

VILLAGE OF  
**FRANKFORT**  
EST • 1855

LAND USE AND POLICY COMMITTEE MINUTES  
SEPTEMBER 9, 2020

CALL TO ORDER

Chair Keith Ogle called the meeting of the Land Use and Policy Committee meeting to order at 7:35 P.M. on Wednesday, September 9, 2020, at the Village of Frankfort Administration Building, 432 W. Nebraska Street, Frankfort, Illinois.

ROLL CALL

Land Use and Policy Committee members present included Mayor Jim Holland, Village Clerk Brian Feehery, Trustees Adam Borrelli, John Clavio, Margaret Farina, Keith Ogle, Jessica Petrow, and Gene Savaria; Michael DiMaggio, Cindy Heath, Katie Schubert, Don Schwarz, and Paul Slade. Staff in attendance included Village Administrator Rob Piscia, Asst. Administrator Jeff Cook, Police Chief John Burica, Deputy Chief Kevin Keegan, Utilities Director Zach Brown, and Administrative Assistant Theresa Cork. Also in attendance was Marcia Steward.

APPROVAL OF MINUTES (August 12, 2020)

Trustee Clavio made a motion (#1), seconded by Trustee Borrelli, to approve the minutes of the Land Use and Policy Committee meeting of August 12, 2020, as presented. The motion was unanimously approved.

VILLAGE OF FRANKFORT CODES OF ORDINANCES

***A. Chapter 36, Compliance Tickets Amendment***

Chief Burica presented revisions relating to Chapter 36, Compliance Tickets, Sections 36.01 and 36.03 of the Code of the Village of Frankfort to reflect state law changes, as well as to provide flexibility to officers by allowing compliance tickets to be used to resolve violations when a citation is required. He reported compliance tickets provide an option to resolve minor matters without court appearances being required, noting this option still allows a defendant to request these tickets be heard by a judge if they wish to dispute the violation. He presented the following proposed revisions:

- The Cannabis, Possession of Tobacco by a Minor and the increase in the Retail Theft ordinances reflect changes in the state laws;
- The addition of the Cruelty to Animals will allow for the use of ACT in cases of animals being left in cars;

- Intoxicating Liquor updates will allow for use of ACT for alcohol in public as well as if we have an issue with liquor in a business or on a person in a non-liquor licensed location. This area is also updated with underage liquor violations;
- Adding solicitors will allow for issuing of ACT to solicitors who are usually not from the area and the current procedure requires a court appearance at a later date;
- The addition of Smoking in Public Places will allow for ACT to be used for those who refuse to comply with smoking in violation of the law;
- Removal of the "First Time Offender" provision due to state law changes on marijuana and that the state court has indicated these matters should be handled at the local level as to not overburden the state courts.

Following presentation, Trustee Borrelli made a motion (#2), seconded by Trustee Petrow, to forward a recommendation to the Village Board to amend the Village's Code of Ordinances, Chapter 36, Compliance Tickets, Sections 36.01 and 36.03, as presented. The motion was unanimously approved.

### ***B. Chapter 136, Drug Offenses Amendment***

Chief Burica presented several updates relating to the Code of the Village of Frankfort, Chapter 136, Drug Offenses, Sections 136.06, 136.07, and 136.99 (B) for committee consideration. He reported these updates are the result of the State of Illinois legalizing use and possession of cannabis and drug paraphernalia under certain criteria and will bring the Village in line with the Illinois Cannabis Regulation and Tax Act, Public Act 101-0027. He noted these updates have been reviewed by Village counsel.

Trustee Farina made a motion (#3), seconded by Trustee Savaria, to forward a recommendation to the Village Board to amend the Village's Code of Ordinances, Chapter 136, Drug Offenses, Sections 136.06, 136.07, and 136.99 (B), as presented. The motion was unanimously approved.

### ***C. Chapter 154, Historic District Amendment – Historic Preservation Ordinance***

Director Brown updated committee members on the most recent revisions to the Village's Historic Preservation Ordinance following the August 12<sup>th</sup> Land Use and Policy Committee meeting on the matter. He noted the most notable change was the inclusion of property owner consent clauses for landmark and historic district designation.

Members discussed the inclusion of the consent clauses and the three-fourths vote of the Village Board provision to approve landmark/historic district status, in the event owner consent is not provided. Some concern was expressed relating to these provisions and felt they did not align with the Village's historic preservation efforts. Overall, members felt the protection afforded to private property owners by the consent provision was appropriate and that it was important to educate and collaborate with the property owners to encourage preservation efforts.

Director Brown thanked Historic Preservation Commission Chair, Marcia Steward, for working with staff relating to these revisions and for her patience regarding the procedural requirements for landmark designation of St. Peter's Church, 12 W. Sauk Trail.

Member Heath made a motion (#4), seconded by Trustee Savaria, to forward a recommendation to the Village Board to amend the Village's Code of Ordinances, Chapter 154, Historic District, as presented. The motion was approved by a majority vote with a dissenting vote by Trustee Petrow.

#### OTHER BUSINESS

- *Al Fresco Live Entertainment*

Mayor Holland asked members if the Village should reconsider allowing live music/entertainment for certain establishments with temporary expanded outdoor seating permits during the current COVID-19 restrictions. Members felt it was appropriate to keep the requirements the same for all establishments and not allow live entertainment.

- *Closure of Kansas Street*

Trustee Borrelli requested to consider the seasonal closure of Kansas Street for expanded outdoor dining options for next year because of its popularity. Mayor Holland indicated that it would be appropriate to discuss the matter at a future committee meeting.

#### PUBLIC COMMENTS

There were no comments from the public.

#### ADJOURNMENT

Hearing no further business, Trustee Farina made a motion (#5), seconded by Trustee Savaria, to adjourn the Land Use and Policy Committee meeting of September 9, 2020, at 8:00 P.M. The motion was unanimously approved.