

VILLAGE OF NORTH UTICA
801 S. Clark St., North Utica, IL 61373
Special Meeting of the Board of Trustees
February 27, 2020
www.utica-il.gov

AGENDA

- I. **7:00** p.m. - Call to Order - Special Village Board Meeting
- II. Pledge of Allegiance
- III. Roll Call
- IV. Village Attorney:
 - 1.) Summary of the Public Hearing(s) held on 12-05-19 and 02-27-20.
 - 2.) Consideration and Possible Action on an Ordinance amending the Village of North Utica Zoning Ordinance regarding the growth, manufacturing, sale and/or use of cannabis within the Corporate Limits of the Village.
 - 3.) Consideration and Possible Action on an Ordinance amending the Village of North Utica Zoning Ordinance regarding the definition and regulation of Short-Term Rentals within the Corporate Limits of the Village.
- V. Public Comment
- VI. Executive Session
 - 1.) The appointment, employment, compensation, discipline, performance or dismissal for specific employees
 - 2.) Pending Litigation
 - 3.) Purchase/Sale/Lease of Real Property
- VII. Possible Action regarding Executive Session items
 - 1.) The appointment, employment, compensation, discipline, performance or dismissal for specific employees
 - 2.) Pending Litigation
 - 3.) Purchase/Sale/Lease of Real Property
- VIII. Adjournment

Posted 02-25-20

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MINUTES

At 10:00 pm the meeting was called to Order by Village President David Stewart who then led the Pledge of Allegiance. Village Clerk Laurie Gbur recorded the meeting attendance. Present at the meeting were Trustees John Schweickert, Nate Holland, Ron Pawlak, Debbie Krizel, Mary Pawlak and Jim Schrader. Also present were Village Attorney Herb Klein, Village Engineer Kevin Heitz and Zoning Enforcement Officer Curt Spayer.

Attorney Klein provided a brief summary of the Planning Commission meeting that was held earlier in the evening. Attorney Klein stated that the item regarding potential amendments to the Village of North Utica Zoning Ordinance (Title 10 et.al.), including, but not limited to, provisions within Definitions Section (Section 10-2-1 et.al.) and in regard to consideration of whether, in what circumstances, and/or in which zoning districts, cannabis dispensary business establishments, cannabis growth and/or manufacturing businesses, and cannabis social areas may be allowed was Tabled by the Planning Commission pending further research and review of the information.

Attorney Klein then provided a brief summary of the item regarding consideration of potential amendments to the Village of North Utica Zoning Ordinance (Title 10 et.al.) including, but not limited to provisions amending the Definitions Section (Section 10-2-1 et.al.) and the Rural Residential District (Section 10-7D-1 et.al.) in regard to consideration of and under what conditions and/or circumstances, and/or in which zoning districts, short-term vacation home rentals may be allowed, and if so allowed, consideration of what regulations regarding the location, operation, taxation, and regulation of such may be required to assure such operations is safe and minimizes any potential adverse effects on the community, and consideration of any and all other matters related to the location, installation, and operation of short-term vacation rentals, to the extent such are permitted.

Providing Testimony in favor of the proposed Ordinance were as follows:

Village President Stewart; Chief of Police Damron; Mr. Mark Fill, owner of 11 units located at Grand Bear Resort; Attorney Mike Fuller, representing Sonnenschein group, Owners of Grand Bear Resort; Mr. Walter Kosch, Sonnenschein Group; and Ms. Helene Seltzer, owner of a unit at Grand Bear Resort.

Providing Testimony in opposition of the proposed Ordinance were as follows:

Attorney Heidi Nelson, representing a group of clients that own properties at Grand Bear Resort; and Mr. Tyler Tomczak, Ms. Jill Ohlendorf, Mr. Ivan Acosta and Shyama Ramaiya, owners of several units at Grand Bear Resort.

The Planning Commission made the recommendation of approval of the proposed Ordinance with an amendment 'to delete the section E to eliminate residential zoning from the Ordinance and to not allow contiguous R1 and R2 properties.'. Commercial zoning districts C1, C2 and C3 will be allowed with the approval of the Village President.

It was motioned by Trustee Holland, seconded by Trustee Krizel to accept the summary of the Planning Commission meeting; and to accept the recommendation of the Planning Commission to amend the Ordinance.

6 Yes

Motion Carried

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Trustee Schrader suggested that the Board consider including R1 and R2 zoning districts.

Trustee Krizel stated that she would like to eliminate short-term vacation rentals from being allowed in the R1 and R2 districts contiguous to commercial zoning.

Trustee R. Pawlak stated that if a property in R1 or R2 is contiguous to commercial zoning and the owner wants to operate a short-term rental, they can Petition to rezone their property.

Trustee Schrader then suggested that for public safety, the Ordinance should be amended to require two emergency contacts including name and number for the property, as well as a street address that should be displayed at the residence. Also, the Ordinance should include a requirement to meet the life safety code as required by Illinois law and / or the Utica Fire Protection District Chief or the Village of North Utica Chief of Police.

The Board agreed to the additional amendments to the Ordinance.

It was then motioned by Trustee Schrader, seconded by Trustee Holland to approve the suggested amendments to the proposed Ordinance.

It was then motioned by Trustee Schrader, seconded by Trustee Holland to approve the Ordinance, as amended, to allow and regulate short-term vacation rentals in the C1, C2 and C3 zoning districts with approval of the Village President.

Ord. 2020-01

6 Yes

Motion Carried

With no additional business, the meeting was adjourned at 10:25 pm. Motion made by Trustee Schrader, seconded by Trustee R. Pawlak.

All in Favor

Motion Carried

Respectfully submitted,

Laurie A. Gbur
Village Clerk