

VILLAGE OF NORTH UTICA

248 W. Canal St.

North Utica, IL 61373

Meeting of the Board of Trustees

August 11, 2022

www.utica-il.gov

AGENDA

- I. **7:00 p.m.** - Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Appearance Request: Hopkins & Associates presenting the Village of North Utica annual Audit for Fiscal Yr. ending 3-31-22
 - 1.) Consideration and Possible Action to Accept the Village of North Utica annual Audit for Fiscal Yr. ending 3-31-22
- V. Appearance Request: Amanda Carter, UBA President: Discussion re: Queen of Hearts Raffle in the Village
- VI. Village Attorney:
 - 1.) Summary of Public Hearing regarding the Petition of Dale Senica, Owner, d/b/a Alley Cat's. The Petitioner is seeking a Special Use under the Village of North Utica Zoning Ordinance Section 10-8B-3, to Operate a Bar with Video Gaming Devices, on property located at 142 Mill St., Utica, IL 61373. The property is Zoned C-1
 - 2.) Consideration and Possible Action on an Ordinance granting a Special Use under the Village of North Utica Zoning Ordinance Section 10-8B-3 to Operate a Bar with Video Gaming Devices on property located at 142 Mill St., Utica, IL 61373. The Property is Zoned C-1.
 - 3.) Consideration and Possible Action on an Ordinance amending the Liquor Ordinance regarding the number of Class A Liquor Licenses issued annually in the Village of North Utica
 - 4.) Consideration and Possible Action on an Ordinance amending the Video Gaming Ordinance regarding the number of Video Gaming Terminals allowed and the number of Video Gaming Licenses issued annually in the Village of North Utica.
 - 5.) Summary of Public Hearing regarding the Petition of Karen L. Starks, Owner, a/k/a "Western Cattle Company", and / or "Factory Outlet". The Petitioner is seeking a Special Use under the Village of North Utica Zoning Ordinance Section 10-8A-3 et.seq., to operate a retail business for western clothing apparel and footwear, in addition to the operation of a convenience store, including the sale of packaged liquor and limited grocery and convenience items. The Petitioner is also seeking Design Review approval, and the approval of signage and any necessary Variances. The property is generally located at 130 Mill St., Utica, IL 61373; Zoned C-1.
 - 6.) Consideration and Possible Action on an Ordinance granting a Special Use under the Village of North Utica Zoning Ordinance Section 10-8A-3 et.seq., to Operate a retail business for western clothing apparel and footwear, in addition to the operation of a convenience store, including the sale of packaged liquor and limited grocery and convenience items on property located at 130 Mill St., Utica, IL 61373. The property is Zoned C-1.
 - 7.) Consideration and Possible Action on an Ordinance granting Variances for the Design of exterior improvements and Signage for the property located at 130 Mill St., Utica, IL 61373.
- VII. Consent Agenda: Consideration and Possible Action for the Approval of a Consent Agenda including the following items:
 - 1.) Minutes: 07-12-2022; 07-28-2022
 - 2.) July 2022 Financial Stmts / Summary / Revenue Reports
 - 3.) July 2022 Prepays
 - 4.) July 2022 A/P Bills
 1. Including Wozniak Construction for repairs at the Sewer Plant in the amount of \$43,595
 - 5.) Replacement of a Culver on 11th Rd. at a cost not to exceed \$7,800
 - 6.) Construction of a Basketball Court at Burgess Park at a cost not to exceed \$8,000

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VIII. Village Clerk:

- 1.) Consideration and Possible Action re: the Annual Veterans Parade being held on 11-6-2022
 1. Approval of the Annual Veterans Parade and the Temporary Road Closure of Certain Village Streets
 2. Resolution R2022-03 for the Temporary Road Closure of IL Rt. 178
 3. Donation to Utica American Legion Post #731 toward Parade expenses \$ 6,000

IX. Donations & Advertising Requests: Consideration and Possible Action on the following requests:

- | | | |
|---------------------------------------|-------------------------|----------|
| 1.) LaSalle County Historical Society | Annual Donation Request | \$ 4,000 |
| 2.) Utica Fire Department | Annual Donation Request | \$ 750 |
| 3.) Utica Public Library | Annual Donation Request | \$ 500 |

X. Director of Village Affairs

- 1.) Update on Utica Business Association
- 2.) Update on upcoming Village Events

