

**Village of Germantown Hills  
Special Village Board Meeting Minutes  
October 5, 2020 5:00 p.m.**

**1. Call to Order/Roll Call/Pledge of Allegiance-** Mike Hinrichsen, Village President, called the meeting to order at 5:00 p.m.

<b>Village President/Trustees</b>	<b>Roll Call</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>
Mike Hinrichsen – President	Present														
Julia Miller (Electronic)	Present	N	Y	Y	Y	Y	Y								
Stephanie Chaon	Present	Y	Y	Y	Y	Y	Y								
Dick Hartman	Present	N	Y	Y	Y	Y	Y								
Jim O’Laughlin	Present	Y	Y	Y	Y	Y	Y								
Marty Clinch	Present	Y	Y	Y	Y	Y	Y								
Todd Rice(electronic)	Present	Y	Y	Y	Y	Y	Y								

Todd Rice and Julia Miller attended the board meeting by electronic means as per allowed by the Governor’s Executive Order and the modification of the Open Meetings Act. The village hall was open for the public.

Also, in attendance:  
Bill Streeter, Village Attorney  
Rich Brecklin, Superintendent of Public Works

Everyone stood and said the Pledge of Allegiance.

**2. Approval of an Ordinance Amending the Sign Ordinance**

Ann Sasso explained the proposed Sign Ordinance Amendment would be for all signs. The present ordinance for all unlawful signs has the same time requirement for compliance. This amendment splits out temporary signs that don’t require a permit from all other types of signs. The temporary types of signs would have a shorter time period. Whereas, the other signs would get a shorter time period than what is presently in the code so that compliance would be in a timelier manner. The Village Board had made some changes in 2018 but the timing on compliance was not looked at, at that time. In the past if there was a garage sale sign that was not in compliance a call would be made and they would move it or fix it and there wouldn’t be a problem. The amendment would formalize timely compliance. Ann Sasso noted the proposed timing for compliance of temporary signs would be within 24 hours but all other signs the change would be to not less than 10 days no more than 20 days. Currently the code states not less than 30 days no more than 60 days.

Marty Clinch questioned who drew up the amendment and where did the language come from.

Bill Streeter noted he put the ordinance together and it mirrors the present ordinance but the two different types of signs were split out. The thought process is, the temporary signs are

easy to move and you can move them more quickly. Whereas, all other signs that are more permanently attached might take more time.

Jim O'Laughlin asked about flags or banners and why is it different than a political sign. He indicated there are a lot of flags out there.

Bill Streeter reminded the board you can't discriminate based on the content, which is why the village included other temporary signs because they are viewed as similar types of signs.

Ann Sasso noted currently all flags are exempt in the village code and if you include flags to be permitted then all flags no matter what is on them would have to be regulated in order to not discriminate.

Jim O'Laughlin stated he doesn't agree with that and feels a flag with a political nature is a political sign whether it is a sign, flag or banner.

Bill Streeter noted political speech is protected by the First Amendment. If a change is made it has to be for all flags not just one type.

Marty Clinch discussed the definitions of signs and flags. He feels we are picking a part of what some people are putting out there to show their political beliefs. He feels someone has a problem with a 4X4 sign that they don't agree with but it's ok for others to have banners and political flags. He doesn't see the difference and doesn't agree. He feels the language is targeted and only affects two people in the village. Marty noted if the board is going to have a solid talk we need to wait until after the election.

Ann Sasso noted there were 3 signs that were non-compliant and all 3 people were called. Ann noted she has done this in all the years there's been elections. Two of the property owners complied right away. Ann stated usually when she has had to call people (no matter what type of sign it is) the residents have complied with no further action needed. This issue came about when there wasn't compliance and we looked closer at the code to realize the time limit that was in the ordinance gave residents 30 to 60 days to not be compliant. This was for all types of signs and no type of sign should be non-compliant for that long. Ann noted we need to enforce the written code and get timely compliance. This is how the whole subject came up in the first place.

