



COMMUNITY DEVELOPMENT

MAYOR

George D. Alpagianis

ACTING

VILLAGE MANAGER

Hadley Skeffington-Vos

VILLAGE CLERK

Marlene J. Victorine

TRUSTEES

John C. Jekot

Joe LoVerde

Danette O'Donovan Matyas

Denise M. McCreery

Craig Niedermaier

Dean Strzelecki

BUILDING AND ZONING COMMITTEE MEETING MINUTES VILLAGE HALL – SECOND FLOOR CONFERENCE ROOM #218 July 15, 2021

Chairman

Denise McCreery – Trustee

Members

Charles Ostman – Community Development Director

Rich Wlodarski – Community Development Assistant Director

Tom Kanelos – Chairman Planning and Zoning

Hadley Skeffington-Vos – Acting Village Manager

Danielle Grcic – Village Attorney

Rich Mangold – Resident

Guest

Peter Alexopoulous – Sportsman's Resource Training LLC.

I. Call To Order/Roll Call

The Niles Building and Zoning Committee meeting was called to order at 8:18 AM.

Present: 8 – Chairperson McCreery, Kanelos, Ostman, Wlodarski, Skeffington-Vos, Grcic, Mangold, Bruemmer, Thake and Elizarraga.

Absent: 1 – Mayor George Alpagianis, Grcic

Guests: Peter Alexopoulous - Sportsman's Resource Training LLC.

II. Approval of Building & Zoning Committee minutes from the meeting on May 20, 2021

McCreery motioned to approve of meeting minutes for June 17, 2021. Kanelos he moved to approve the minutes with amendments. Wlodarski seconded.

AYES: 5 – Chairperson McCreery, Kanelos, Ostman, Wlodarski,
Skeffington-Vos

NAYS: 0

ABSTAIN: 0

Motion passed.

III. Old Business

A. Design Guidelines

- i. Item tabled for August 19, 2021 meeting.

IV. New Business

A. Appendix B-Definitions

- i. Ostman discussed the definition of firearms in the Village of Niles. The current definition of firearms in the Village of Niles includes the deals, exchanges and transfers of firearms. Community Development proposes to modify the definition of firearms to exclude transfer of firearms. The same definition as the Village of Skokie. Background of this amendment will omit the phrase transfer of weapons in the current Village of Niles definition of firearms. The text amendment will allow a current business with a FFL (Federal Firearm Licensing) license to be permitted to conduct firearm transfers. Ostman discussed there are multiple communities outside of Niles that are offering a FFL service.
- ii. Alexopolous, resident and business owner of Sportsman's Resource Training seeking to provide the FFL service in the Village of Niles. He stated his business, Sportsman Resource Training, provides services in education, firearm safety, firearm functions and operations. He is requesting an amendment for firearm transfer. Firearm transfer abbreviation is noted FFL (Federal Firearm Licensing) to facilitate the appropriate background check and transfer of a firearm. Alexopolous discussed the position of the FFL is to facilitate a transfer of a firearm either through individual or business sale because there are restrictions to obtaining a firearm. Firearms cannot be directly transferred to an individual. Alexopoulous stated if an individual buys or sells a firearm said person cannot directly ship the firearm to another individual. The FFL is responsible for accepting the firearm that is being transferred or sold. Through this process of transfer there are required background checks, submission of application and verification to the Illinois state police. Once the application has cleared there is a meeting with the individual and they must fill out the appropriate forms. Once forms are approved then there will be a process of transferring the firearm.
- iii. Alexopolous stated he is not interested in opening a retail store or selling firearms. His interest is to seek the FFL transfer position for clients who are looking to legally acquire a firearm. Alexopoulous also stated that Illinois is looking to mandate the requirements that would necessitate an FFL for a transfer. There are numerous FFLs operating out of their residence within the Village of Niles.
- iv. McCreery asked for clarification on the legislation Alexopoulous discussed.
- v. Alexopoulous clarifies legislation is looking to be passed in order to alter the requirements for private firearm transfers. Currently if an individual wanted to sell a firearm to another individual they are legally able to do a private transfer. The legislation that could be passed in the near future would require all transfers including businesses to individual sale and private sales (individual to individual) will require the use of an FFL in order to create a tracking process.
- vi. Skeffington-Vos asks for clarification on gifts of a firearm.
- vii. Alexopolous states that currently it is permitted to transfer a firearm as a gift.
- viii. Kanelos asks for clarification on if background checks are needed if being gifted a firearm.
- ix. Alexopoulous states the Illinois State Police suggests to go to their website. The website includes an online portal that prompts the individual to enter the FOID (Firearm Owner Identification) number of the individual to transfer the firearm. The database will offer either a denial, under review or approval code. Regardless of nonmonetary or monetary exchange of a firearm the review process does not change. This process is currently not required in Illinois.
- x. Alexopoulous states his concern is the transaction of a firearm either online or from an individual out of state should all be required to have the intervention of an FFL. Currently there are several FFLs operating from their homes. Originally Alexopoulous intended to operate as a FFL from his own residence. However, the Village of Niles does not permit business or enterprises of that type. He is now intending to operate as an FFL by seeking approval because the ATF, a governing body that oversees the application process requires the approval of the municipality in order for the governing body to approve the application.
- xi. Kanelos asked if there are any businesses in the Village of Niles that legally have an FFL.