XI. Village Treasurer

XII. Police Department – Chief Damron

XIII. Building / Zoning Enforcement Officer

XIV. Maintenance Department: Update – Upcoming / Ongoing Projects in the Village

XV. Village Engineer:

- 1.) Update – Upcoming / Ongoing Projects in the Village
- 2.) Update – IDOT Rt. 178 & Rt. 6 Roundabout Project
- 3.) Update – 2022 MFT Road Project
- 4.) Update – Village Administrative Building Parking
- 5.) Update – Drainage Projects:
 1. Johnson St. Drainage Project
 2. Doehrr Property / Hitt St. Drainage Project
 3. East Canal St. Drainage Project

XVI. Village President:

- 1.) Consideration and Possible Action regarding a Proclamation for the 2022 National Payroll Week

XVII. Committee / Trustee Reports:

- 1.) Trustee Reports
- 2.) Updates from Committees:
 - a) Village of North Utica Governmental Affairs Committee
 - b) Village of North Utica Fire & School Liaison Committee
 - c) Village of North Utica Zoning Ordinance Review Committee

XVIII. Executive Session

- 1.) The appointment, employment, compensation, discipline, performance or dismissal for specific employees
- 2.) Pending Litigation
- 3.) Purchase/Sale/Lease of Real Property

XIX. 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

XX. Public Comment

XXI. Adjournment

POSTED: 08-09-2022

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MINUTES

At 7:07 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 Board Trustees Debbie Krizel, Mary Pawlak, Jim Schrader, John Schweickert, Nate Holland and Kylie Mattioda. Also present were Village Attorney Herb Klein, Director of Village Affairs Jamie Turczyn, Police Chief Rodney Damron, Public Works Director / Zoning Enforcement Officer Curt Spayer and Village Treasurer Jill Margis. Village Engineer Kevin Heitz was absent from the meeting.

Appearance Request: Hopkins & Associates, Kim Bird, presenting the Village of North Utica annual Audit for Fiscal Yr. ending 3-31-22.

Ms. Bird present the Annual Audit for Fiscal Yr. ending 3-31-22. She provided the Board with copies of the annual Audit which outlined the financial activity in the Villages' Funds. She provided a brief summary of the Funds and noted that revenue and expenses had increased from the previous Fiscal Year.

It was then motioned by Trustee Pawlak, seconded by Trustee Schweickert to accept the Annual Audit for Fiscal Yr. ending 3-31-22 as presented.

6 Yes

Motion Carried

Appearance Request: Amanda Carter, Utica Business Association President provided information on establishing a Queen of Hearts Raffle in the Village of North Utica. Having a Queen of Hearts Raffle in the Village would help to increase traffic in town and in our local businesses. The UBA would establish the raffle in the beginning of 2023 and the first one would be held at Jamie's Outpost. The drawings will be held during the week to help to draw people into the community on days that tend to be a bit slower for our local businesses.

Funds generated from the Queen of Hearts Raffle drawings would be used as follows:

- Half of the income generated would be returned back to the starting funds to be used for the next drawing.
- 85% of the remaining funds would be donated to Utica American Legion, LaSalle County Historical Society, Utica Fire Department, Utica Public Library and Waltham School and toward Village beautification projects and parks.
- 15% of the remaining funds would be used for printing, signage, event and advertising costs to promote Village events.

Mayor Stewart stated that the Board will review the information and discuss establishing a Queen of Hearts Raffle in the Village at the next Committee Meeting.

Village Attorney: Attorney Klein provided a brief summary regarding the Petition of Dale Senica, Owner, d/b/a Alley Cat's. The Petitioner is seeking a Special Use under the Village of North Utica Zoning Ordinance Section 10-8B-3, to Operate a Bar with Video Gaming Devices, on property located at 142 Mill St., Utica, IL 61373; the property is Zoned C-1.

Attorney Klein stated that at the Public Hearing held on July 7, 2022, the Planning Commission recommended that a Special Use be granted for the property, for the operation of a bar with video gaming devices, subject to their being an emergency door between the front of the building and the rear. The Tattoo and Piercing Parlor located in the front of the building would remain separate and a separate business address must be established for Alley Cat's and all customers must access the building from the entrance located in the alley behind the building.