Bill Streeter and Ann Sasso looked at what would be reasonable time limits on enforcing compliance. It was determined that temporary signs would have the ability to comply quickly. For example, in the case of a non-compliant garage sale sign it could be removed as soon as notice was given. Ann Sasso noted if the board is ok with a 4X4 sign then the board can change the sign limit and then the size of these signs wouldn't be an issue. Ann noted Metamora allows 10 sq. ft and Washington allows 12 sq. ft. for a political sign. If the board is ok with 16 sq ft. then they can make that change. Ann noted the timings are important though in order to get compliance to the code. The board put the requirements together so the board should want compliance in a timely manner.

Julia Miller stated she is confused she thought when the board talked about signs and what was allowed the concern was size. The reason the board had put in a longer time line for compliance was because we had people putting up semi-permanent signs and felt they would need time to legitimately deconstruct the sign to comply but it wasn't for someone to just not comply for that time period. When the board talked about the time lines, that was the purpose

at that time. This shouldn't have anything to do with politics and didn't know that it would. Julia noted she is frustrated as to why 6 sq ft. wouldn't be big enough and is not sure why someone can't comply with the regulation. She noted she totally disagrees with the specific regulation of flags because we would have to look at every type of flag in the area. As far as a banner, which she has not seen but if it's semi attached to the house, she's not sure if that should be viewed differently or not. The board could increase the size but that to her would be political and there's no reason to wait until after the election because that would be political.

The board discussed real estate and subdivision signs. Ann Sasso noted when a real estate sign is over the size limit they are called to be removed.

Bill Streeter noted the 6 temporary signs don't require a permit. All other signs do require a permit and that was the reasoning in putting the requirements together.

Todd Rice asked about the time limits and what happens if someone puts a sign up but then takes it down the next day after receiving notice of non-compliance but then the next day puts it back up. Todd feels there needs to be more of a definition on the penalties and his biggest issue with the flags is the obscenities on signs and concern the village can't do anything about it.

Ann Sasso noted the penalty provisions would apply with a per day fine on each violation but normally people don't do that and comply.

Bill Streeter stated we could add more to the code on enforcement but the village may be able to use the nuisance ordinance in the case of obscenities.

Todd Rice had discussed the need to do something now because waiting for our next board meeting would be too long to wait. Todd is ok with raising the size of the sign or allowing more like 5 calendar days for compliance.

Ann Sasso noted it defeats the purpose if it is too long to get compliance, as an example on a garage sale type of sign. We just need to remember that we have to treat these types of signs the same. Ann noted the timing can be changed to 48 hours or whatever the board would like. Normally people in our community have always complied.

Todd Rice asked if the fines are stiff enough to be a deterrent. The enforcement of the signs was discussed and the need to have an appropriate fine structure.

Bill Streeter noted it is currently is set up \$50-\$750 with each day as a separate offense.

Julia Miller stated her concern is that if a larger size of sign is acceptable then that is fine but it can't just be because someone put one up. The village board doesn't want to be reactionary because someone didn't follow our ordinance. The board chose that size of sign in 2018 for a reason.

Marty Clinch asked if they could change the size of the sign tonight.

Bill Streeter stated if there was consensus among the board to have Bill and Ann put together an ordinance for next week then the 6 sq. ft wouldn't be enforced.

Ann Sasso noted the timings will still need to be changed as this is too long to allow all signs to be non-compliant. When the board discussed the size of signs in 2018 the discussions were about safety and when you get bigger signs 5 feet off the road, you may need them to be set further back.

Todd Rice stated staying true to what he has said previously, that he is not in favor of doing a consensus. The last 2-3 years the board has said they are not going to do that. Todd noted we either change the part we are talking about tonight or we leave it alone until after the election.

