



**Community Development Committee Special Meeting  
Thursday, August 11, 2022 at 4:30 PM  
Minutes - DRA**

**I. Called to Order: At 4:30 P.M.**

**II. Present:** Mayor Ron Gunter, Manager Steve May, Trustee Frank Brady, Trustee Linda Liddle, Trustee Bruce Barker, Trustee Steve Nero, Trustee Marie Johanik-Guzzo, Clerk Jinny Szymiski, Deputy Director of Community Development Jason Vitell, Deputy Director of Community Development Joe Hennerfeind, Assistant Manager Spencer Parker, Fire Prevention Director Neil Berkowitz, Fire Chief Steve Riley, Chief of Police Jim Gunther, Village Planner Scott Williams

Trustee Amylee Hogan Simonovich, , and Economic Development Partnership Director Larry Forsberg attended remotely

**III. Pledge of Allegiance**

**IV. Approval of Minutes:** Trustee Liddle made a motion to approve the minutes from the April 21, 2022 Regular Meeting and Trustee Barker seconded the motion. Motion passed on a voice vote.

**V. Public Comment** - No one spoke during the Open Forum.

**VI. UNFINISHED BUSINESS** - None

**VII. NEW BUSINESS**

**A. Planning Report**

- a. Deputy Director of Community Development Joseph Hennerfeind noted that he would answer any questions the trustees may have on the first section of the quarterly report in Director Sylvesters absence. The trustees did not have any questions or comments.
- b. Hennerfeind provided an overview of existing and proposed text amendments and entitlements in the last quarter. Hennerfeind asked the board for direction on whether or not to move forward with a text amendment that would include rules and regulations for accessory structures and uses such as patios and decks since they are not currently written in the zoning code.

Trustee Liddle asked what would happen to the houses that currently have decks and patios that do not adhere to the new rules? Hennerfeind replied that the goal is not to create rules that would lead to a lot of non conformities, and he did not believe there would be a large number of them after the rules are written. For those that are non conforming, when the time comes to replace the structure, that would be when the rules would take effect.

- c. Hennerfeind discussed the Departments plan to have the Comprehensive Plan update due to the existing comp plan being outdated and having inconsistencies. Hennerfeind also noted that there will likely be a zoning ordinance comprehensive re-write in advance or concurrent with the comprehensive plan update.

Manager May chimed in and noted that they've talked a lot about it at a staff level and money was budgeted for the project, and with the boards permission, the zoning code update would be prioritized.

Trustee Barker asked how long the project would take, Manager May replied it would take at least a half year. Hennerfeind replied that it would take a couple months to put together an RFP and to find a consultant to work with, and then about a year to process and get through.

Trustee Nero added that Willowbrook recently went out to bid for the same thing.

Trustee Barker was concerned that the different plans may not be cohesive if done separately or over too long of a period of time.

Assistant Manager Spencer Parker presented the breakdown of the budgeted items for the fiscal year. Parker commented that \$200,000 was for the comp plan update consultant, and \$80,000 was for the downtown sub plan, and \$50,000 for consultant study of local amendments.

- d. Hennerfeind concluded with upcoming entitlement updates, one of which included the Hilton redevelopment which, if things progress, could potentially be on the agenda for September. Mayor Gunter asked if the proposal is for detached housing, Hennerfeind replied that they are proposing single family detached.

## **B. Building Report**

- a. Code Updates - Vitell discussed the progress of the code update project staff has been diligently pursuing. Vitell stated that the goal is to keep track with modern building trends, ensure safety levels are where they need to be, and to make development in Westmont easier.

Vitell discussed one code in particular regarding fire ratings that he stated has caused a lot of consternation with developers in town. Vitell noted that staff is considering eliminating this requirement.

Mayor Gunter commented that everyone is in agreement.

Fire Chief Steve Riley added that the requirement was also discussed and direction was given to keep the fire rating requirement at the public safety committee meeting 6 months prior. Riley did not feel the requirement should be removed unless the board wishes to change the previous decision. Assistant Manager Parker asked if the reasoning for keeping the requirement is due to safety, or to treat businesses fairly. Riley replied that it would be for both.

Trustee Barker compared the situation to when sprinklers were made a requirement.

Vitell did not agree, and commented that sprinklers are an industry standard whereas the fire rating code is above and beyond industry standard. Vitell also replied that he did not believe fairness to the previous businesses should be part of the decision as code updates are inevitable and common.

Trustee Liddle asked staff if updating this code could lead to litigation with previous businesses and developers that were held to the requirement. Vitell replied that Village Attorney John Zemenak would be able to answer that question, but in his opinion and perspective, that would be unlikely.

Trustee Nero commented that life safety is tough to argue with.

Trustee Guzzo was in favor of fire safety, and protecting the firefighters and residents that occupy the buildings. Trustee Liddle stated there was a fine line between bringing in development and going above and beyond and the pros and cons need to be weighed.

Assistant Manager Parker added that some TIF money has been pulled to cover costs for expenses such as this as an incentive. Parker recommended tweaking the code to get to a point of middle ground.

Trustee Nero thought this would be a good topic to discuss at the DuPage Mayor and Manager meeting.

Trustee Guzzo asked if the value of the property increases when the fire protection is above and beyond. Vitell was not sure, but typically with improvements to a property, it's possible.

Manager May added that Trustee Simonovich who attended remotely echoed Trustee Guzzos comments.

Trustee Liddle believed extra fire protection may not increase the value real estate wise, however the likelihood that the property would be purchased over another that is not as

protected is probable. Riley added that insurance would also decrease with more fire protection.

Both Riley and Vitell noted that they would respect whichever direction the Board decided to go. No decisions were made at this time.

Vitell provided an overview of the remaining residential, commercial, fire, electrical and various other smaller codes that would likely be updated.

Vitell asked the board for direction on whether or not to provide waivers, and expressed that in his opinion, it should be struck out.

Vitell also discussed revising the code section that talks about conditions of temporary certificates of occupancy, and recommended eliminating the time frame in which they could be issued, as well as the additional \$10,000 bond. Trustee Barker asked if there had been any issues with developers. Vitell replied that he has not had any issues in his time at Westmont.

- b. Online Permitting Update - Mayor Gunter asked Vitell to discuss the progress of electronic permitting. Trustee Nero believed that all permits should be made available for electronic submission, review, and issuance despite the challenges of the new permitting software EnerGov. Vitell replied that it's not just EnerGov that has made it difficult to do this, but from a practical standpoint, did not think the Village was set up to do electronic reviews or to go completely paperless. Trustee Nero stated that he did not think people should have to come to Village Hall to apply for a permit. Vitell replied that he did not agree, due to the fact that the Village couldn't control what people submit and level of customer service.

#### **C. Code Enforcement Report**

- a. Mayor Gunter asked Vitell if other communities did weekend code enforcement. Vitell replied that he was not certain if surrounding communities did.

#### **IX. MISCELLANEOUS - None**

**X. ADJOURN** - Trustee Nero made a motion to adjourn at 5:57 PM, and Trustee Liddle seconded the motion. The motion to adjourn was approved by unanimous consent.