

DRAFT

**DEKALB COUNTY REGIONAL PLANNING COMMISSION
MEETING MINUTES
May 24, 2012**

The DeKalb County Regional Planning Commission (RPC) met on May 24, 2012 at 7:00 p.m. in the DeKalb County Administration Building, Conference Room East, in Sycamore, Illinois. In attendance were Commission members Cheryl Aldis, John Fischer, Rich Gentile, Brian Gregory, Derek Hiland, Martha May, Becky Morphey, Don Pardridge, and Anita Sorensen. Staff included Paul Miller and Rebecca Von Drasek.

- 1. Roll Call** -- *Commission members Ken Andersen, Les Bellah, Bill Beverley, Suzanne Fahnestock, Dave Maroo, and Linda Swenson were noted absent.*
- 2. Approval of Agenda** -- *Ms. Morphey moved to approve the agenda, seconded by Mr. Gentile, and the motion carried unanimously.*
- 3. Approval of Minutes** -- *Mr. Hiland moved to approve the minutes from March 22, 2012, seconded by Mr. Pardridge, and the motion carried unanimously.*

4. Chairman and Vice-Chairman Elections

Ms. Aldis nominated Mr. Hiland for Chairman and Ms. Morphey for Vice-Chairman, seconded by Mr. Gentile, and the motion carried unanimously.

Mr. Hiland thanked the Committee for the appointment and took over facilitation of the meeting.

5. Property Maintenance Codes

Mr. Miller explained that the Regional Planning Commission, at its March 22, 2012 meeting, identified property maintenance codes as a topic of interest to the membership. Such codes are generally intended to assure that private properties are kept in a sufficiently neat and orderly manner so as not to constitute nuisances, dangers to public health, safety, or welfare, or create potentially negative effects on the value of surrounding property. Mr. Miller highlighted that the staff report, dated May 10, 2012, which listed the codes the municipalities had adopted. He noted that most communities had adopted the 2006 International Property Maintenance Code with local amendments.

Ms. May asked how other Communities handle properties exceeding allowable grass heights. Ms. Aldis responded that in Cortland properties are mowed and then billed back in the form of a lien. Ms. Morphey reported success with contacting the bank for maintenance on properties in foreclosure.

The Commissioners identified that the allowable grass and weed heights limits were between eight and twelve inches.

The foreclosure process was briefly discussed, as well as how to find the property owner or bank for derelict properties.

Ms. Sorensen stated that the foreclosure process was slow, which resulted in the properties becoming derelict.

Ms. Aldis emphasized putting the contact information onto municipal web sites so that foreclosure notices are sent to municipal staff.

Mr. Miller offered that County offices may also be able to identify which bank has the mortgage.

Ms. Aldis informed the Commissioners about a training course through Rock Valley College for garnishing tax returns to collect on debts provided the municipality complied with the Illinois State Comptroller's requirements.

Mr. Miller also pointed out that it is important that the municipality keep records of their maintenance and the costs associated with work.

The Commissioners further discussed derelict properties, noting specific problem properties and how those properties come to the attention of the municipality. In addition, the Commissioners touched upon the process of condemnation.

Ms. Sorensen explained that Malta addresses derelict properties only following receipt of a complaint.

Ms. Aldis stated that other than neighbor complaints, town alderman have brought specific properties to staff's attention.

Mr. Hiland asserted that it takes the will of the community to address some of these problem properties, especially when dealing with a hoarding situation.

Mr. Gregory explained that Sycamore's first method of contact is often shutting off the water and placing a placard on the property which stipulates that the dwelling is considered uninhabitable.

Mr. Miller encouraged municipalities to exhaust their local regulatory processes when working with the properties, so that the municipality can prove due diligence if the matter goes to court.

Mr. Fischer explained a "walking program" that he had recently learned about, which would coincide with municipal improvements (i.e. street paving, water main replacement, etc.). During such projects, nearby property owners would be informed that municipal staff would be in their area and would contact property owners if violations were observed.

Mr. Gentile detailed the "Community Enhancement program" in Genoa which is aimed at preventing abandoned cars, RV parking, driveway installation, and junk accumulation. He noted that the City was successful in most cases to bring properties into compliance by contacting

property owners with a letter which explained the regulation and offering assistance when possible.

Mr. Miller concluded the discussion by pointing out that the County has no property maintenance code. Rather, the County can pursue problem properties with nuisance complaints. This requires the involvement of the State's Attorney's Office, as such matters may end up in court for enforcement. With respect to buildings that are out of compliance with code, the Health Department sometimes has initiated condemnation proceedings, but this also involves the courts. He encouraged Commission members to be aware of the County's relative lack of property maintenance codes, as unincorporated lands surround the communities.

6. Sidewalk Regulations

Mr. Miller explained that the Regional Planning Commission, at its March 22, 2012 meeting, identified sidewalk regulations as a topic of interest to the membership. Such regulations relate to the construction, repair and replacement responsibilities to sidewalks within public rights-of-way, as well as snow removal requirements. Staff provided the Committee with information on the property maintenance codes or regulations in force for each member unit of government in a memo dated May 10, 2012.