Ann Sasso noted if the board is ok with a 16 sq. ft sign that would mean the code currently wouldn't need to be enforced knowing that moving forward the size requirements were going to be changed. Ann stated changing the size of sign or timing would meet our code, instead of allowing signs up that are not compliant.

He stated by giving the residents notice of the violation the code is being enforced. Todd recommended the violation letter go out to give the 30-60 day notice to fix it. This would be enforcing our code as written.

Ann Sasso noted in this case it is a loop hole that allows the sign without compliance. This hasn't been an issue because typically people comply.

Todd Rice agreed.

Bill Streeter stated if that's how the board wants to proceed then the ordinance won't be approved and Ann Sasso can send out the notice of violation.

Jim O'Laughlin noted when the word gets out that flags don't count everyone is going to be putting up flags instead of banners or signs and agreed to postpone this until after the election. Jim noted people that have those signs paid for those signs and he feels bad when they paid good money on a sign to display their views.

Dick Hartman asked about the two people that complied.

Ann Sasso noted this has put her in an uncomfortable position when a board member had told her that he paid for the sign and installed it on the person's property with the size of it being too big, and not in compliance with the village ordinance.

Marty Clinch stated he didn't pay for the sign but paid for some of them and apologized for the miscommunication.

Stephanie Chaon stated she thinks it is bad timing but feels there are other components to consider. If a sign is blocking someone's view that could cause an accident, it should come down immediately, and should not have 30 days for it to be removed. Stephanie Chaon stated it looks very political and doesn't think we should do something now.

A motion was made by Jim O'Laughlin to postpone the sign ordinance amendment until the November meeting. The motion was seconded by Marty Clinch. **Motion passed #1.**

Todd Rice stated we still need to do our due diligence to follow the ordinance.

Ann Sasso stated she will send a certified letter to the people that are violating the sign ordinance.

Julia Miller stated to make it clear to the residents the only reason the signs are staying up is because of the wording in the ordinance but that they are violating the ordinance.

**3. Approval of an Ordinance pertaining to the Local CURE Program**

This Ordinance is a draft Ordinance from IML that is required in order to be eligible for the Local CURE Program.

A motion was made by Marty Clinch to approve Ordinance #826 an Ordinance pertaining to the Local CURE Program. The motion was seconded by Dick Hartman. **Motion passed #2.**

The board asked about timing of reimbursement and the delivery of the air purifiers. Ann Sasso will check.

**4. Approval of the purchase of Air Purifiers for the Village Buildings and other public entities**

Ann Sasso stated Fritch has provided cost estimates for air purifiers for the Village buildings, Fire Department, Germantown Hills Library, Germantown Hills School District #69, Easter Seals Building, and the MTHS. The estimated cost is approximately \$86,000 but it could vary slightly. Ann has checked with DCEO several times to confirm that air purifiers are eligible for reimbursement under the CURE Program. Ann noted she is waiting for another response back on a question but all indications are that it is an eligible expense.

A motion was made by Marty Clinch to approve the purchase of air purifiers for the Village buildings and other public entities not to exceed \$90,000. The motion was seconded by Stephanie Chaon. **Motion passed #3.**

**5. Approval of an Ordinance authorizing the putting out to bids of equipment no longer Necessary or useful to the Village of Germantown Hills**

A motion was made by Jim O'Laughlin to approve Ordinance #827 an Ordinance authorizing the putting out to bids of equipment no longer necessary or useful to the Village of Germantown Hills. The motion was seconded by Dick Hartman. **Motion passed #4.**

**6. Discussion and approval of the hiring of a Public Works Maintenance Worker**

Rich Brecklin indicated the need to hire another employee.

A motion was made by Jim O'Laughlin to approve the hiring of a Public Works Maintenance Worker. The motion was seconded by Dick Hartman. **Motion passed #5.**

**7. Adjournment-**A motion was made by Marty Clinch to adjourn the meeting at 5:52p.m. The motion was seconded by Jim O'Laughlin. **Motion passed #6.**

Ann Sasso, Village Clerk