

**REGULAR MEETING OF
THE PRESIDENT AND THE BOARD OF TRUSTEES
THE VILLAGE OF WAYNE
5N430 Railroad Street
Wayne, Illinois 60184**

**Tuesday, May 16, 2023
7:30pm**

- I. Pledge of Allegiance**
- II. Call to Order - Roll Call**
- III. Public Comment - (please limit your comments to three minutes)**
The Public Comment section is intended to give the public an opportunity to present a comment or opinion to the Board of Trustees. It is not intended to be a time for questions and answers or debate on political issues. Speakers are requested to be respectful. For questions please email members of the Board directly and a Board member or staff will respond directly. Public Comment should be limited to this portion of the agenda and the public should not interrupt the Board during the remainder of the meeting. Written comments received by the Clerk will be distributed to the Board.
- IV. Depot Update – Lance Appleton**
- V. Reports of Boards, Commissions, Staff, and Action Items**
 - A. Plan Commission**
 - B. Zoning Board of Appeals**
 - C. Engineering**
 - D. Park Commission**
- VI. Consent Agenda**
 - A. Minutes April 20, 2023 – Closed Session**
 - B. Minutes May 2, 2023 – Open & Closed Session**
 - C. Minutes May 9, 2023 – Open Session**
- VII. Items Removed from Consent Agenda**
- VIII. Ordinances and Resolutions**
 - A. Ord. 23-07; Amending Title 10 (Zoning Regs) Amend Regulations on Home Occupations**
- IX. Reports of Officers and Action Items**
 - A. Clerk’s Report – Patti Engstrom**
 - B. Treasurer’s Report – Howard Levine**
 - C. President’s Report – Eileen Phipps**
 - D. Village Attorney’s Report – Mickey, Wilson, Weiler, Renzi, Lenert & Julien, P.C.**

- X. Appointments – Village Commissions and Committees – President Phipps**
- XI. Reports of Trustees and Action Items**
 - A. Public Safety – Pete Connolly**
 - B. Public Works – Mike Dimitroff**
 - C. Finance – Pete Connolly**
 - 1. Closed Session – Item C. Purchase or Lease of Real Property**
 - D. Administration – Emily Miller**
 - E. Development/Historic and Rural Preservation – Ed Hull**
 - F. Building & Zoning –Gary Figurski**
 - G. Parks – Emily Miller**
 - H. Technology – Guy Bevente**
 - 1. Approval to Purchase Webinar License - Not to Exceed \$1,000**
- XII. Closed Session**
 - A. Pending, Imminent or Probable Litigation – Open Meetings Act, 5 ILCS 120/2 (c) (11)
Open Meetings Act, 5 ILCS 120/2 (c) (1)B**
 - B. Appointment, Employment and Compensation of Village Employees–Open Meetings Act,
5 ILCS 120/2 (c)(1)**
 - C. Purchase or Lease of Real Property – Open Meetings Act, 5 ILCS 120/2 (c) (6)**
 - D. The Setting of a Price for Sale or Lease of Village Property, 5 ILCS 120/2 (c) (6)**
 - E. Security Procedures, Personnel, Equipment in Response to Threat of Potential
Danger to Employees, Staff, Public or Public Property, 5 ILCS 120/2 (c) (8)**
 - F. Discussion of Closed Minutes for Purposes of Approval or Semi-Annual Review,
5 ILCS 120/2 (c) (21)**
 - G. The Selection of a Person to Fill Public Office, 5 ILCS 120/2 (c) (3)**
- XIII. Old Business**
- XIV. New Business and Action Items**
 - A. Approve Action on Real Estate**
- XV. Adjournment**

Any Public Comments submitted in writing to the Village Clerk at clerk@villageofwayne.org prior to noon on the Thursday before the meeting will be distributed to the Board with their packets.

Note: Any person who has a disability requiring a reasonable accommodation to participate in this meeting should contact ADA Compliance Officer Mon-Thurs 8:00am–12:00pm Village of Wayne, 5N430 Railroad Street, P.O. Box 532, Wayne, IL 60184, or call (630) 584-3090. Requests for a qualified interpreter require five (5) working days' advance notice.

**VILLAGE OF WAYNE
DUPAGE AND KANE COUNTIES, ILLINOIS**

ORDINANCE NO. 23-07

**AN ORDINANCE AMENDING PROVISIONS OF TITLE 10 OF THE VILLAGE CODE
(ZONING REGULATIONS) TO AMEND THE REGULATIONS ON HOME
OCCUPATIONS**

**ADOPTED BY THE PRESIDENT AND
BOARD OF TRUSTEES OF THE
VILLAGE OF WAYNE
DUPAGE AND KANE COUNTIES, ILLINOIS**

THIS 16TH DAY OF MAY, 2023

**PUBLISHED by authority of the
President and Board of Trustees
of the Village of Wayne, DuPage
and Kane Counties, Illinois
this _____ day of May, 2023**

**VILLAGE OF WAYNE
DUPAGE AND KANE COUNTIES, ILLINOIS**

ORDINANCE NO. 23-07

**AN ORDINANCE AMENDING PROVISIONS OF TITLE 10 OF THE VILLAGE CODE
(ZONING REGULATIONS) TO AMEND THE REGULATIONS ON HOME
OCCUPATIONS**

