

Village of Lombard

*Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org*



Minutes

Monday, September 14, 2020

7:00 PM

Village Hall

Economic & Community Development Committee

*Anthony Puccio, Chairperson
Reid Foltyniewicz, Alternate Chairperson
Dennis McNicholas, Garrick Nielsen,
Matthew Pike, Paula Dillon, Laine Vant Hoff, Gregory Ladle, Alan Bennett and Patrick
Kennedy
Staff Liaison: William Heniff*

NOTICE IS HEREBY GIVEN THAT THE ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE OF THE VILLAGE OF LOMBARD WILL HOLD A MEETING ON MONDAY, SEPTEMBER 14, 2020, AT 7:00 P.M. AT THE LOMBARD VILLAGE HALL, BOARD ROOM, 255 EAST WILSON AVENUE, LOMBARD, ILLINOIS.

NOTICE OF MEETING MODIFICATION DUE TO COVID-19

In light of the Disaster Declaration issued by the Governor of the State of Illinois relative to the COVID-19 pandemic, the Chair has determined that an in-person meeting of the Economic and Community Development Committee, or a meeting conducted under the Open Meetings Act requirements, relative to a quorum of the members of the Economic and Community Development Committee having to be physically present at a meeting when some members of the Economic and Community Development Committee are participating remotely, is not practical or prudent because of the disaster. Pursuant to Governor Pritzker's Executive Order No. 2020-07, as extended and modified by Executive Orders 2020-18, 2020-33, 2020-039, 2020-44 and 2020-52, which suspend the requirement of the Illinois Open Meetings Act requiring in-person attendance by members of a public body during the duration of the Gubernatorial Disaster Proclamation, members of the Economic and Community Development Committee may be participating in the meeting through a virtual meeting platform.

Physical attendance at this public meeting will be capped to a maximum capacity of 50 persons in total, inclusive of Village officials, staff and consultants (whose physical attendance will be given precedence), with strict social distancing requirements in place. While the public is welcome to attend the meeting, and provide comments, in person, given capacity limitations and the COVID-19 pandemic, residents are invited to view and participate remotely through the means offered below. Residents may view the meeting live on television, at Comcast Channel 6 or AT&T Channel 99, or on online at www.villageoflombard.org/220/view-meetings-live.

Public comments may be submitted in advance of the meeting via email to communitydevelopment@villageoflombard.org, via mail to Village of Lombard, ECDC, 255 E Wilson Avenue, Lombard IL 60148, or by calling and leaving a voicemail at (630)620-5760. The Village requests that written comments be submitted to the Village by 4:00 p.m. on Monday, September 14, 2020. Notwithstanding this request, all written comments received before the public comment portion of the agenda will be read into the public meeting record. Individuals who wish to speak during the live meeting, other than in person, or wish to listen to the meeting by telephone should contact the Village by 5:00 p.m. on Monday, September 14 by calling (630) 620-5717 or via email to

communitydevelopment@villageoflombard.org. Individuals who sign up to speak during the live meeting, other than in person, or listen to the meeting by telephone by 5:00 p.m. on Monday, September 14, will receive information about how to join the meeting by e-mail or phone, based upon their request, after the sign-up time ends.

The physical attendance restrictions in place for this meeting have been adopted to comply with Governor Pritzker's Executive Orders regarding social distancing and the need to maximize residential self-isolation to slow the spread of COVID-19 to the greatest extent possible.

A copy of the agenda for said Economic and Community Development Committee meeting is attached hereto.

1.0 Call to Order and Pledge of Allegiance

Trustee Puccio called the meeting to order at 7:003p.m.

The Pledge of Allegiance was recited

2.0 Roll Call

Present 9 - Anthony Puccio, Dennis McNicholas, Garrick Nielsen, Matthew Pike, Paula Dillon, Laine Vant Hoff, Gregory Ladle, Alan Bennett, and Patrick Kennedy

Also present: William Heniff, AICP, Director of Community Development; Jennifer Ganser, AICP, Assistant Director of Community Development.

Paula Dillon, Dennis McNicholas, Garrick Nielsen, Alan Bennett and Laine Vant Hoff attended the meeting remotely.

3.0 Public Participation

None

4.0 Approval of Minutes

On a motion by Mr. Ladle, and seconded by Mr. Pike, the minutes of the July 13, 2020 meeting were approved by the members present. Ms. Dillon and Ms. Vant Hoff abstained from the vote.

