



Meeting of the Village of Buffalo Grove
Village Board
Committee of the Whole
May 3, 2021 at 7:30 PM

Fifty Raupp Blvd
Buffalo Grove, IL 60089-2100
Phone: 847-459-2500

1. Call to Order

A. Open Meetings Act Compliance

Pursuant to Public Act 101-0640 as well as the Disaster Proclamation and Executive Orders issued by Governor Pritzker, this meeting will be held in person with capacity limited physical attendance.

Due to the COVID-19 pandemic and CDC guidelines for social distancing, physical attendance is limited to 20 persons in addition to Elected Officials and Staff. All seats are on a first-come, first-served basis. All persons physically attending the meeting will be required to don an appropriate face covering during the duration of the meeting and shall be required to undergo a body temperature scan before entering the Jeffrey S. Braiman Council Chambers. The Village of Buffalo Grove reserves the right to deny entry to any person displaying COVID-19 symptoms or a body temperature exceeding 100.4 degrees Fahrenheit. All meeting participants shall observe CDC-published guidelines for social distancing while attending the meeting.

In accordance with the Open Meetings Act, any person shall be permitted an opportunity to address public officials under the rules established and recorded in the Buffalo Grove Municipal Code. In addition, those not willing or able to physically attend can still participate by emailing their public comment to the Village Clerk at clerk@vbg.org before 4:30 pm the day of the meeting. Individuals with no access to email may leave a message at (847) 459-2506 before 4:30 pm the day of the meeting. All comments received in accordance with the foregoing will be read at the meeting. The Village President reserves the right to alter the order of the appearance of speakers to maintain decorum during the meeting.

The meeting will also be broadcast via Facebook Live however; the comments on the stream will not be monitored by village staff and will not be read into the official record.

B. Pledge of Allegiance

2. Special Business

- A. EOC Overview and Table Top Exercise (Trustee Smith) (Staff Contact: Mike Baker)**
- B. Body Camera Report (Trustee Smith) (Staff Contact: Steven Casstevens)**
- C. Discussion Regarding Building Permit Fees (Trustee Johnson) (Staff Contact: Nicole Woods)**
- D. Ethics Commission Duties (President Sussman) (Staff Contact: Chris Stilling)**

3. Questions From the Audience

Questions from the audience are limited to items that are not on the regular agenda. In accordance with Section 2.02.070 of the Municipal Code, discussion on questions from the audience will be limited to 10 minutes and should be limited to concerns or comments regarding issues that are relevant to Village business. All members of the public addressing the Village Board shall maintain proper decorum and refrain from making disrespectful remarks or comments relating to individuals. Speakers shall use every attempt to not be repetitive of points that have

been made by others. The Village Board may refer any matter of public comment to the Village Manager, Village staff or an appropriate agency for review.

4. Executive Session

5. Adjournment

The Village Board will make every effort to accommodate all items on the agenda by 10:30 p.m. The Board, does, however, reserve the right to defer consideration of matters to another meeting should the discussion run past 10:30 p.m.

The Village of Buffalo Grove, in compliance with the Americans with Disabilities Act, requests that persons with disabilities, who require certain accommodations to allow them to observe and/or participate in this meeting or have questions about the accessibility of the meeting or facilities, contact the ADA Coordinator at 459-2525 to allow the Village to make reasonable accommodations for those persons.



Information Item : EOC Overview and Table Top Exercise

Recommendation of Action

Staff recommends discussion.

The May 5th, 2021 presentation will provide a high level overview of EOC operations and detail the roles and responsibilities of the Village Trustees and Village President as part of the Executive Policy Group.

ATTACHMENTS:

- Trustee TTX-EOC Overview 050321a (DOCX)

Trustee Liaison
Smith

Staff Contact
Mike Baker, Fire

Monday, May 3, 2021	
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VILLAGE OF BUFFALO GROVE



MEMORANDUM

DATE: April 29, 2021

TO: President Beverly Sussman and Board of Trustees

FROM: Mike Baker, Fire Chief/EMA Director
Joe Wieser, EMA Coordinator

SUBJECT: Executive Policy Group and Emergency Operation Center Overview

In June of 2019, a three day functional exercise, involving all of the Northwest Central Dispatch System (NWCDS) communities and their Emergency Operations Centers (EOC) was completed. Part of the recommendations received, involved engaging the Village Trustees in a table top exercise (TTX) to familiarize the elected officials with their duties and responsibilities as part of the Executive Policy Group.

