

MINUTES OF THE REGULAR MEETING OF THE LAW AND ORDINANCES COMMITTEE OF THE VILLAGE OF WILLOWBROOK HELD ON TUESDAY, JUNE 4, 2019 AT 6:00PM AT THE WILLOWBROOK POLICE DEPARTMENT, 7760 QUINCY STREET, VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

1. CALL TO ORDER

The meeting was called to order at the hour of 6:00 p.m. by Trustee Kelly.

2. ROLL CALL

Those present at roll call were Trustee Kelly, Trustee Davi. Also present were Interim Village Administrator Michael Mertens, Building Official Roy Giuntoli, Village Attorney Tom Bastion, Chris Drews from Tri-State Fire Protection District, Trustee Sue Berglund, and Trustee Mike Mistele.

3. APPROVAL OF MINUTES

Minutes - May 19, 2019 meeting (Approve)

Trustee Davi made a motion to approve the minutes of the May 19, 2019 Meeting, the motion was seconded by Trustee Kelly - motion carried. (Approved)

4. DISCUSSION-Proposed Comprehensive Amendments to Title 4 of the Village Code: Municipal Services

The Building Official advised that the version of the Title 4 Amendments in the committee packet this month was a cleaned-up version of the initial rough draft that was presented to this committee last month. Section 11 (Permit Fees) was omitted in this version because staff was continuing to work on it at this time. Staff was requesting that this committee approve this version for consideration by the village Board at the June 24, 2019 Board Meeting. It was noted that Chris Drews from Tri-State Fire Protection District sent documentation to the building official / department to add to the fire code amendments.

Trustee Davi made a motion to recommend the proposed changes to Title 4 of the Village Code: Municipal Services, the motioned was seconded by Trustee Kelly - motion carried (Approved).

5. DISCUSSION-Proposed Amendment to Clarify Water Bill Payment Responsibility Section 6-8-5 Bills and 6-8-8 Nonpayment

Interim Village Administrator Michael Mertens stated staff noted gaps in ordinances regarding billing responsibilities for water bills payments, specifically between an "owner" and a "renter". Code sections will be reviewed to clarify that the water bill is the ultimate responsibility of the "owner". Other sections to be reviewed to verify that staff and attorney time is properly accounting for costs for shut-offs, turn ons and liens. Lastly the code will be reviewed to verify a process is in place for an owner to petition a review of shut-offs. Per Attorney Tom Bastion there is a federal case that provides that an owner has a right to water and they should be afforded a hearing. Albeit one is not often requested, a hearing is offered to avoid litigation. A due process hearing can reveal various extenuating circumstance that would preclude the shut-off.

Trustee Davi made a motion to recommend the proposed changes to Title 4 of the Village Code: Municipal Services, the motion was seconded by Trustee Kelly - motion carried (Approved).

6. UPDATE-June 5, 2019 Plan Commission Text Amendments

- a) Amend Section 9-3-15, 9-12-2 and 9-14-24 (c) to Remove Outdated Information and Bring the Zoning Code into Compliance with State and Federal Laws for the Recently Enacted Small Wireless Facilities Deployment Act, 50 ILCS 840/1 et seq. The Amendments will also Clarify the Application of Certain Bulk Regulations to the Permitted Accessory Use of Amateur Radio Antennas in Residential Districts
- b) Amend Section 9-9-7 (c) Regarding Performance Standard in the M-1 Light Manufacturing Zoning District.

Interim Village Administrator Michael Mertens stated staff presented these topics at the previous Laws and Ordinances Committee meeting. They were referred to the Plan Commission for Public Hearing to be held on June 5, 2019. The Law and Ordinance packet included the staff report to be presented for the Plan Commission Public Hearing.

7. UPDATE-Senate Bill 1852 and Senate Bill 1854 (9:12 - 15:19)

Village Attorney Tom Bastion stated that Senator Curran and Leader Durkan worked tirelessly on these bills. Much back and forth between the House and the Senate, they passed both houses last week and are awaiting the Governor's signature.

SB 1852 and SB 1854 will be effective after the Governor signs them and become law immediately after the signature.

SB 1852 provides no Ethylene Oxide sterilization operations will be conducted unless the source captures 100% of emissions, is reduced by 99.9% or to .2 parts per million. Prior to testing owner operator must submit notification and test protocol to IEPA. Tests must be conducted by approved protocol approved by IEPA. Tests must include all three cycles of the operation. Within 30 days agency shall either accept, accept with conditions or decline. Tests must be conducted at all exhaust points. If tests fail to demonstrate emission reductions per approved specifications, operations must cease and the operator must notify the IEPA within 24 hours. Operations cannot restart until a 99.9% reduction is confirmed.

SB 1854 act details what the ambient monitoring plan must include. Owner operator of the Ethylene Oxide sterilization source must provide notice of acceptance of any conditions added by the IEPA to the plan and correct any deficiencies identified by the agency. Upon agency approval, the owner operator must implement the plan in accordance with the approved terms. The facility cannot operate until dispersion modeling is performed and IEPA approves the modeling. If the facility is subject to a seal order, they cannot re-open until the operator provides certification to IEPA by the supplier of the product to be sterilized that Ethylene Oxide sterilization is the only method available to do so. And that the agency certifies that the facility's emission control system uses technology that produces the greatest reduction in Ethylene Oxide emissions currently available. This certification must be made by a company representative with knowledge of the requirements of the product.

#### 8. UPDATE- Home Rule 101 Power Point

Trustee Kelly stated that the Home Rule 101 Power Point is now available on the Village website. It provides a very good presentation of the basics of Home Rule; although, the language appears to be geared more towards attorneys, other people can learn from it.

#### 9. VISITOR'S BUSINESS

Trustee Berglund spoke regarding SB 1852 asking if it addressed explosive possibilities. Tom Bastion responded this

was not addressed in the Bill and that staff was undertaking this matter in the Building Code.

Trustee Berglund requested the Laws and Ordinances Committee to look into creating an ordinance that would prohibit semi-tractor-trailer trucks and cabs from parking in residential areas whether or not they are "residents" of the area, etc. The current citation is \$25.00 and she believes it is too low to deter these types of vehicles from parking in residential areas. She would like to see a higher fine set at \$100.00 - \$125.00. Tom Bastion stated he would research the code and recommend an increase if possible. Building Official Roy Giuntoli stated that this was an issue in and around town in the past and that in commercial parking lots as well. This issue has increased as the driver will accept the \$25.00 fine over the more expensive parking options available to them. Tom Bastion stated that property owners will need to post "no parking" signage.

10. COMMUNICATIONS

None

11. ADJOURNMENT

Trustee Davi made a motion to adjourn, the motion was seconded by Trustee Kelly - motion carried (Approved). The meeting adjourned at 6:23 pm.

PRESENTED, READ and APPROVED

\_\_\_\_\_, 2019

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CHAIRMAN

Minutes transcribed by Building Official Roy Giuntoli