- xii. Ostman states there is a business that was approved several years ago and perhaps has a FFL.
- xiii. Kanelos asks if the current Village of Niles codes does not allow anyone to operate a legal FFL.
- xiv. Ostman confirms that is correct.
- xv. McCreery asked if there are any restrictions with mailing a firearm through the post office
- xvi. Alexopoulos states it needs to be shipped by companies such as UPS or FEDEX. The firearms need to fulfill certain requirements such as being sealed and locked. The FFL would then accept the package on behalf of the perspective buyer. The FFL would then secure and submit the information of the perspective buyer to seek approval. Once there is approval the individual will meet with the FFL and need to obtain the license. After the process is complete the firearm can be transferred to the individual. Alexopoulos clarifies the firearm cannot be dropped off at a location and a signature is required to accept such an item.
- xvii. Wlodarski asks for clarification on if this process is currently something an individual must do in order to receive a firearm.
- xviii. Alexopoulos clarifies only in private transfer (individual to individual) that currently in Illinois there is no requirement to utilize an FFL.
- xix. Kanelos asks for clarification on the private transfer not being required to utilize an FFL even if the firearm is being sold.
- xx. Alexopoulos confirms that is correct and that is a current issue because there is no technical process. However, firearm transfers between states (i.e. individual from Iowa to an individual from Illinois) have requirements and laws that can vary in each state. He is not familiar with other state laws regarding firearms. Additionally, most private firearms sales that are sold utilize a FFL.
- xxi. Skeffington-Vos asks for clarification that the current ordinance does not allow for FFL transfers, even though the language ‘transfer’ is currently in the definition.
- xxii. Kanelos clarifies that transfer is in the definition of firearm sales and states that an individual cannot transfer.
- xxiii. Skeffington-Vos asks for clarification that the amendment for the definition of firearms would be allowing for transfers of firearm sales.
- xxiv. McCreery states not sales but transfers that would utilize an FFL.
- xxv. Kanelos states the amendment would allow the transfers in a commercial district
- xxvi. Skeffington-Vos asks if this amendment will allow transfers in residential areas
- xxvii. Ostman states this meeting is intended for opening up discussion of the current definition of firearms to omit the word transfer. Ostman clarifies that Alexopolous is seeking a form or document from Village of Niles in order to operate his business
- xxviii. Alexopolous confirms that is correct. He also states the ATF has changed their ruling and on the application you are required to submit a letter from the municipality in which you are doing business that states an FFL is allowed in your establishment and confirming you are not in violation of any laws by being granted an FFL license.
- xxix. Wlodarski asks if an individual could be exempt from this rule if they have already completed this process.
- xxx. Further discussion on Appendix B definitions will be placed on the agenda for August’s meeting.