The May 5th, 2021 presentation will provide a high level overview of EOC operations and detail the roles and responsibilities of the Village Trustees and Village President as part of the Executive Policy Group. The overview will be followed by a “walk through” how the EOC and Executive Policy Group would be integrated to provide for the highest level of safety and security for the residents and businesses of Buffalo Grove.



Information Item : Body Camera Report

Recommendation of Action

Staff recommends discussion

Police Chief Steve Casstevens will present information and current recommendations concerning the use of body mounted cameras in police patrol functions.

ATTACHMENTS:

- 6494 (DOCX)

Trustee Liaison
Smith

Staff Contact
Steven Casstevens, Police

Monday, May 3, 2021	
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VILLAGE OF BUFFALO GROVE



MEMORANDUM

DATE: March 23, 2021

TO: Dane C. Bragg, Village Manager

FROM: Steven R. Casstevens, Chief of Police

SUBJECT: Police Body Cameras

The Illinois Legislature recently passed HB 3653, a "police reform Bill, which Governor Pritzker then signed into law. The Bill is over 700 pages in length. Among many topics in this law is language that requires police departments to implement a body camera program, phased in over the next several years, based on population of the municipality. The Buffalo Grove Police Department would be required to have body cameras for all sworn officers by January 1, 2025.

Several items of note in the law are:

1. This is an unfunded mandate, as there is no corresponding language that would provide state or federal funding to pay the cost of implementing this program.
2. The Illinois Law Enforcement Training and Standards Board (ILETSB) has a program to assist departments with partial funding, however, the maximum funding allowed is \$400 per camera, which would equate to a maximum of \$24,000 in funding for our department. Departments would have to apply for a grant for this funding and there is no guarantee that the funding will be available, as millions of dollars have been swept from this fund as part of the state's budget-balancing efforts over the years.
3. Early estimates to outfit our department with cameras for every officer, to include cameras, hardware, software, licenses, cloud storage, redaction capabilities, charging stations, replacement cameras after 2.5 years and again at 5 years, would be \$290,000.00. This does not include additional costs for Records personnel to respond to FOIA requests for video, which would include staff time for searching, redacting and copying. Staff time would also increase substantially for Records personnel to send video links to the prosecutor's office on all videos that resulted in an arrest, as well as many traffic stop videos.
4. The ILETSB is tasked with writing the basic guidelines for body camera use, which must be the basis for department policy. The policy must include the following:
 - a. Pre-event recording of at least 30 seconds
 - b. Capable of recording 10 hours or more
 - c. Cameras must be recording when the officer is in uniform and on a call for service, or engaged in **any** law enforcement related activity
 - d. All recording must be retained for 90 days
 - e. The officer is required to provide notice, on camera, to any person being recorded, if there is any reasonable expectation of privacy
 - f. Unless the recording is needed (flagged) for an investigation or complaint, all videos must be destroyed after 90 days
 - g. Any video flagged and retained more than 90 days, must be retained for 2 years.
 - h. Certain persons must be redacted from videos released as a result of a FOIA request
 - i. An annual report must be filed to include;

- i. Number of officers wearing body cameras
 - ii. Any technical issues during the past year
 - iii. The date, time and location of **every** recording used for prosecution of any offense, including the offense charged and date charged
5. The recording officer is prohibited from viewing or reviewing any recording prior to writing his/her police report. This will result in police report narratives that may be inaccurate, which could then result in challenges in court, questioning the officer's ability to write an accurate report, compared to the video. The manner in which the statute is currently written places the officer at risk, resulting in point #6, below. Only an officer's supervisor may review a video recording prior to an officer writing a police report.
 6. An officer commits official misconduct (a felony) if the officer fails to provide the full facts in a police report, describing any incident recorded, or, fails to comply with state law or department policy regarding the use of body cameras

The Illinois Association of Chiefs of Police is working in concert with several other organizations to clarify language in the law and to file language in a trailer bill to address many of the concerning issues. The law goes into effect on July 1, 2021.

