

**MINUTES OF THE PUBLIC HEALTH
AND SAFETY COMMITTEE MEETING
January 9, 2020, 7:30 A.M.**

Members Present:

William Siffermann, Chair
Alan Fink, Trustee

Staff Present:

Chief Brian Budds, LES
Chief Patrick Kenny, Fire & EMS
Deputy Chief Daniel Albrecht, LES
Shaun O'Connor, LES
Deputy Chief Mike Kelly, Fire & EMS

Staff Not Present:

N/A

Others Present:

Ingrid Velkme, Village Manager
Mike Jurusik, Village Attorney

Public Present:

None

Electronic Attendance:

None

#1 Call to Order

The meeting was called to order at 7:30 a.m. on Thursday, January 9, 2020.

#2 Roll Call

All Committee members were reported present. Manager Ingrid Velkme and Mike Jurusik, Village Attorney, were also present.

#3 Approval of minutes – November 7, 2019, and November 11, 2019

MOTION: Chair Siffermann requested a motion to approve the minutes of the November 7 and November 11, 2019 meetings. Trustee Fink made the motion, Chair Siffermann seconded and the minutes were approved by unanimous vote.

#4 Public Comment

None

#5 Timber Trails traffic and on-street parking enforcement & snow removal agreements

Chief Budds reported on the Timber Trails traffic and on-street parking enforcement and snow removal agreements. This issue was brought up at the November 7, 2019 meeting for informational purposes at that time. When Timber Trails was annexed into the Village, we have no legal authority to issue any local or state enforcement in that area for traffic. At a senior staff level meeting, there was discussion of adding snow removal and salting.

Attorney Jurusik explained that the part of the agreement that deals with traffic and parking is due to a specific state law that allows a municipality to enforce traffic and parking regulations on private roads. There is a provision in the agreement that when the roads are accepted by the Village, we will not have to revisit this issue. The regulations change from private roads to public roads.

The trigger for the Village to take over the roads comes in phases. When each phase of the construction reaches 90% of the units sold, the developer can request the Village accept the dedication of the roads. The Village does not want to accept the roads until the end of the phase or project because you do not want to accept roads that may get damaged during the continued construction process. Once the Village takes over the streets, the developer has one year to get the streets up to a certain level.

Attorney Jurusik reported on the snow removal and salting of the Timber Trails subdivision. There would be an \$840 charge for snow removal and salting for each pass that DPW trucks do. Attorney Jurusik expects that that may be a point of conversation with the developer's attorney. Attorney Jurusik still believes the Village should move forward with the agreement since the annexation agreement doesn't talk about the salt and removal service.

For the parking and traffic enforcement, there is a Village Code Amendment that must be updated to implement the different traffic and parking regulations. Attorney Jurusik thinks this issue can go to the Board in the current form to be discussed there.

Manager Velkme asked how many traffic complaints the Police Department has had in the area. Chief Budds reported that there are periodic calls in the area. The issue is, without parking regulations, there is no enforcement of parking offenses. There is an expectation from residents that officers enforce violations and may wonder why they drive right by a violation and not do anything. The Chief does not want to be in a situation where something bad happens and it gets thrown out in court because they didn't have the right to enforce certain laws.

Trustee Fink asked how the Village calculated the salt and snow removal fee. Manager Velkme stated it was labor, salt, and fuel charges that were calculated. Assistant Director Casey Biernacki provided an explanation of the charges in the packet. Trustee Fink asked if residents might be angry about being charged. Manager Velkme said

there may be some who are, but they are private streets. Attorney Jurusik noted these fees will be added to the Home Owner's Association fees. He noted stated the fees are removed when the streets are made public. Trustee Fink asked if the residents would know about the fee. Attorney Jurusik stated they would probably not be aware.

MOTION: Chair Siffermann requested a motion, Trustee Fink made a motion to bring the Timber Trails traffic and parking enforcement and the salt and snow removal agreements to the full Board, Chair Siffermann seconded and the motion was approved by unanimous vote.

