

#31

**MINUTES  
CITY OF ST. CHARLES, IL  
PLANNING AND DEVELOPMENT COMMITTEE  
MONDAY, SEPTEMBER 12, 2011 7:00 P.M.**

**Members Present:** Chairman Carrignan, Ald. Stellato, Monken, Payleitner, Turner, Rogina, Martin, Krieger, Lewis

**Members Absent:** Bessner

**Others Present:** Mayor Donald P. DeWitte; Brian Townsend, City Administrator; Bob Vann, Building and Code Enforcement Manager; Rita Tungare, Director of Community Development; Fire Chief Mullen; Matt O'Rourke, Planner; Russell Colby, Planning Division Manager; Police Chief Lamkin; Robin Jones, City Attorney

**1. Call to Order**

The meeting was convened by Chairman Carrignan at 7:00 pm.

**2. COMMUNITY DEVELOPMENT**

- a. Recommend approval of Final Plat of Subdivision for East Main Retail Resubdivision of Lot 4 (Culvers Restaurant).

Mr. O'Rourke reviewed the staff report dated 9/7/11 and stated staff recommended approval.

**A motion was made, seconded and passed by unanimous vote.**

- b. Recommend approval of Minor Change to PUD Preliminary Plan-Tyler and Rt. 64 Business Park PUD (St. Charles Chrysler).

Mr. O'Rourke reviewed the staff report dated 9/2/11 and stated staff recommended approval.

**A motion was made, seconded and passed by unanimous vote.**

- c. Recommend approval of Minor Change to PUD Preliminary Plan-Foxwood PUD (Parent Petroleum).

Mr. O'Rourke reviewed the staff report dated 9/2/11 and stated staff recommended approval.

Ald. Turner asked for clarification that the bank building will be used for office space. Mr. O'Rourke indicated that was correct.

**A motion was made, seconded and passed by unanimous vote.**

- d. Recommend approval of Façade Improvement Grant for 202 Cedar Avenue (Maureen Salesky, Directions in Clothing).

Mr. Colby reviewed the request for a Façade Improvement Grant for up to \$3,000 and advised the Historic Preservation Commission and staff has recommended approval.

**A motion was made, seconded and passed by unanimous vote.**

- e. Recommend approval of revised Historic Preservation Certificate of Appropriateness (COA) Administrative Approval List.

Mr. Colby reviewed the COA Administrative Approval list and said the Historic Preservation Commission and staff recommend approval.

Chairman Carrigan asked for clarification that by handling these items administratively, it would expedite the process for property owners. Mr. Colby agreed.

**A motion was made, seconded and passed by unanimous vote.**

- f. Recommending approval regarding Residential Rental Licensing and Inspection program.

Ald. Stellato recused himself from discussion as the company he is employed at does own residential properties within the community and therefore has a conflict of interest.

Ms. Tungare and Chief Lamkin reviewed the power point presentation and staff memo dated 9/1/11.

Ald. Rogina referred to the recommendation from staff asking if the Committee was expected to vote on that recommendation this evening. He noted this is a very complex proposal and may need more input and information provided before making a recommendation. Chairman Carrigan noted the Committee had asked staff to develop a program and they brought it forward looking for approval. The decision to approve tonight or not is up to the Committee, or move to the next meeting.

Ald. Martin said he is supportive of this ordinance and consideration should be given to anyone who wants to discuss this issue. He said he is not prepared to vote on this issue tonight and there are a lot of items that may need compromise and negotiation.

Ald. Monken asked what is involved for interior inspection, is it building code violations. Ms. Tungare said they would be looking for life safety violations of code.

Ald. Turner asked what would trigger an interior inspection for overcrowding. Chief Lamkin said a complaint would be the trigger. He discussed that overcrowding is very hard to prove because people visit, stay for a short period of time. Ald. Turner said it is his understanding that presently if there is a complaint the City cannot just walk in and question how many people are living in a home. He asked if this would give the opportunity to do this. Chief Lamkin agreed and said they would contact the property owner.

