed the floor to Assistant Village Administrator Michael Mertens.

- a) Continuation of September of 2020 discussion back in. We presented an overview of the current solicitation rules in the community. On January 11, we presented a redlined version.
- b) Code reordered to bring the code in line with neighboring communities, streamline language for easier interpretation by the solicitor and enforcement by the village.
- c) Updated definitions.
- d) sections added, permit exemptions for minors, no limitations on free speech, redefined solicitation hours and locations.
- e) The assessing/charging of fees for the commercial permit application under condensation, \$75.00 was the amount being considered.

- f) Chairman/Trustee Gayle Neal indicated locations restrictions at 67th and Route 83 due to safety concerns.
- g) There was a consensus, to recommendation to the Board on March 22.

5. DISCUSSION – Appeal to Section 5-2-6 “Prohibited Animals” for 6023 Bentley Avenue

Assistant Village Administrator Michael Mertens stated:

- a) Discussions as to the prohibition or allowance of Prohibited Animals.
- b) Staff surveyed adjacent communities for their current ordinances regarding roosters, chickens, and other animals that violated their ordinances.
- c) In September of 2020, the village updated the definition language to clarify that it is unlawful to keep or maintain animals and fowl, further defining fowl such as poultry, chickens, roosters, ducks, geese, turkeys, and pigeons.
- d) Recently village code enforcement officer involvement into Prohibited Animals code violations at 6023 Bentley Avenue.
- e) 6023 Bentley Avenue resident Jack Navarra was on the line (called into the meeting) requesting an appeal to our village code regarding chickens on residential properties.
- f) Assistant Village Administrator Michael Mertens stated that staff used a reasonably recent survey from Downers Grove that had surveyed roughly 30 communities. A breakdown was given to the Committee.
- g) Staff offered three (3) options to the Committee.
 - i. First option is a case-by-case basis and to recommend certain criteria for a time-restricted appeal to the Board.
 - ii. Second option was to direct staff to allow chickens on residential lots where we would actually modify our ordinance similar to some of our adjacent communities that would allow it within certain zoning districts based on certain lot sizes, based on distance from residential homes, set up chicken coop standards, and then also have some type of neighbor sign off.
 - iii. Village Attorney Thomas Bastion stated that current ordinances do have a method of appeal or variance, currently petitioner can petition the chief of police. A text amendment is also an option.
- h) Ordinances should be changed globally to reflect committee determinations.
- i) Chairman/Trustee Gayle Neal described other nearby communities chicken ordinances.
- j) Village Attorney Thomas Bastion described other options
- k) Assistant Village Administrator Michael Mertens stated that the code would not be opened up for change; grandfathering w/ conditions – unique to the property – can be considered w/ wording input from Attorney.
- l) Chairman/Trustee Gayle Neal, Trustee Umberto Davi, Trustee Paul Oggerino stated there was a consensus from the Committee on this [four (4) chicken] grandfathering w/ conditions option – ultimately wording to be verified with attorney.
- m) A Roll Call was taken and three committee members voted ‘yes’

- n) A Visitor asked to speak on topic and was allowed to.
- o) Jack Navarro & Laura Navarro spoke to describe his timeline of owning chickens.

6. DISCUSSION – Title 9 – Chapter 6B B-2 Commercial Shopping District, Chapter 6C B-3 General Business District and Chapter 6D – B-4 Highway and Service Business District – Permitted Use Review

Assistant Village Administrator Michael Mertens stated that the issues brought forth are topics that will be reviewed over the coming year. Topics being focused on are:

- a) Permitted, Special Use, and Prohibited uses within those districts
- b) Staff was asked by Chairman/Trustee Gayle Neal to review these topics
- c) Topics to be reviewed/looked at for examples are Uses; separation distances between certain businesses, what products are sold and allowed in certain zoning districts. Definitions need to be reviewed.
- d) Comparisons should be made to offshoot brands of stores, where a parent store is nearly identical but selling nearly the same product at lesser cost. As well as similar types of business near, or next to each other.

7. DISCUSSION – Title 6 Chapter 1 – Food Adulteration

- a) Assistant Village Administrator Michael Mertens stated that this code section has a lot of outdated language that dates back to early 1960's that needs to be modernized.
- b) Staff will compare language with adjacent communities.

8. DISCUSSION – Title 6 Chapter 4 – Grocery Stores

- a) Assistant Village Administrator Michael Mertens stated that this code section is also outdated and also needs to be modernized.

9. DISCUSSION – Title 6 Chapter 5 – Restaurants

- a) Assistant Village Administrator Michael Mertens stated that this topic is included because the Board will be presented with considering a possible drive-up restaurant very soon.
- b) This chapter covers health, sanitation, and licensing that dates back to early 1960's when drive-throughs [for restaurants] were not prevalent.
- c) Village currently deals with drive-throughs through our zoning code from more of a site plan issue, but we do not have wording that focuses specifically on home value, noise, odor, kind of the quality of life aspect as it pertains to drive-throughs.
- d) Staff to decide if these matters should be included in this Title/ordinance.
- e) This code section is also outdated and also needs to be modernized.

10. DISCUSSION – Title 2 – Boards and Commissions

- a) Assistant Village Administrator Michael Mertens stated there is inconsistencies in the manner and locations where they are identified. Staff to review, redefine and rearrange them into one location.

11. ONGOING REVIEWS

- a) Food Truck Licensing Requirements – currently under a one (1) Year Moratorium
- b) Several vendors were told that there is a moratorium in place and we are not considering licenses at this point.

12. COMMITTEE REPORTS

- a) Trustee Gayle Neal: No Report
- b) Trustee Paul Oggerino: No Report
- c) Trustee Umberto Davi: No Report
- d) Village Attorney Thomas Bastion: No Report
- e) Building Official Roy Giuntoli: No Report
- f) Assistant Village Administrator Michael Mertens: Nothing additional to Report

13. VISITOR'S BUSINESS

- a) None
- b) Building Official Roy Giuntoli stated that there were no other persons logged onto the ZOOM meeting.
- c) Assistant Village Administrator Michael Mertens stated that there were no formal submittals (Phone calls/e-mails) from visitors to address.

14. ADJOURNMENT

Trustee Umberto Davi made a motion to adjourn. Trustee Paul Oggerino seconded.

Chairman/Trustee Gayle Neal stated that this was Assistant Village Administrator Michael Mertens' last Law and Ordinance Meeting and took this opportunity to thank you him for all of his guidance; she stated that she was sorry to be losing him and thanked him for all his support and recommendations and that it was greatly appreciated.

Assistant Village Administrator Michael Mertens stated: "Thank you. It's been a great run, and I appreciate all the support, and I wish you nothing but the best. Thank you", then called for a Roll call for the adjournment.

- Chairman/Trustee Gayle Neal, Trustee Davi and Trustee Paul Oggerino all voted in favor to Approve meeting adjournment.

MOTION DECLARED & CARRIED

Meeting adjourned at 6:18 pm

PRESENTED, READ and APPROVED

_____, 2021

CHAIRMAN

Minutes prepared by
Roy A. Giuntoli, Building Official (04/15/2021)