

Minutes of Committee
Monday, September 28, 2009
7:00 p.m.

PUBLIC AFFAIRS AND SAFETY COMMITTEE

- 1) Bensenville Fire Protection District #1
- 2) Trap, Neuter, and Release Feral Cats
- 3) Begin Discussion: Regulation of Pawn Shops and Payday Loan Establishments
- 4) Draft Report: School Zone Speed Limit; York High School
- 5) Other Business

Members Present: Wagner, Nybo (part), Pezza

Elected Official Present: Spencer, DiCianni (part), Rose (Item #3)

City Staff Present: Neubauer, Kopp (part), Bacidore, Novak, D. Storino, Borchert (part), and Panico

Guest: Paul Erdman, Nancy Oscar, Tammy McAuley, Ted Semon, M.J. Dachteu, Diane Wells, Mimi Black

DISCUSSION AND COMMENTS:

1. Chief Kopp addressed the Committee advising of the changes in the draft report allowing for an additional six month extension if necessary to pass the referendum. During subsequent discussion those residents present reported there is considerable support in favor of having the City of Elmhurst Fire Department provide fire protection to their unincorporated area. They as well as other residents are willing to work towards a referendum that would allow them to pay their fair share. Both Mayor DiCianni and Borchert expressed the City's willingness to assist their efforts to do so but it must be accomplished within the agreed upon time frame. Subsequent to further discussion the Committee signed the report.
4. Due to Chief Kopp being needed in another Committee item #4 was taken prior to Items #2 & #3. Subsequent to a brief discussion, the Committee signed the report.
2. Mimi Black addressed the Committee providing a brief summary of the proposed partnership with the City regarding feral cats, trap neuter and return (TNR) program. This partnership would allow volunteers to trap, neuter, and return feral cats to the community. The City would allow this by entering into a Memorandum of Understanding (MOU), a sample was provided. Also, if a resident was not able to pay for the veterinarian expenses the City would pay for them. This could be accomplished by savings in what the City currently expends on trapped cats and/or by setting a capped fund. Another component of the program is community/resident education on caring for feral cats. Chief Neubauer then addressed the Committee summarizing a memo from the police department's animal control officer, and detailing a number of concerns regarding this program. The Chief advised the Committee upon review of animal control calls for service there was no data to support the conclusion Elmhurst has a feral cat problem. Also, this review showed there was a decrease in the number of cats trapped from last year. He further advised the Committee, the Police Department would not realize any savings from trapping cats as a result of this program. The same number of traps would be put out trapping an animal that would have to be managed thereby incurring an expense. Therefore he could not support the Police Department providing funds from the animal control account to subsidize this program. Subsequent to further discussion the Committee directed the City Attorney to review the sample MOU regarding liability and legal implications the City would have, and for Black to determine the total number of feral cat (TNR) incidents their volunteer group dealt with in Elmhurst in 2008. Both the City attorney Storino and Black are to report back to the Committee in two weeks.
3. Alderman Rose addressed the Committee expressing her concerns and suggestions regarding the licensing and regulation of pawn shops in Elmhurst. She stressed the importance of strict regulations for this type of business and a fee structure that would cover the additional administrative costs uniquely associated to pawn shops, particularly with regards to the Police Department's responsibilities. She further expressed concerns with the ease in which criminals can pawn stolen property and having it resold quickly and the possibility of firearms being pawned and sold. She was concerned for how this type of business would affect public safety and how they may affect the quality and character of the community. Chief Neubauer advised the Committee that he is currently gathering information from other

communities and state law regarding the licensing and regulation of pawnshops. He further gave examples of regulations that would minimize the potential of criminals pawning stolen property such as; requiring video of transactions, producing and photo copying ID's of customers, daily logs being maintained and produced upon request of Police officers and regulating the time period to resell property that is not pawned (similar to items that are pawned which is 48 hours before the item can be resold). City attorney Storino advised the Committee that he has already done some preliminary work on researching the licensing and regulation of pawn shops under state law. He further advised that a municipality can enhance regulations for pawn shops beyond what is required by state law. The discussion then focused on Pay Day loan businesses and the City's ability to enhance regulations beyond what is required. Storino advised that unlike pawn shops Pay Day loan businesses are governed by a separate act, and there is no provision for such enhancement of regulatory conditions, other than land use and zoning requirements. Subsequent to further discussion the Committee directed Storino and Neubauer to work together to research further the licensing and regulation of these types of business and report back to the Committee.

The Committee was adjourned at 8:00 p.m.
Submitted by Dominic Panico, Deputy Chief

DGP/jm