Ald. Lewis asked if there will be a limit to the number of animals at a residence. Ald. Krieger advised that currently there is a limit of three animals for any owner occupied property. Mr. Vann explained exceptions are allowed for when there is a litter.

Ald. Rogina asked for clarification that for any City ordinance violation that is suspected, entry into a rental unit would be through permission of the property owner. Chief Lamkin said for any ordinance violation entry can be gained by permission, but explained there are means to pursue administratively but there are grounds that need to be established before a judge will give a warrant to go in against owner wishes. Ald. Rogina asked if a standard lease gives the landlord the right to give permission to go into and inspect the property. Chief Lamkin said it may for the landlord. Ms. Tungare said the landlord has the right. She said if there were a situation where the tenant refuses the City could hold the landlord responsible. Ald. Rogina said as a homeowner it would require a warrant and he said this differentiation is what he hesitates about. Attorney Robin Jones added that the consent needs to come from the tenants regardless of what the lease says. The landlord may have the right under the lease to go onto the property, but said the way this ordinance is drafted would require consent from the person actually living on the site because they have the expectation of privacy.

Ald. Krieger asked if in the event an arrest for a minor crime would they have the right to stay in the rental unit until they were declared innocent or guilty. Chief Lamkin said it will depend on whether it is set-up that when a violation of the law occurred the terms of the addendum have been violated, or set-up as a violation of the law minus a conviction. Attorney Jones added that the crime-free lease addendum as written enables the property owner to evict the tenant, does not mandate but gives the ability. She agreed this could be drafted that it requires an actual conviction or preponderance of evidence indicated a violation has occurred. She said if a conviction of the court is required there is clarity that a crime has occurred. Ald. Krieger said her concern if there is misunderstanding or false identification someone may be put out on the street. Attorney Jones said protection against that can be written into the addendum and as it is written now it does not require a conviction but preponderance of evidence. Ald. Lewis said she agrees with Ald. Krieger that based on a generated report might be too loose.

Ald. Rogina referred to the senate bill 1766 which makes two changes to leases and evictions; one requires the written leases to notify leases that if they use or permit activity that is a felony or Class A misdemeanor that they can be evicted; two allows municipalities corporation counsel to evict under this statute as well. He asked if that is law or will become law will that have an impact on the criminal aspect of this ordinance. Attorney Jones said it would appear to increase the powers. She said she does not know the status of this bill.

Chairman Carrigan noted there are approximately 3500 apartment units and said when implementing a program like this do you look at the subsequent year to bring all those people into compliance? He said if there is a 3-month window there will end up to be a meeting with a thousand people attending. He asked if this will take 12-months to roll this out and then start. Ms. Tungare said that was one reason staff was requesting a recommendation tonight because to put this into effect January 1<sup>st</sup> is a challenge. She said it can be done but expecting all to be in compliance January 1<sup>st</sup> 2012 is unrealistic. She said there will need to be a grace period the first 6 months, with leniency and communication, but within a one year period all will be expected to be in compliance. Chairman Carrigan said it is understood there will not be a recommendation

this evening and the Committee would like information about the roll out process and he does not think it will be within a 3-6 month window. If this is passed by the end of this year, he believes it will still be a solid calendar year to have everyone up to compliance.

Chairman Carrignan asked the committee for any issues regarding who this applies to. Ald. Lewis as listed for who, or what properties, applies or would be exempt is suitable. Chairman Carrignan asked staff to provide the Committee with a copy of the power point presentation. He referred to the list and asked if a single-family owner has to go thru the process if they want to rent it out. Ms. Tungare said that is correct. Chairman Carrignan referred to a structure over 12-units will have 20% inspected. He asked how many units in town have more than 12 units. Ms. Tungare said she did not have the exact amount but noted there is a fair amount of multi-family complexes. Chairman Carrignan asked Chief Lamkin for clarification regarding the Nuisance Abatement ordinance and multiple offenses. Chief Lamkin said it is a reported offense at least two times within six months. He said there does not necessarily need to be an arrest made but a reported offense. He said the items listed are common to other communities.