Our department has utilized in-car cameras since 1997, and our current systems are over seven years old and will need to be replaced soon. When the department does purchase body cameras, my recommendation would be to also install new in-car cameras, from the same manufacturer, so that they are programmed to work in tandem.

While I am in favor of the use of body cameras, I am not in agreement with some of the language in the law, which I believe will be problematic once implemented.

Next Steps

Working in concert with local and regional law enforcement, we will continue to monitor progress in cleanup language of the current statute. In addition, funds will be programmed in the Capital Improvement Plan for future acquisition of body cameras and replacement squad in-car cameras. As several departments in the immediate area will be on the same implementation schedule, we will pursue opportunities for joint procurement if possible.



Information Item : Discussion Regarding Building Permit Fees

Recommendation of Action

Staff Recommends Discussion

In preparation for the implementation the Community Development Department's new enterprise resource planning (ERP) software, Community Development staff is in the midst of evaluating all of its processes as it relates to code enforcement, planning and zoning, and building permits and inspections. To achieve this goal, staff is recommending restructuring the building permit fees as the permit fee schedule has not be updated in over 10 years. Staff would like to gain the Board's feedback on the proposed permit modifications. Staff will present the final fee structure and other modifications for consideration at a later date as part of the rollout of the new ERP.

ATTACHMENTS:

- BOT Memo Permit Fees Final (DOCX)

Trustee Liaison
Johnson

Staff Contact
Nicole Woods, Community Development

Monday, May 3, 2021

VILLAGE OF BUFFALO GROVE



MEMORANDUM

DATE: April 29, 2021

TO: President Beverly Sussman and Trustees

FROM: Nicole Woods, Deputy Director of Community Development
Jessie Brown, Administrative Services Manager / Assistant Village Clerk

SUBJECT: Proposed Modifications to Permit Fees, Structure, and Processes

Background

In preparation for the implementation the Community Development Department's new enterprise resource planning (ERP) software, Community Development staff is in the midst of evaluating all of its processes as it relates to code enforcement, planning and zoning, and building permits and inspections. The goal is to have all services, processes and fees be:

- Predictable – to all homeowners, contractors, staff, and the public;
- Objective and reasonable;
- Transparent, and clear;
- Streamlined;
- Effective and efficient for the property owner, contractor, and the Village;
- Easily supported and automated by ERP systems to allow for online integration;
- Comparable to the fees of surrounding communities; and
- Aligned with the Village's cost of service and historical revenues;

To achieve this goal, staff is recommending restructuring the building permit fees as the permit fee schedule has not be updated in over 10 years.

Building permits are an integral part of the Community Development Department's operations and services. Over the past five years (2016-2020), the Village has averaged approximately 2,600 building permits per year, approximately 80% of which are for residential projects and 20% are for commercial projects. The projects have a total annual average valuation of approximately \$56 million and include new construction, remodels, and other improvements. During this five year time period, the Village generated an average of approximately \$1.14 million per year in building permit fees. The quantity of total permits, project values, and generated fees generally fluctuate from year to year and largely depend on market, economic, and other external conditions and factors.

Restructuring the building permit fees is aligned with the action steps laid out in the Village' Strategic Plan (as shown in the 2021 Budget) as well as the Economic Development Strategic Plan. These modifications will be presented at the May 3rd Committee of the Whole Meeting for

Board feedback. Over the coming months, staff will be looking to further explore, refine, and if necessary, codify these and potentially other modifications.

Restructuring Permit Fees

Staff researched over twenty municipalities and their permit fees and found that their structures varied widely. Three communities (Lombard, Palatine, and Mount Prospect) tended to have permit fee structures that were determined by a flat fee or through a simple calculation and were standardized, transparent, and recently updated. As these structures were efficient, simple, and able to be supported and automated by an ERP, staff looked at these models for guidance in creating the new structure.