WHEREAS, the Village of Wayne is a non-home rule municipal corporation duly organized and existing under the laws of the State of Illinois; and

WHEREAS, the Village of Wayne Code of Ordinances currently includes Title 10 (Zoning Regulations); and

WHEREAS, it is necessary and appropriate to amend said Title 10 of the Zoning Regulations from time to time; and

WHEREAS, the Village Board of Trustees has determined that it is necessary to amend the Village Code as expressly described herein to serve the wishes of residents and to protect and preserve the public health, safety, welfare, morals and property values of and in the Village, all in the best interests of it and its residents;

WHEREAS, on October 25, 2021, a public hearing was commenced, and continued from time to time until January 3, 2022, and a new public hearing was commenced on December 5, 2022 before the Village’s Planning Commission (“PC”); and,

WHEREAS, following said public hearing, at its meeting on January 9, 2023, the PC reviewed certain of the proposed amendments and recommended their adoption by the Village Board; and

WHEREAS, on January 17, 2023 the Village Board adopted Ordinance 23-1 incorporating the amendments recommended by the Village Planning Commission; and

WHEREAS, it has been determined that a portion of the recommended amendment was inadvertently omitted from Ordinance 23-1 and the Village Board of Trustees has determined that a further amendment to Title 10 (Zoning Regulations), specifically Section 10-7-1 is appropriate to include the amendment as recommended by the Village Planning Commission.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Wayne, DuPage and Kane Counties, Illinois, as follows:

SECTION ONE: AMENDMENTS

That the following section of Title 10 of the Village Code of Ordinances, being section 10-7-1 Home Occupations is hereby amended as follows (additions being underlined and deleted text ~~striketrough~~), with all other portions of the text not expressly enumerated herein remaining in full force and effect:

AMENDMENTS PERTAINING TO SECTION 10-7-1: HOME OCCUPATIONS

10-7-1: HOME OCCUPATIONS:

A home occupation shall be treated as an accessory use, incidental and secondary to the principal use of a dwelling for dwelling purposes. The operation of the home occupations shall not infringe on or impose undue hardships on neighborhood residential properties by virtue of conducting such use in a manner that causes:

1. Unwarranted vehicular traffic.
2. Unusual noise.
3. On-street or off-street other than as allowed by paragraph J of this Section.
4. Intensity of use not normally encountered by low contact home occupation.
5. Interference with neighboring property owners from being able to reasonably enjoy their own property.

Home Occupation uses shall be permitted in all Residence Zoning Districts subject to the and shall meet all of the following requirements:

- A. The home occupation shall be carried on only by the person or persons maintaining a dwelling therein, or members of the immediate family.
- B. No more than one home occupation shall be operated within a single dwelling unit.
- C. The area of the dwelling which is used for the home occupation shall not exceed twenty percent (20%) of the gross floor area of the dwelling, or five hundred (500) square feet, whichever is smaller.
- D. Except for home offices, which may be located in a detached structure, the home occupation shall be conducted entirely within the dwelling unit, and not in or from any detached or attached garage or other accessory structure. All related storage shall be enclosed in the

dwelling, and no storage of any dangerous or hazardous substances shall be permitted. There shall not be any outdoor storage of product and equipment related to the home business.

E. The home occupation shall require no structural alterations or construction features to be made to the dwelling or any accessory structure to accommodate the home occupation, and no special equipment which is not required for a single-family dwelling shall be installed or attached to the walls, floors or ceilings of the dwelling or any accessory structure for the operation of the home occupation.

F. There shall be no separate entrance for the home occupation.

G. There shall be no exterior sign or display of any kind in conjunction with the home occupation.

H. The home occupation shall not require any receipt or delivery of merchandise by other than a private passenger service, parcel service or regular letter carrier.

I. The home occupation shall not involve an on-site retail business, manufacturing business, or repair shop of any kind, or any business which includes the sale of goods which are stored and delivered to the buyer on the zoning lot, except as incidental to a service which is permitted as a home occupation.

J. The home occupation shall not result in more than three (3) vehicles parked simultaneously on the zoning lot for customers, clients or employees of the home occupation. ~~1.) more than three (3) vehicles being parked on the zoning lot in excess of those attributable to the immediate members of the family occupying the dwelling; or 2.) more than eight (8) persons entering or leaving the premises on any given day who are not members of the immediate family occupying the dwelling.~~

K. The home occupation shall not be conducted between the hours of eight o'clock (8:00) P.M. and eight o'clock (8:00) A.M. on any day.

L. The operation of the home occupation shall not produce any noise, noxious odors, vibrations, glare, fumes, or electrical interference detectable to normal sensory perception outside the dwelling structure. (Ord.01-09, 6-19-2001)

SECTION TWO: AMENDMENTS

REPEALER: All ordinances or portions thereof in conflict with this Ordinance are hereby repealed.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction; the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its approval, passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 16TH DAY OF MAY, 2023.

AYES: _____

NAYS: _____

ABSENT: _____

Eileen Phipps, President

ATTEST:

Patricia Engstrom
Village Clerk