5.0 Unfinished Business

[200069](#)

Humane Animal Ordinance Discussion

Based on the resident feedback at the December 5, 2019 Board of Trustees meeting, staff is bringing the subject of a Humane Animal Ordinance back to the Economic and Community Development Committee (ECDC). The speakers expressed concerns about the retail sale of animals in Lombard that may have been from facilities that are otherwise deemed inhumane.

Trustee Puccio said this item was from the February meeting.

Ms. Ganser summarized the staff memo. Based on resident feedback at the December 5, 2019 Board of Trustees meeting, a possible Humane Animal Ordinance was discussed at the Economic and Community Development Committee (ECDC) in February 2020. Attendees at the ECDC meeting expressed concerns about the retail sale of pets at stores within the Village of Lombard, in such cases where the pet's origins are from "puppy mills" or other breeding locations outside of Lombard that are generally believed to be inhumane in nature. While such breeding activities are not occurring at the store locations themselves, the request to the ECDC was to consider regulations or restrictions that would limit or prohibit the sale of animals that were from such establishments.

After the February ECDC meeting staff followed up on a few items. One, it was noted that an existing business, like Happiness Is Pets, could be grandfathered and allowed to operate as is, but a new business would need to meet any new Code. Two, a sample resolution to the State or County is attached. Three, staff met with DuPage County in March 2020. DuPage County has not taken any action relative to animal care - either in the form of additional business regulations or restrictions nor additional zoning actions. Per an email on September 8th, DuPage County noted that their attorney has maintained that the County cannot adopt a Humane Animal Ordinance as the County, like Lombard, is not home rule. This is consistent with the opinion of the Village Attorney for Lombard.

Staff would like to note that Noah's Puppies at 18W435 Roosevelt Road and is not located within the Corporate limits of the Village. As such, the business would not be subject to any direct actions being contemplated by the Village of Lombard. Regardless of what happens tonight or later on this matter, they are not subject to Lombard regulations or ordinances.

Beach for Puppies has closed at Yorktown Center, but Furry Babies (another pet store) is opening at 170 Yorktown Shopping Center. Furry Babies is a permitted use and therefore is allowed to open at Yorktown Mall. Happiness is Pets, the other pet store, remains open. Included in the packet is a letter from their Attorney challenging Lombard's legal authority to regulate pet shops. This correspondence is currently under review by Lombard Village Counsel.

The ECDC is asked to review the materials and offer its recommendations.

Three people spoke in-person. Ms. Barbara Hanek said she is a veterinarian and has worked for DuPage County for four years. She discussed how animals are resourced from puppy mills and the inhumane conditions. She said she was formally the medical director for Paws Chicago and helped rescue dogs from puppy mills. She said these dogs have poor inaction with people, poor socialization and diseases. Mr. Jonathan Berning said his family has owned Happiness is Pets since 2005. He said he has worked on a house bill and senate bill for standards of care. The bills have not advanced due to Covid. He said Happiness is Pets is the only store that uses the canine care system from Purdue University. He said it is hard for pet stores to shift their business model and when Chicago passed their humane animal ordinance many pet stores closed. Ms. Maya Domiano said she is the Outreach Coordinator for the Campion Animal Protection Society (CAPS). CAPS worked with Carpentersville on their ordinances. She said Furry Babies does use puppy mills and read from investigation reports on pet stores.

Three people spoke via Zoom. Ms. Peggy Grandahl asked what Lombard wants to be known for and discussed community perception. She said many communities have passed humane animal ordinances, but understands that Lombard is limited. She discussed pet stores and profitability. She said with Furry Babies moving to Lombard the perception may be of fraud and a misleading store. Ms. Jodie Wiederkehr said she is speaking on behalf of the Chicago Alliance for Animals. She read from an I-team investigate on dogs with health problems. She said many people are interested in this topic and noted Facebook likes for various groups. She said millions want to see a humane animal ordinance passed and the stores closed. She said she will remind her members not to shop at Yorktown Mall. Ms. Tracey Gzamouranis said she is a 16-year Lombard resident and is speaking on behalf of herself and others. She said many animals in mills are

mass produced and live in poor conditions. She said they suffer from health problems. She said she has volunteered on rescue missions and seen the conditions herself. She said she wants to help eliminate inhuman treatment and also noted that Lombard could regain home rule status in the future for this and other issues.