Current Fee Structure

The Village's current building fee structure and pricing has been in place for over 10 years. Under this structure, staff reviews construction plans and then searches through the approximately 100 listed building permit fees in the Village Code Fee Schedule to determine which ones are applicable based upon square footage; valuation of the improvement, project type, scope (ie number of closed circuits, feeder circuits, plumbing fixtures, etc) and/or project's complexity (ie multi-trade permit vs single-trade). This complex system is challenging and problematic. It is a laborious process for even our most experienced building clerk as it can take up to 30 minutes to price a permit for a single project. Furthermore, the fee structure is not clear or transparent making it difficult for contractors, businesses, or homeowners to understand, thereby putting the responsibility on Village staff for calculation and explanation.

Proposed Fee Structure

To address these issues, staff is proposing a building permit fee restructuring. The proposed fee structure categorizes the permits into four main groups as discussed below.

Residential and Commercial – New Construction/Addition

For residential and commercial permits that are for new construction or additions, staff is recommending a fee structure that utilizes a percentage of the building valuation as determined by International Code Council (ICC)'s Building Valuation Data table and is updated twice a year. This methodology is highly advantageous as it is standardized, transparent, and streamlined. It is also a widely-used and acceptable method of fee calculation throughout the Country.

Table 1. Sample Permit Fees for Residential and Commercial Projects - New Construction/Addition

Project Type	BG Existing	BG Proposed
Average of 3 Sample Commercial Projects	\$118,500	\$117,600
Average of 3 Sample Residential Projects	\$7,305	\$7,405

Residential – Improvements to Existing Building

Residential permits for improvements to existing buildings include but are not limited to furnaces, water heaters, fences, windows, driveways, patios, roofs, decks, and sheds, as well as remodels. Currently, only a few of these permits such as furnace and water heater permits are flat fees; while the majority of them require a complicated calculation process, as discussed above. Staff is recommending that most of the straightforward permits such as roofs, sheds, decks, patios, and window replacements become simple flat fees. For more involved projects, such as residential remodeling permits, staff will be proposing a flat fee structure that is tiered based on the project's complexity.

Table 2. Sample Permit Fees for Residential Projects – Improvements to Existing Building

	BG Existing		BG Proposed		Comparable Communities
Project	Fee Calculation	Fee Average	Fee Calculation	Fee	Range
Air Conditioner	Flat Fee	\$50	Flat	\$65	\$75-\$100
Deck	\$55 + .15/sq ft (+ electric if applicable)	\$87	Flat	\$100	\$92-\$100
Fence	\$35/first 100 ft + \$5/100 ft	\$39	Flat	\$85	\$30-\$75
Furnace	Flat Fee	\$50	Flat	\$65	\$75-\$100
Patio / Sidewalk	\$55 + .15/sq ft	\$104	Flat	\$100	\$75-\$100
Roof (SF Residential)	\$50/first \$1000 + \$10/additional \$1000	140	Flat	\$85	\$75-\$92
Sewer Repair	Flat Fee	\$65	Flat	\$85	\$92-\$150
Shed	\$55 + .15/sq ft (+ electric if applicable)	\$70	Flat	\$100	\$69-\$75
Water Heater	Flat Fee	\$50	Flat	\$65	\$75-\$92
Window Replacement	\$50/first \$1000 + \$10/additional \$1000	\$119	Flat	\$85	\$75-\$100
Average of 3 Remodels	Complex	\$400-\$500	Tiered	\$200 / \$450 / \$800	\$200-\$1200

Commercial – Improvements to Existing Building

Commercial permits are intended for improvements to existing buildings and include but are not exclusive to roofs, mechanical and electrical upgrades, generators, and signs, as well as remodels and tenant buildouts. Similar to residential permits, staff is recommending that the more straight-forward permits become flat fees. This would include roof top unit replacements, generators, lawn sprinklers, temporary trailers, and signs. More complicated permits such as remodels and electrical work would be charged a fee based on the percent of the improvement's value as shown and estimated on the construction contract. Such changes would result in a fee that more accurately aligns with the scope of work while also maintaining a high degree of transparency.