Ald. Payleitner said her concerns with the addendum are that leases will be signed out of necessity of having a place to live however may not be taken seriously. Also, there are very good tenants and landlords within our community, but the addendum states tenants are responsible for all guests. She referred to a scenario where there is a party and guests create a problem and asked if a tenant were to call the police they are then subject to being evicted. Chief Lamkin explained when a person realizes there is a problem on their property and calling to resolve it they are being proactive, it's when a neighbor calls that it becomes reactive. Ald. Payleitner said when this first came up she was under the impression why it was being done was not so much to protect landlord, but rather neighbors of landlords and occupants. She referred to the five program parameters listed noting three have been addressed by existing ordinances, but needed enforcement for protection of the neighbors. She asked if a lot of effort isn't being duplicated and having a cost involved. She asked why an interior inspection is needed. Chief Lamkin said Police do not have the ability to do interior inspections. He said the police can go with the code enforcement officer as a security measure but cannot intrude on someone's property. Ms. Tungare added that without a program in place probable cause would be needed to enter owner occupied property. This program gives the City the right to go in and do interior inspections for code violations, issues of overcrowding, etc. She said this may be a duplicate of work with issues on a complaint basis, but this program is constructed to treat everyone consistently giving tools to conduct inspections in a structured manner. Attorney Jones said this is recognition that certain situations are more likely to have issues and with the program you get the ability to do interior inspections, still subject to consent if the tenant doesn't want the City to inspect, then will need an administration search warrant. She said the ordinances that run into problems are the ordinances that do not provide that due process protection.

Ald. Lewis said the fees appear high and asked how they were calculated. Ms. Tungare said these numbers were estimates based on current number of rental dwelling units and acknowledged that they could change year to year. She said these costs may be argued but noted what other communities are charging this is within the range. Ald. Rogina noted large complexes will have a large amount of fees. Ms. Tungare said the license fee will be based on the number of dwellings. She said after 12 months there will be experience with this and need to be revisited and monitored. She said a fee structure could be established upon a sliding scale. She also said the fee structure fits within the automated Lawson and permit system. Ald. Lewis

said that other businesses do not need to apply for licenses every year has there been thought to have a 2-3 year license.

Chairman Carrignan noted the man power to enforce the program. Ms. Tungare said an additional full time code enforcement officer and a part-time administrative assistant will be needed. Chairman Carrignan asked if it could be set up as code enforcement and an apprentice. Ms. Tungare said right now the inspectors are assisting with code enforcements efforts because the City is down one inspector. Both officers will tag-team on all code enforcement issues. Ald. Payleitner asked if large complexes get inspected presently for smoke alarm, etc. Mr. Vann said annual inspections are done in the common areas.

Ms. Tungare asked the Committee if they wanted to go with both the interior and exterior inspections. Chairman Carrignan said he would like to open this discussion for public comment.

Mr. Joe Conti, resident of St. Charles, is totally opposed to this ordinance. He referred to duplicating ordinances, and commented that this ordinance does not give more ability. He asked if there was much difference from someone renting an apartment to owning a home with inspection for life safety issues. He said he is a landlord in Elgin and noted that he pays the same amount of taxes on his rental unit as his own home and is against paying an additional fee for having more inspectors who may come back 3 times increasing a fee from \$30 to \$90 and may also include a violation. He said this is creating a huge layer of bureaucracy that is not necessary. He said presently the City has the right now with the existing ordinance to determine if something is unsafe and needs to be fixed. Regarding crime, presently a resident has certain responsibilities to make a call to get the police. He does not understand why they are singling out tenants in the community. He noted Attorney Jones commented that there may be a problem with saying that tenants are in general more of a problem and have higher crime rates. Are landlords given additional power to remove someone and put an addendum in the lease. He said this could be a voluntary thing. He said this is too much of an expense and will grow to even more. He said the same results could be made with suggestions or addendums to the lease.

