

**ZONING, PLANNING & ORDINANCE COMMITTEE MEETING MINUTES
OCTOBER 21, 2008 – 6:30 p.m.**

Chairman Hay called the meeting to order at 6:30 p.m. Committee members present: Aldermen Hay, Logan and Szczap. Alderman Leyden was absent. Also present were Mayor Nolan, City Clerk Wells, Administrator Nelson, Aldermen Marzahl and Perkins and Chief Kazy-Garey.

Identity Theft Prevention Program

Administrator Nelson reported that the Federal Trade Commission has passed a federal regulation which requires the holders of covered accounts to have an Identity Theft Prevention Program. The City's has covered accounts with water billing, credit card usage and e-checks. Attorney Arévalo has reviewed the agreement and the proposed agreement meets federal regulation. Administrator Nelson reviewed highlights of the program which includes checking the name when people pay by credit card and checks to match with the account holder. When individuals open up a new account with the City for water, they will be required to present photo ID which will be copied and filed. Moved by Logan, seconded by Szczap to recommend to the City Council approval of the Identity Theft Prevention Program as presented. All ayes. Motion carried.

Office of Emergency Management

Chief Kazy-Garey reviewed the proposed ordinance to create the Office of Emergency Management as prepared by Lt. Oparyk. The proposed ordinance is the next step in the Emergency Management Plan. One of the provisions is the appointment of a coordinator of the OEM; Chief Kazy-Garey recommended that Lt. Oparyk be appointed to that position. Moved by Hay, seconded by Logan to recommend to the City Council approval of the proposed ordinance with the City Administrator and City Clerk to determine the appropriate chapter and to move Section 2.01(J) Designating An Emergency Interim Executive and any other pertaining sections to that chapter. All ayes. Motion carried.

Settlement of Offenses

Chief Kazy Garey reviewed his memo reference increasing Settlement of Offenses fines as follows:

1. Section 25.16, Public Consumption – increase fine amounts from 50/100 to 100/200
2. Section 26.12, Weapons – increase fine amount from 25/50 to 50/100
(refers to paint balls guns, b-b guns, etc.)

Moved by Hay seconded by Logan to recommend to the City Council approval of the Chief's recommendations to Amend Section 1.14, Settlement of Offenses as discussed. All ayes. Motion carried.

Chief Kazy-Garey reviewed his memo reference 410 ILCS 82/15, Smoke Free Illinois Act which was previously adopted by the City Council to apply Settlement of Offenses fine amounts as follows:

1. 100/200 individual
2. 250/500 first offense owner
3. 500/1000 second offense owner
4. 2500/2500 third offense owner

Moved by Logan, seconded by Szczap to recommend to the City Council approval of the Chief's recommendations to Amend Section 1.14, Settlement of Offenses to add fine amounts for the Smoke Free Illinois Act as discussed. All ayes. Motion carried.

Chief Kazy-Garey reviewed his memo to amend Section 12.04(F), Dogs and Cats, Animal Waste and stated that the section currently does not have language requiring owners to clean up animal waste on private property and recommended that "or private properties" be added to Section 12.04(F).

Chief Kazy-Garey reviewed his memo to amend Section 27.20(A), Defecation or Urination In Public to add language "or in the view of another" and to amend 27.20(B) Penalty to increase the not less than fine from \$25 to \$100 so that the ordinance matches the SOF.

Moved by Hay, seconded by Logan to recommend to the City Council approval of the Chief's recommendations to Amend Section 12.04(F) and 27.20 (A) and (B) as discussed. All ayes. Motion approved.

Chapter 17 Text Amendments

City Clerk Wells reviewed proposed zoning code text amendments:

1. Amend section 17.20.08(K)(1), Lot Area Bulk Regulations, Height of Accessory Use. Current language says "no accessory building or other structure on any lot, other than a manufacturing district lot, shall be pursuant to Table 1, Column 15 and 16, herein" Amend to eliminate word "no".
2. Delete Table 2, Lot Area for Particular Uses

3. Delete 17.20.090, Lot Area Requirements for Particular Uses

Clerk Wells noted that all of the particular uses are conditional uses in Table 3 of the Zoning Code

4. Amend Section 17.36.020, Location of Accessory Uses to allow accessory uses in a business zoning district. Accessory uses are currently not allowed in a business zoning district. Staff recommends that Sections 17.36.020 (B)2 and (C)3 be amended to add language “or in a business zoning district” to allow accessory uses in a business zoning district with the same requirements as a manufacturing district.

Moved by Hay, seconded by Logan to authorize the City Clerk to draft a petition to the Planning and Zoning Commission incorporating the proposed amendments as discussed. All ayes. Motion carried.

At 6:55 p.m., moved by Logan, seconded by Szczap to adjourn the meeting. All ayes. Motion carried three to zero.

Submitted by:

Chairman Tom Hay