Ms. Ganser noted that many emails and one voicemail came in after the staff report went out. She read the emails and voicemail into the record.

Mr. Heniff said staff included a sample resolution. This is one option the ECDC can take. Mr. Puccio said he talked with Mr. Brian Krajewski of the DuPage County Board and as a non-home rule County they may look at business regulations. He also talked with Representative Costa Howard who said the State bill is delayed due to Covid. Mr. Pike said he thinks it makes sense to see what the County does. Mr. Ladle said he read the memo from Carpentersville which noted this had no fiscal impact on them. He said for Lombard it could have a fiscal impact as we are not home rule. He said people can reach out to Yorktown if they are upset about the new pet store. He said he would recommend a resolution. Mr. Kennedy said he thinks the shops bring an unfair reputation and wouldn't want to attract more. Mr. McNicholas said he agrees with Mr. Ladle and that a resolution is the most fiscally sound option. He suggested stores provide health insurance or a one day waiting period before buying a dog. Mr. Bennett said he agrees with the others and the most realistic option is the resolution. He asked that the Village Manager bring up the issue with DuPage Mayors and Managers Conference to receive comments and then contact State Representatives. He said perhaps the County Health Department should be involved. He said he agrees with the ideas by Mr. McNicholas. Trustee Puccio asked if the State Department of Agriculture is the agency responsible for regulations and inspections and Mr. Heniff said yes. Ms. Vant Hoff said the stores may attract the wrong image but there is only so much the Village can do. She said maybe the County could create volunteer inspector positions. Ms. Dillon said a resolution is good for the short term and agreed with Mr. McNicholas' comments. She said Lombard being home rule could address some of these issues. Trustee Puccio said the State Department of Agriculture is the regulatory body and therefore volunteer position at the County may not help. He asked Mr. Heniff to explain home rule. Mr. Heniff said home rule communities can adopt any all regulations, like Naperville or Chicago. A non-home rule community can only do things the State allows or delegates authority

for them to do so. The draft resolution is a way for Lombard to go on the record to express concerns on animal welfare and oversight. Mr. Nielsen said he agrees with the others and liked the idea of a waiting period and the resolution. Mr. Bennett said he is prepared to make a motion to recommend approval of the resolution and request the Village Attorney review the business regulations. Ms. Dillon asked that this wouldn't negate future actions if the Village became home rule. Trustee Puccio said home rule would need to be done thru a referendum. Mr. Heniff said staff will follow up with the Village Attorney on business regulations.

On a motion by Mr. Bennett and a second by Mr. Nielsen, the ECDC recommended approval of the resolution as presented to the Board of Trustees at their October 1, 2020 meeting.

On a motion by Mr. Bennett and a second by Mr. Nielsen, the ECDC recommended approval of the resolution as presented to the Board of Trustees at their October 1, 2020 meeting. The motion carried by the following vote:

Aye: 8 - Dennis McNicholas, Garrick Nielsen, Matthew Pike, Paula Dillon, Laine Vant Hoff, Gregory Ladle, Alan Bennett, and Patrick Kennedy

6.0 New Business

[200260](#)

FY 2020 and 2021 Budget Projections

Mr. Sexton reviewed a power point on the budget. He said the projections, with Covid, are better than the Village expected. There is a \$4.7 million budget shortfall. His discussed various tax revenues and the Village's reserve fund. Ms. Vant Hoff asked if this considers the current tax assessment year. Mr. Sexton said the Finance Committee discussed this and the assessment is approximately 2.21%. This will affect different properties different ways. Mr. Bennett asked if this is for the General Fund and Mr. Sexton said yes. He asked if any unions have contracts that are up. Mr. Sexton said two smaller unions have agreements that expire end of 2020. Mr. Bennett asked if there are any additional capital purchases in 2020 or 2021. Mr. Sexton said there is no freeze on capital purchases but they are reviewed with extra details

7.0 Other Business

Mr. Heniff said he is presenting on Community Development activities at a virtual Chamber of Commerce event on Wednesday, September 15th. He said the Village has closed on 101 S. Main Street and Holladay Properties now owns the property

8.0 Information Only

9.0 Adjournment

On a motion by Mr. Pike and a second by Mr. Ladle, the meeting adjourned at 8:36 p.m