#6 SCBA Replacement Purchase Request.

Chief Kenny reported that this is the second installation of the purchase cost of the Self-Contained Breathing Apparatus (SCBA) replacement. The total for this is \$67,938. It is about \$40,000 less than originally budgeted. It is part of the 2020 budget.

MOTION: Chair Siffermann requested a motion, Trustee Fink made a motion to approve the purchase of the SCBA purchase to the full Board, Chair Siffermann seconded and the motion was approved by unanimous vote to go to the full Board.

#7 Other business.

- Chief Kenny noted that at the January 27, 2020 Board Meeting, he would like to recognize Division Chief Patrick Gallagher. Division Chief Gallagher was nominated to the Illinois Society of Fire Service Instructors for Instructor of the Year and the Fire Department was notified that he won. They wanted to recognize him at the January 27, 2020 Board Meeting.

- Chair Siffermann wanted to know what recourse the Village has in adjusting fees or fines for municipal violations. Specifically, the law that was passed in regard to the legalization of recreational use of marijuana. Chair Siffermann noted that with increased use, there most likely will be an increase in illegal use, particularly among minors.

Attorney Jurusik reported that fines depend on the state statute. There is a cap on fines of \$750.00 for general municipal fines and with the new cannabis law, home rule authority was paired back and therefore you are limited to what you can do under certain statues if you are not home rule community. What the maximum fines are in the cannabis statue is what we have to settle for. We can max out the fines under what the caps are under the statue.

Chair Siffermann states that money motivated this at the state level. Looking at the public's response to this, there is a cost involved in this and there should be a cost involved in the illegal use of it.

Chief Budds reported that the hearing adjudicator, Tom Brescia, gives out some significant fines with certain local ordinance violations. He is allowed to fine up to \$750.00. Mr. Brescia has discretion, based on the evidence, to give out different fine

amounts. Attorney Jurusik said that the Village could change the code to enhance the amounts to a more structured setting or leave the discretion in for a case by case. Chief Budds reports that he likes to have the discretion and that they can evaluate things as the year progresses.

Chair Siffermann added that he believes this will increase the use among minors and the influence of this with non-Western Springs residents that go to LTHS, where the opportunity to be close to those who are eligible to purchase, it could be a big deal. In Chair Siffermann's opinion, the Legislature did not do enough research to recognize the influence this will have on juveniles and minors. Chief Budds stated that they will report, at the April meeting, what the enforcement stats look like. Manager Velkme asked if the Illinois Police Chiefs Association would be monitoring the new law. Chief Budds confirmed that they will be, and they continue to provide training.

- Chief Budds reported that Peer Jury will be starting back up. There are three adult volunteer coordinators. There will be ongoing recruitment for potential jurors, with the goal of having juror selection by the Spring of 2020. The jurors must be between the ages of 13 and 17 years old. The School Resource Officer is attending different club meetings at school to encourage recruitment.

Trustee Fink asked why the program was suspended. Chief Budds reported there were statutory changes dealing with juveniles. The Legislature had to make certain changes to allow for programs like Peer Jury to start back up. Attorney Jurusik said at the time the bill was passed, the Legislature was focused on the expungement of juveniles and not on these types of programs.

Chair Siffermann added that the concerns are cured by signed waivers. Chief Budds confirmed that the parents will need to sign waivers and are required to be at the Peer Jury session. Chair Siffermann added that it is a stark reality and very sobering for the parents to be there and witness what is going on.

- Chief Budds presented Chief Kenny a recognition award for a previous case that the Police and Fire Department were involved in. Chief Kenny thanked Chief Budds and wanted to thank the Police Department for everything they did in the case as well.

#8 Adjournment

MOTION: Chair Siffermann requested a motion to adjourn. Trustee Fink made the motion and Chair Siffermann seconded the motion. The motion to adjourn was approved by a unanimous vote at 8:07 a.m.

Respectfully submitted,



Shaun O'Connor
Administrative Services Coordinator