Table 3. Sample Permit Fees for Commercial Projects – Improvements to Existing Building

	BG Existing		BG Proposed		Comparable Communities
Project	Fee Calculation	Fee Average	Fee Calculation	New Fee	Range
Ground & Wall signs w/electric	\$50 + .25/sqft + \$50 PR + \$50 electrical	\$164	Flat	\$200	\$75-\$200
Ground & Wall signs w/out electric	\$50 + .25/sqft + \$50 PR	\$117	Flat	\$125	\$75-\$250
Lawn Sprinkler (Non-residential)	\$4/head (\$75 minimum) + \$50 plan review + \$50 RPZ	\$525	Flat	\$500	NA
Roof Top Unit Replacement	Flat Fee (each unit)	\$100	Flat	\$125	\$98-\$145
Average of 3 Commercial Remodels	Complex	\$914	% of Valuation	\$1,033	NA

Related Modifications

In addition to these permit fee structure modifications, staff is also recommending related changes to the permit process. This includes creating the new permit types (Solar Panel, Radon Mitigation, and Sewer Repair) that are permitted under the broader permits. Establishing these new permits will greatly simplify the process and result in more accurate records of improvement counts and types.

Another recommendation is to define permit expirations based on permit and project type. Currently, the Village utilizes the ICC code's vague recommendations for expiration timeframes. In alignment with other municipalities, staff is proposing to have clear, definitive timeframes for when permits expire, which will range from 90 days to 12 months depending the permits complexity. These timeframes as well as a renewal fee schedule will be established and communicated to permit holders.

Projected Outcomes

Development-Friendly Fee Structure

The standardization, transparency and simplification of the proposed fee structures will enhance clarity and predictability for developers, contractors, homeowners, and businesses, especially as our customers will be utilizing the online platform. The public will be able to view, calculate, and understand permit costs prior to permit issuance. This is highly advantageous and appealing to developers who are looking to easily, quickly, and independently estimate project costs prior to developing more detailed plans. Contractors will appreciate the benefit of clear cost estimates when bidding on a projects. Finally, homeowners and businesses will be able to more accurately budget the true cost of their remodeling project or other improvements.

Minimum Financial Impact for Residents, Businesses and Village

A key outcome of this proposal is ensuring that all of the new permit fees (whether they result from the proposed flat, tiered, or a formulaic structure) are reasonable and result in a general minimal financial impact to property owners, developers, businesses, and residents. To achieve this goal, staff is looking to align the fees with the costs of service, comparable communities, and the Village's existing fees and revenues. Overall, most fees are aligning with costs of services, however some have been adjusted to more accurately reflect labor costs. Where available and appropriate, staff is also comparing the proposed fees against similar communities (Lombard, Palatine, and Mount Prospect) to ensure that fees are in-line with the region. In addition, staff is analyzing the proposed permit fee against existing fees to ensure that pricing does not overtly deviate.

The final point of analysis is examining how fee modifications would affect building permit fee revenues. Our current and preliminary estimates indicate that while some adjustments will result in higher fees and others will result in smaller fees, the overall net difference will be negligible. Continued monitoring and evaluation is necessary to ensure optimal outcomes for the public as well as the Village.

Enhanced Management of Fees and Fee Revenues

Finally, the recommended changes can help the Village better understand and manage its permit fees and operations. The new fee structures will allow staff to better predict and compare its revenues year-to-year as well as monitor, evaluate and modify any permit changes as needed.

Furthermore, the flat fees allow for the Village to develop annual escalators or a comparable structure to adjust for inflation.

Increased Staff Efficiency

The proposed modifications will also result in a reduced workload for staff. As noted above, pricing permits requires can require up to 30 minutes to price a permit for a single project. Moreover, complicated projects, such as remodels and new developments, can only be priced by the few staff members that have the high-level technical skills to read and interpret plan details. This can further strain these staff members who are also tending to other responsibilities, management, and tasks. The proposed structure will allow permits to be more standardized and streamlined so that it can be priced quicker and by a wider audience whether that is staff, contractors, or homeowners. Finally, new permits and clearly defined expiration dates will allow for more automated communications and less manual follow-up.