Mr. Phil Kessler, downtown St. Charles resident, said he is not 100% opposed but too much information has been overwhelming and was unaware that there were so many components to this proposed ordinance. He noted there are good tenants and good landlords within the community. He is surprised that there is not a lot of landlord involvement in this process. He referred to the First Street redevelopment that involved a lot of meetings and committees. He hesitates to pass this too quickly without a lot of landlord input. He said a round table of landlords with the Planning & Development Committee would be imperative. Chairman Carrignan advised that is the purpose of the meeting this evening. Mr. Kessler said he was not advised by invitation or letter and this meeting would not serve as such. He said the interior inspections are far too onerous and he does not see the connection between crime-free and interior inspections. He noted units on the west side of the City that have caused problems involving police activity and said if that is where the problems are then the City should start there. He said that Batavia is presently doing that exact thing. Chairman Carrignan said information is posted every Friday saying what the Committees and Council will be discussion. He stated it is the obligation of people to research. He reiterated there is no rush to make a judgment and want to gather more information before making a decision. Mr. Kessler said he

this group wants participation of landlords; they would probably get more participation if there was no interior inspection.

Ms. Kim Malay, 526 S. 16<sup>th</sup> Street, said previously she made the suggestion to this group to pull together some landlords to get their feedback. Her thought is talking to the good landlords will help improve this program. Interior inspections have been discussed in the past and it is what has killed the program every time. Ms. Malay feels that this is not something that we need right seeing as though we are strapped for money and obviously the landlords are not making a major jackpot in this industry either with trying to keep their rents low. If costs are \$75.00 per unit and a landlord has 5 or 6 units spread throughout town that can start to get costly. Ms. Malay's thoughts were to at least at this point forget the interior and bring the cost down that it would be a better way to approach this. In regard to the Senate bill that was approved August 2<sup>nd</sup> and Staff was informed of that, so that really is our core of this Ordinance. Ms. Malay suggested ruling that out as the Ordinance for now and improve on it as we need to. Ms. Malay also questioned the charge vs. conviction issue, the court system can take quite a long time to go through the process, and that the wording should be thought of so the hands of the Landlords are not tied. In regard to the Junk Car section, because there are couple houses in the neighbor that are not rentals so she wants to be sure that is separate but applies to this as well, it seems that the code is just not specific enough to deal with these issues in a timely manner seeing as though there is no time limit as to how long the cars can sit in the driveway. Ms. Malay offered language that she has gathered from other Municipalities throughout the Country. Another concern is we have people using Foreclosed homes as their second parking lot, and although it is a nice thing to have that safety of a vehicle in the driveway as if someone is living there, the negative is many people walk away from even looking at the interior of the house because they cannot get near the house because of the cars. Chairman Carrigan stated that Ms. Malay point is valid in regard to the Junk Cars and suggested bringing it up with Staff.

Kristen Jungles on behalf of the Realtors Association of Foxvally, who resides in Naperville, IL. Said as we look through the grid that was provided, a number of the Ordinances that exist in other Municipalities, I will tell you that the Illinois Association of Realtors was at the table for all of them 6-7 years ago when Schaumburg first drafted their Crime Free Housing Proposal, we assisted them in that process so I appreciate the opportunity tonight to be able to address you regarding the Ordinance here. Ms. Jungle questioned the Apartment Complex Officer Program, is that in place. Chief Lamkin answered that we do not have a program where they live at the complex, we have a program where we meet with the apartment complex manager's yes, they come to us and we have officers that are liaisons to that. Ms. Jungles said that's great because it indicates that there is a lot of success with the program, so I am trying to figure what unmet need there is for the Rental Licensing issue if there is that ongoing communication between the Police Dept. and the Apartment Complex right now. Ms. Jungles stated the reasoning for her question is, Batavia as our neighbors, are drafting a similar crime free housing proposal, we are certainly in favor of them but we want to be educate the property owners and the landlords so the best tenants are selected in regard to eliminating crimes, however Batavia proposal is only looking at their 7 apartment complexes first and looking at single-family a couple years down the road because there was an analysis done in regard to where the highest number of calls are coming from. Ms. Jungles suggested doing a similar analysis before drafting a proposal. Ms. Jungles stated that in regards to inspections, what most municipalities have found is the inspections are incredibly costly. Ms. Jungles questioned what inspectors would be looking for and how it inspections would reduce crime in a house by looking to see whether it is in compliance. One of

