

MINUTES OF THE REGULAR MEETING OF THE LAW AND ORDINANCES COMMITTEE OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, JULY 13, 2020 AT 5:30 PM AT THE WILLOWBROOK VILLAGE HALL, LOWER LEVEL CONFERENCE ROOM, 835 MIDWAY DRIVE, VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

1. CALL TO ORDER

Chairman Kelly called the meeting to order at the hour of 5:32 pm. It was noted that this meeting was held via conference call due to the Covid-19 pandemic.

2. ROLL CALL

Those present in person at roll call were Chairman Terrence Kelly and Assistant Village Administrator Michael Mertens.

Present via Conference Call, Due to the Covid-19 Pandemic, were Trustees Gayle Neal, Umberto Davi, and Village Attorney Thomas Bastian

ABSENT: Building Official Roy Giuntoli

3. APPROVAL OF MINUTES

Minutes – Regular Meeting June 8, 2020

MOTION: Motion Made by Trustee Davi to approve the minutes from the June 8, 2020 meeting and seconded by Trustee Neal. Roll call, all in favor.

MOTION DECLARED CARRIED

4. DISCUSSION – Code Enhancements for Chapter 9 Hotels – Rooming Houses

Assistant Village Administrator Mertens stated, “Due to Building Official Giuntoli’s absence, I will follow-up with this presentation. At the June 8 meeting, we discussed sections 3-9-1 and section 3-9-6 wherein we received comments on code clarifications and enhancements to the code. We ended it at 3-9-6 because we had other items to discuss. There are four (4) sections left and no recommendations on 3-9-7, 3-9-8 and 3-9-9. There will be no code changes on these sections. The committee members agree. There is a proposed addition to add 3-9-10 referring to penalties associated with Hotels and Rooming Houses. Some of the language should be changed. Some additions would be to add language to violations, fines to be not less than \$100.00 and no more than \$750.00 per offense per day. It was recommended to add some language for the Village Board to be able to terminate, revoke or suspend any license granted. Clarifications will be needed on the language for notice requirements and any public hearing for alleged violations. “

“We need to be proactive with some of these property maintenance issues either through Building Official or Code Enforcer. An example would be if there are old mattresses left in the parking lot, this would be a handwritten notice given to the Hotel with a date to have this removed by. Then we would do a follow-up inspection either internally or externally. If this is not rectified than we would issue a certified notice of violation. If the situation has not been brought into compliance by the specified date, we would issue a ticket. The ticket would go through the DuPage County system. Our Building Official does have the authority to write tickets. Normally we have been having our code enforcement officer handle this due to our staffing issues. In our code updates we are proposing annual inspections but that does not mean we should not be checking the Hotels on a monthly or quarterly basis to check for code violations. This would help us in the long run.”

Trustee Davi stated, “What I am hearing there is nothing we must change in the code provision. It is an enforcement issue. Does that mean we have to do something with the code provision to tighten up the enforcement or is that administrative? What is it?”

Assistant Village Administrator responded, “It is a little of both. In the proposed code enhancement, as part of the business license, we are to do an annual inspection of the Hotel. That is a new requirement that we are proposing to put into our code. Another topic is the process to remove a license. We really did not have specific language for the process.”

Village Attorney Bastian indicated that the proposed section 3-9-10 has the process for suspending or revoking license but Assistant Administrator Mertens is correct, if you revoke the license for minor property maintenance the court would reverse that. If we adopt section 3-9-10 we must redefine it to include specific procedures for those hearings, notice requirements, the time frame between notice and hearing. This is mainly an enforcement issue.

Trustee Neal asked If a notice of violations will be the ticketing process that the Building Inspector sees and issues. Is that correct?

Assistant Village Administrator Mertens said, “Correct.”

Trustee Neal asked if a compliance is not completed would some of the language that Attorney Bastian was discussing be inserted into the code amendment?

Village Attorney Bastian stated the violation is the ticket to appear in court.

Trustee Neal asked if the language must be in 3-9-10 to be part of the process?

Village Attorney Bastian stated that it could be.

Trustee Neal related that the punch list form has been refined and a copy is in the agenda. There are sections for re-inspection dates to be listed on the form for better tracking and communication with the property owner.

Assistant Administrator Mertens stated that is a good example for item #1. The notice of violation is a formal letter not the ticket.

Trustee Neal stated this update is a definite improvement.

Village Attorney Thomas Bastian mentioned different counties use different terminology. Most cases comply upon reinspection.

Trustee Kelly asked, "In 3-9-10 it states that the Village Clerk must sign the violation, who else can we designate?"

Village Attorney Thomas Bastian stated the notice of violation/punch list is filled out by the inspector. If you have a complaint that is going to court, the inspector signs the complaint which becomes a verified complaint. The Village Clerk and the Deputy Clerk are authorized to take oath.

Trustee Kelly stated, "My point is it should be by the Village Clerk or authorized village employees. More than one person should be able to sign that."

Assistant Administrator Mertens suggested that there be a late fee associated with Business Licenses that were not paid on time. Staff should investigate this for the Fall.

Trustee Neal asked if that would go under section 3-9-10.

Assistant Administrator Mertens stated it should be included with the Business License fees.

5. DISCUSSION – Food Truck Licensing Requirements

Assistant Administrator Mertens shared that Trustee Neal had inquired about the licensing requirements for Food Trucks. The current Village Ordinance language that relates to food trucks is vague and outdated. Trustee Kelly and Neal have provided us with examples from the City of Chicago and Naperville. This needs to be defined better. Trustee Neal's concern is the safety and sanitation. Staff is seeking feedback on the fees and where should food trucks be permitted to sell their product? Currently the fee is \$85.00 per year. The Committee felt \$200.00 would be better.

Trustee Kelly stated we need to keep this simple and ensure health and safety.

Discussion was had on limit to certain districts, sales TAX ID number and certificate of liability insurance. A major concern is that the food trucks have a DuPage County Health

Department Permit.

6. COMMITTEE REPORTS

It was noted that the Mayor Trilla asked staff to review permit fees for signage and outdoor sales for gas stations.

7. VISITOR'S BUSINESS

NONE

8. ADJOURNMENT

Trustee Davi made a motion to adjourn, seconded by Trustee Neal. All in favor. The meeting adjourned at 6:20 pm. Roll call, meeting adjourned.

PRESENTED, READ, and APPROVED

_____, 2020

CHAIRMAN

Minutes prepared by
Michael Mertens Assistant Village Administrator