B. Proposed text amendments Chapter 18- Fences

- i. Ostman discusses a proposal of a text amendment on Chapter 18- Fences. Currently fence variation are granted to properties located in the manufacturing district public or ‘p-district’.
- ii. Ostman states the company Peoples Gas are creating an inner connection with Northern Illinois gas. The purpose is due to potential disruption with Northern Illinois gas supply to Chicago then the inner connection would become a backup for Peoples Gas.
- iii. Ostman states that Community Development had a variation request and currently the maximum height of fences are 6 feet in the Village of Niles. There is currently a request for an 8 foot barbed wire fence for the purposes of security. There is another request on Golf Rd for CompEd that is requesting an 11 foot fence with barbed wire.
- iv. Ostman presents slide of fence that was built by Northbrook over on Skokie Blvd. Northbrook is building the 11 foot fence for security. Nicor gas is looking to build a fence as well.
- v. Ostman states there are some issues with this variation as this particular land is not zoned in manufacturing or p-districts. If there is no text amendment that does not allow a utility

to be granted an administrative relief from the standard fence guideline for this particular fence there would need to be a rezoning of the property and ask for a variation.

- vi. Ostman is proposing language used by other municipality for text amendment on fences.
- vii. Wlodarski asks if this amendment would only apply to utilities
- viii. Ostman confirms it only applies to public utilities. Ostman also states anything else in manufacturing or p-districts (i.e. police department) need to come in for fence coding including Village of Niles.
- ix. Ostman presents slide of fence on Caldwell Ave for Nicor next to Woodriver condos and a Golf course. With the adoption of the proposed language on fence guidelines this fence would be granted the variation.
- x. Ostman recommends the amendment and further discussion on fences variation in the next meeting in August.
- xi. Kanelos asks to consider people who live adjacent to businesses in order to give them the ability to have a higher fence.
- xii. Wlodarski confirms that is already established and the guideline is for up to 7 foot fences.
- xiii. McCreery asks if this will include cell towers
- xiv. Kanelos asks if there is a definition on utilities
- xv. McCreery asks to do further research on cell towers in relation to amendment
- xvi. Breummer states there is a definition on utilities that includes cable but not cell towers

V. Open Discussion and Public Comments

A. Summertime Ordinance Tents

- i. McCreery discusses tents in terms of learning from COVID-19. McCreery asks if that is something to look into about a summer time ordinance that gives more liberties for outdoor dining options
- ii. Ostman states it will be easier to do because he has proposed language in the past that can be combined with noise. He will look over previous documents for that language to possibly be used.
- iii. Kanelos states it could be marketed for Niles that could attract people from other towns
- iv. Skeffington-Vos states that ideally it would move the business to a permanent outdoor dining or patio.
- v. Wlodarski suggests there needs to be stricter guidelines on installing tents for businesses
- vi. Kanelos states there is a fee and inspection to make sure the electric is safe on installing the tent and would have no issue if the tent is temporary
- vii. McCreery might encourage the businesses to have a permanent structure. She further suggests this can be a future agenda item

B. Line for Residential Complaints

- i. McCreery states the resident would report an issue and the municipality would assist in addressing the issue
- ii. Ostman states there is an online form for residents to utilize. However, is not as accessible to file complaints.
- iii. McCreery states this item will be on next month's agenda

VI. Next Meeting August 19, 2021

VII. Adjournment

Kanelos motioned to adjourn until August 19, 2021. Ostman seconded.

AYES: 6 – Chairperson McCreery, Kanelos, Ostman, Wlodarski,
Skeffington-Vos, Mangold

NAYS: 0

ABSTAIN: 0

Motion passed.