In general in the municipalities, every year a budget is created for sidewalk repair, an inventory of sidewalks needing repair is completed and reviewed, and projects are prioritized and chosen based on severity and the funds available. All the Communities, except those requiring that the property owner maintain and repair the sidewalks, follow some version of the this budget/inventory/prioritization process. All the Communities require that any sidewalk repair be overseen and approved, and in many cases permitted, by the municipality, to assure that the sidewalk meets minimum standards. The municipal codes of several of the Communities indicate the property owner is responsible, but actual Community policy has the municipality handling it instead of requiring the property owners to do so. Six of the Communities offer some form of reimbursement program for property owners who repair/replace their own sidewalks. All of these programs are dependent of funds being available to do so, and most require that certain standards be meet. Only five of the municipalities have regulations regarding sidewalk maintenance.

The Commission discussed sidewalk replacement and how the projects are funded.

Mr. Gregory suggested that municipalities should reimburse the property owners and not contractors when maintenance is completed.

Mr. Gentile stated that when the City of Genoa is made aware of a maintenance issue the City will inspect and if necessary fix the problem.

Mr. Gregory concurred that when damages is observed performing maintenance reduces the liability risk.

Mr. Hiland agreed that the City's public works department surveys the City for areas that required repair.

Mr. Gregory detailed a proposed Summer program for surveying and funding maintenance of sidewalks in Sycamore. He explained that property owners are generally required to share the costs.

Ms. May explained that in Lee a whole block had pooled the cost for labor and material to replace their sidewalk. However, the Village will also share the costs by covering the labor expenses and having the property owner pay for materials.

Mr. Hiland noted the City of DeKalb had used CDBG funds to address some maintenance issues.

The Commission briefly discussed snow removal from sidewalks and the tendency of individuals to still use the street and avoid sidewalks.

Ms. Aldis reported that most people shovel their sidewalk, however the police can ticket if a property fails to shovel because of a provision within the town's municipal code.

Mr. Miller pointed out that the County has no sidewalk policies, as there are few sidewalks in unincorporated DeKalb County.

7. Municipal Development Projects / Issues

Mr. Miller asked the Committee Members if development projects were dormant what activities are Communities working on.

Ms. Aldis explained that Cortland had passed a large TIF District. Mr. Gregory asked the Committee how a startup TIF District can generate revenue if EAVs continue to decline. The Commission discussed this question and noted that the changes in the economy may challenge the ways that TIF Districts function and their success at generating funds to cover improvements.

Ms. Sorensen stated that the School District in Malta had sold the elementary school.

Mr. Gentile responded that Genoa had completed a streambank stabilization project with a pedestrian bridge. He also stated that Genoa was removing trees due to the Ash Boer beetle. Mr. Hiland noted that DeKalb is going to attempt to treat its infested trees. Other Commissioner's reported that their Communities were also removing the trees.

Ms. May stated that Lee is waiting to hear about some grant applications that had been submitted to assist with replacement of a well.

Ms. Aldis emphasized the water rate survey put together by Genoa to review water rates in comparison with neighboring Communities.

Mr. Pardridge reported sewer and water main improvements for a large portion of Shabbona.

Mr. Gregory reported that there were a few new single family dwellings being built in Sycamore. He informed the Commission that the design of a proposed four-story building was changed to a two story structure, and that a car dealership is proposed near Menards, He also indicated public improvements were continuing, along with seasonal maintenance programs.

Mr. Fischer announced a new business called the Pour House had opened in Kingston.

Ms. Aldis informed the Commission that Cortland had received their quote for electrical aggregation at 4.1 cents per kilowatt hour. Mr. Gregory stated Sycamore's came in at 4.8 cents per kilowatt hour.

Mr. Gentile asked that an agenda item be included for the September Zoning 101 Seminar, he would like the representatives from IMPLEMENT to explain setting up a mutual aid program for public works departments. Mr. Miller offered to include it with the July meeting agenda discussion as well.

The Commission noted that the Zoning 101 course was tentatively set for Saturday, September 8, 2012. Ms. Morphey warned of the difficulty of getting officials to participate during the Sandwich Fair.

Ms. Aldis mentioned that ComEd had held a meeting regarding joint communication. Mr. Gentile explained that ComEd was attempting to create a Joint Communications group to prioritize the needs within the County in the event of an emergency.

Mr. Miller reported that the County had a few development projects, including a new dry fertilizer facility at Elburn Co-op on Rte. 64, and a new agricultural equipment dealership, R-Equipment. In addition, Stonehouse Park, a campground in Paw Paw Township had recently received County approval to alter its operations.

Mr. Hiland stated that many projects are continuing and there continue to be "smaller" commercial developments.

Ms. Morphey said that improvements continue on Rt. 34. She highlighted a new restaurant had opened and that there is a possibility of a Subway restaurant in Somonauk.

8. Next Meeting Date -- The Commission agreed that the next RPC meeting would be on July 26, 2012 at 7:00 pm in the Conference Room East.

9 Adjournment -- *Mr. Gregory moved to adjourn, seconded by Mr. Fischer, and the motion carried unanimously.*

Respectfully submitted,

Derek Hiland
Chairman, DeKalb County Regional Planning Commission

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