the things we would like to see is most other municipalities involved in this allow for you to attend the crime free housing class at another municipality and provide St. Charles with a copy of the Certificate, and as the Ordinance is drafted now it states that it is at the discretion of the Chief. Ms. Jungles stated as far as the sliding scale for the multi family, it's a very good point, about a the number being capped off so it's not too excessive, however the Realtors Associations concern is that we want to make sure that if there is a property available and we bring a client to show it, that the City of St. Charles will not do anything to negatively impact the sale of a property and anything that can be done to reduce the fees that are going to be incurred by an owner would be appreciated. Ms. Jungles reiterated that Senate bill 1766 passed both houses in May, ideally what that does is if there is a felony or a class A misdemeanor at the property it give the owner the right to immediately terminate the lease and move forward, essentially accomplishing some of the things the city is looking to do.

Vanessa Bell-LaSota, 1610 Howard, stated she was glad Ms. Jungles made mention of the Apartment Complex Officer Program and she wanted to reiterate that she feels it's a gem of a program and when she speaks to landlords they are unaware of this and her suggestion is to have the city possibly support and expand the program so landlords will have that also for a forum to do some sort of a round table discussion, she feels the program has real possibilities, but everybody is burdened by their schedules and only so much can be accomplished at that meeting by the Officer that is coordinating that program so perhaps more city support and knowledge throughout the rental community might actually off-set some of the problems if more people knew there was a central forum for them. Her understanding is that it's a shared forum for landlords and management to share any problems that they have had and to track problem tenants and make sure they do not re-rent on another property. Ms. LaSota complimented the program but suggested maybe some intermediate point could be interjected.

Ald. Krieger stated that she totally supports interior inspections due to it being a matter of life safety and feels it's not something that should be overlooked.

Ald. Lewis stated she believes this could be a win/win situation for everyone; things need to be added, taken out and re-worded but in the end this also can be a benefit to tenants. There are good tenants living with bad landlords in some cases. Ald. Lewis stated that in her neighbor she is surrounded by 5 rental houses that are excellent tenant landlord situations; however there are some places where the tenant needs some help from their landlords who do not do their job. She feels it's a great start and that it can be figured out to make this a win/win for everybody.

Ald. Martin stated that he supports the Ordinance but that he still has a couple issues he would like to hear more about such as the interior vs. exterior inspections. He also stated he would like to focus on the multi-family units first because that's where most the problems are. He would also like to look closer at the fees as far as being justifiable.

Aldr. Rogina questioned what the goal is, he had a sense that our goal was to address issues we have had in the last 6 months in regard to peace and tranquility in our neighborhoods, and if we crowd their property and that to him is a big issue. He stated that the inspection internally bothers him because of how it stacks up feasibly for the homeowners. Aldr. Rogina feels we have many great landlords but he feels that some sort of forum needs to be held with landlords in the area to assist the city with what we are trying to accomplish as far as crime free goals. He also stated that he would like to see an Ordinance that gives landlord or the municipality the

teeth to evict criminals not people involved with petty crime or even a DUI, a homeowner doesn't have to leave their premise because they have been convicted of a DUI, so he does not feel a tenant should either but at the same token people are committing criminal acts and there should be a right to evict someone, so in that aspect he feels the frame works for the city.

Aldr. Turner stated he would like to see it based on the senate bill and he asked Robin Jones-City Attorney, if the landlord has a right to evict the tenant and is he required to evict the tenant.

Robin Jones answered under the addendum the way it is written no.