Next Steps

Staff would like to gain the Board's feedback on the proposed permit modifications. Staff will present the final fee structure and other modifications for consideration at a later date as part of the rollout of the new ERP.



Information Item : Ethics Commission Duties

Recommendation of Action

Staff recommends discussion

President Sussman requested staff to evaluate the duties of the Ethics Commission as she is interested in engaging the Commission to meet and have a more active role. The attached memo outlines the current role of the Commission per the Code and outlines options for the Village Board's consideration.

ATTACHMENTS:

- 2021-04-29 Ethics Commission Duties (DOCX)

Trustee Liaison

Sussman

Staff Contact

Chris Stilling, Community Development

Monday, May 3, 2021	
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VILLAGE OF BUFFALO GROVE



MEMORANDUM

DATE: April 29, 2021

TO: Village President & Board of Trustees

FROM: Jennifer I. Maltas, Deputy Village Manager

SUBJECT: Ethics Commission

Background

President Sussman asked staff to evaluate the duties of the Ethics Commission as she is interested in engaging the Commission to meet and have a more active role. This memo outlines the current role of the Commission per the Code and outlines options for the Village Board's consideration.

Current Code and Ethics Commission Membership

The Village's Code currently states that the Commission shall be comprised of seven members appointed by the Village President by and with the consent of the Board of Trustees. All members shall be residents of the Village and eligible to vote throughout their respective terms of office. No person shall be appointed as a member of the Commission who is related, either by blood or by marriage up to the degree of first cousin, to any elected officer of the Village.

There are currently six appointed members of the Commission. Staff could find no record of there being a Chair or Vice-Chair appointed, which is stated in the Code. Staff contacted the members and four members would like to continue to serve on the Commission. This means that unless the composition of the Commission is changed there are three vacancies on the Commission.

The Code specifies that the Commission is to act only upon complaints of violations of the State's and/or Local Ethics Act. The State Act is adopted by reference in the Code. The complaint must be referred to the Commission by the Corporate Authorities. The specific language regarding their limited duties is as follows:

- A. To recommend to the Corporate Authorities modifications to the Ethic's Commissions procedures and rules governing the performance of its duties and the exercise of its powers.
- B. Upon receipt of a referral from the Corporate Authorities, to investigate, conduct hearings and deliberations, make recommendations to the Corporate Authorities for judicial and disciplinary actions and/or fines. The Commission shall, however, act only upon the receipt of a referral from the Corporate Authorities and not upon its own prerogative.
- C. To receive information from the public pertaining to its investigations and to require additional information and documents from persons who may have violated the provisions of this Chapter.
- D. To compel the attendance of witnesses and to compel the production of books and papers pertinent to an investigation. It is the obligation of all officers and employees of the Village to cooperate with the Commission during the course of its investigations.

- E. The powers and duties of the Commission are limited to matters clearly within the purview of this Chapter.

Therefore, if the Village Board would like to expand the duties of the Commission, an amendment to the Village's Code of Ordinances would be required.

Recommendation

If the Village Board would like to expand the duties of the Ethics Commission staff recommends the following:

1. The Commission shall review the Village's local ethics rules and filing documents to determine if updates are needed and if they are consistent and/or redundant with County and State ethics laws and make recommendations to the Corporate Authorities.
2. The Commission shall regularly review and make recommendations to the Corporate Authorities on the Code of Conduct for appointed and elected officials.

Should the Village Board wish to make these changes, staff recommends marketing the changes to the community to seek and appoint additional members to the Commission prior to the Commission meeting.

Staff also recommends that the Commission review point one above as their first task and make a recommendation to the Village Board. Each year, staff, elected, and appointed officials must file both County and local ethics documents. The questions asked are very similar in nature and some are redundant. There may be ways to streamline this process while achieving the same standards of ethics expected of the Village.