Aldr. Turner said in case there are uncooperative landlords and he knows there is especially with single-family home situations, he feels the city needs more teeth when it comes to requiring people to move out. Aldr. Turner said he is also in favor of interior inspections but feels fees need to be looked over.

Aldr. Payleitner said that she feels this has gotten too complicated and we need to get back to our mission statement, her understanding was when this discussion it was crime prevention and protect your neighbors. She feels one way we can do this is to empower and educate the landlords and then cover our cost while doing so with the license fee, and at the same time empower tenants with a help list. Aldr. Payleitner stated that calls she has received since this went in the paper have been about the single-family residents that live amongst rental properties and their property values are dropping due to tenants that yes are paying their rents but they don't need to keep up on the paint etc., and she sees this as our job to protect our neighborhoods and protect property value therefore protecting our tax rates. Aldr. Payleitner stated she would like to start small and expand as needed but to go back and readdress what our purpose is.

Aldr. Monken said he believes more contact needs to be made with owners and landlords and have their participation to have us all work together. He feels we have made a lot of progress on the discussion tonight.

Chairman Carrignan said he feels that the specific goal is to make sure we are in compliance of city codes as we look at the issues that are on the table and he questioned how some of the administrative functions will roll out and how we will do this regarding whether it will be only multi-family or single-family as well and how this will lay on top of the senate bill. Chairman Carrignan suggested that there be a landlord meeting scheduled and he made a motion to continue this discussion at the Planning and Development meeting on November 14<sup>th</sup>.

**The motion was made, seconded and passed by unanimous vote.**

Aldr. Stellato rejoined the Committee.

**g. Discussion regarding Notification for Public Hearings.**

Ms. Tungare stated that this item was added for discussion at the request of Aldr. Rogina. Ms. Tungare went over a memorandum that was in the packet that lists the geographical distance requirements for mailed notices given in connection with development applications, which is consistent with state law.

Aldr. Rogina stated that his sole purpose initiating this discussion with his fellow Committee members is to seek input regarding an expansion to the geographical notice requirement prior to a Public Hearing for the Plan Commission. Despite comments from the press that expanding the notification area would increase the time and cost of any business locating in the city, his intent is only to discuss expanding the notification required for a Public Hearing. His motivation for discussion is the aftermath of the special use granted by the City Council for the Illinois Central School Bus. He believes a request for change in zoning can impact residents and businesses well beyond the current requirement of 250 ft. Aldr. Rogina stated that he feels that an expanded notification area will make the City more transparent to its citizens. He asked for clarification on the passage by Robin Jones in the legal memo that says "there are practical implications and policy issues that the city will want to take into account". Ms. Jones answered that was simply her way of saying her memo addresses only the legal issues and staff undoubtedly has some thoughts on what the policy should be and what the practical implications are.

Aldr. Stellato asked for staff to refresh his memory as to what instances the City requires a public hearing.

Ms. Tungare answered that public hearings are held for Zoning Map Amendments or Re-Zoning, Special Uses, Special Uses for PUD's and Annexations, but only when there is an Annexation Agreement and there is also not a mailed notification requirement for annexation hearings.

Aldr. Stellato said that in regard to larger developments, if somebody wanted to replace a business that already exists, they probably work with Building and Code Enforcement to receive a permit, but otherwise there is not a Public Hearing involved unless there is a liquor license. Ms. Tungare answered that is correct but that consideration of a liquor license does not require a public hearing, just a public meeting.

Aldr. Stellato questioned what is involved in the notification process for a larger project. Ms. Tungare answered that a sign is posted on the property, a certified mailed notification is sent to property owners within 250 ft., and a notice is published in the newspaper.

Aldr. Stellato said that some of the larger issues fly under the radar and in his opinion feels that due to the City becoming more of an in-fill development community that it would be apropos to have some additional footage for the notice area.

Aldr. Turner stated he has done this for seven years with these requirements and he feels that things should not be changed due to one glitch.

Aldr. Payleitner stated that there may be situations in which we do need additional signage as opposed to putting an extra burden on the property owner.

Aldr. Krieger made the point of how often people respond to notices sent out, because we send out notices for all sorts of issues, but yet at the meetings there is no one in attendance.

Chairman Carrignan questioned if the notices go out to the residents or the property owners? Ms. Tungare said they go to the person that is listed on the tax bills.

Chairman Carrigan stated that his concern is we are a city that is going from a growth community to a mature community and are becoming closed in, and the impact of a development in a neighborhood has deeper repercussions than it did 14 years ago. He feels that state law at 250 ft. works well along with the newspaper and the signs. He said the Committee can choose to make a motion and if not we will leave this as a discussion.

Mr. Townsend recommended that Ms. Tungare explain the process that would take place to make this change. Ms. Tungare stated that this would require a General Amendment to the Zoning Ordinance. The City would initiate an application which would be taken to the Plan Commission, typically a process like that takes 60 days. Ms. Tungare said that in terms of practical implications that there definitely would be an additional cost to the applicant and also depending on how much the radius is increased anything beyond 500 ft. we would be looking at lengthier public hearings and a longer development review process. Ms. Tungare also pointed out that the City also sends a courtesy notice for concept review plans even though it is not required.

Aldr. Lewis stated that in regard to an apartment complex, the residents know nothing about public hearings because the property owner receives the letter; therefore she feels there should be consideration of this somehow when things are being changed.

Ms. Tungare stated that what she anticipates with expanding the notification range, there will be more individuals showing up to speak in favor or against the petition and that means more testimony and by state law that means we may have several public hearing on any given larger project. Aldr. Rogina asked if Ms. Tungare feels that is unhealthy. Ms. Tungare replied that it is not for her to say and that she is just putting it into perspective that it is a possibility.

Ms. Lewis asked what type of information is in the notices. Ms. Tungare answered zoning of the property, a map of the property, information regarding the specific application, public hearing notice and information regarding the purpose of the meeting and that they are invited to attend. Ms. Tungare let the Committee know she would send them all an example of what is sent to property owners in regard to public hearings.

Aldr. Stellato asked if there have been any complaints aside from what Aldr. Rogina mentioned as far as past applications. Ms. Tungare answered none that come to mind.

Ms. Malay stated the sign coverage for the Public Hearing for Towne Centre was not sufficient. Ms. Tungare stated that regardless of the signs many residents were in attendance regarding Towne Centre.

Mr. Stellato mentioned Wal-Mart and that it was the largest turnout he has ever seen, that public hearing notice was the same requirements, but somehow the word spread to everyone and he is not sure why but feels maybe it's the purpose of the alderman in that ward to notify residents of public hearings.

Chairman Carrigan asked what the requirement is for signs. Ms. Tungare stated there are specific requirements that state the Director of Community Development shall direct the erection of at least one sign on the property and nothing specific about the location of the sign.

Chairman Carrignan stated that signs should be big enough for people as they drive by to see it.

Aldr. Rogina stated that in regard to the comment made about Alderman making there wards aware of public hearings that he had a conversation with Ms. Tungare and it was mentioned, and rightfully so, that we are consistent on keeping the notice at 250 ft. and not beyond that due to legal action that could be taken by the developer. He asked if he did something like that would he be as an agent of the city in violation of the Ordinance. Ms. Jones answered she did not see a problem with that.

Aldr. Lewis asked if something major came up could we make a change for that instance, or would the whole ordinance need to be changed. Ms. Tungare stated whole ordinance, but that staff could work with the Public Works Dept. in terms of the size of the signs and location without changing the Ordinance.

Chairman Carrignan asked if anyone wants to bring anything forward relative to a motion to change the ordinance today, as we have the ability to do so.

No motion was made and the discussion concluded.

**h.** Update on the Comprehensive Plan project.

Russell Colby gave a brief update on the Comprehensive Plan Project.

**5. ADDITIONAL BUSINESS**

None.

The meeting adjourned at 8:55 p.m.