The Board discussed the Petition. Trustee Schrader stated that the owner, Dale Senica, has invested in making significant improvements to the building. Trustee Krizel stated that she believes the Village should be considering businesses that are more diverse rather than adding businesses that are very similar to what we already have. She also stated that the Board should discuss and consider whether we want to continue to issue additional liquor licenses. Trustee Pawlak stated that she believes there are enough liquor licenses that have already been issued in the Village, and while she appreciates Mr. Senicas' investment in the building, she doesn't want to issue another liquor license.

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After some additional discussion among the Board, a motion was made by Trustee Schweickert to approve an Ordinance granting a Special Use for the property located at 142 Mill St., subject to a separate business address being established and an emergency door being installed between the Tattoo and Piercing Parlor and Alley Cat's. The motion was seconded by Trustee Schrader.

ORD 2022-25

4 Yes (Schrader, Schweickert, Holland, Mattioda)

2 No (Krizel, Pawlak)

Motion Carried

It was then motioned by Trustee Schweickert, seconded by Trustee Schrader to approve an Ordinance amending the Liquor Ordinance to add an additional Class A Liquor License. ORD 2022-26

4 Yes (Schrader, Schweickert, Holland, Mattioda)

2 No (Krizel, Pawlak)

Motion Carried

It was then motioned by Trustee Schrader, seconded by Trustee Schweickert to approve an Ordinance amending the Gaming Ordinance to add an additional Gaming Establishment License and six additional Terminals. ORD 2022-27

4 Yes (Schrader, Schweickert, Holland, Mattioda)

2 No (Krizel, Pawlak)

Motion Carried

Attorney Klein then provided a brief summary regarding the Petition of Ms. Karen L. Starks, Owner, a/k/a "Western Cattle Company", and / or "Factory Outlet". The Petitioner is seeking a Special Use under the Village of North Utica Zoning Ordinance Section 10-8A-3 et.seq., to operate a retail business for western clothing apparel and footwear, in addition to the operation of a convenience store, including the sale of packaged liquor and limited grocery and convenience items. The Petitioner is also seeking Design Review approval, and the approval of signage and any necessary Variances. The property is generally located at 130 Mill St., Utica, IL 61373; Zoned C-1.

Attorney Klein stated that at the Public Hearing held on July 28, 2022, the Planning Commission recommended approval of a Special Use for the property, for the operation of a retail business that would include the sale of packaged liquor and limited grocery and convenience items. The Planning Commission also approved the Design Review that was submitted regarding the improvements that would be made to the building, including a new door, display window, exterior overhead truss with posts installed on the front of the building and signage, comprised of individual letters advertising the name of the business. The Planning Commission voted 3 yes – 2 no, in favor of the Petition, to grant a Special Use for the property.

At the Public Hearing, Mr. Martens and Ms. Starks indicated that they intended to bring their dogs to work with them every day. There was discussion among the Planning Commission about having dogs on the premises when selling food items. Zoning Enforcement Officer Spayer contacted LaSalle County Health Department after the meeting to inquire about dogs being allowed on the premises when selling food items. The Health Department indicated that dogs would not be allowed on the premises if there is food being sold.

The Board asked Mr. Martens and Ms. Starks why they bring the dogs to work.

Mr. Martens stated that he breeds and raises puppies for sale to good homes and bringing them to the store helps to socialize them.

Trustee Schweickert asked Mr. Martens where dogs would be kept while they are in the store.

Mr. Martens stated that they have a large enclosed / gated counter and the dogs would be kept inside that area.

Trustee Pawlak stated that she didn't feel that it was appropriate to have dogs in the store.

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Attorney Klein reminded the Board that the Petition for a Special Use did not include a request for approval to have dogs in the building, only for the operation of a retail space that would include food items and packaged liquor.

Trustee Schrader stated that he would like to have LaSalle County Health Department determine whether the dogs would be allowed in the building along with food items

Mr. Martens stated that the food is pre-packaged so the Health Department said that it would be fine.

Trustee Pawlak stated that the dogs should not be allowed to live in the building.

Mr. Martens stated that the dogs would not live in the building, the dogs would go home at the end of each day.

Trustee Schweickert made a motion to Table the item pending a formal written decision from LaSalle County Health Department regarding the issue with dogs being allowed on the premises where food items and packaged liquor are being sold. The Board agreed and the motion was seconded by Trustee Holland. The item was Tabled until the Board Meeting being held on Thursday, September 8, 2022 at 7 pm.

6 Yes

Motion Carried

It was then motioned by Trustee Schweickert, seconded by Trustee Mattioda to approve the Consent Agenda as follows:

1. Minutes: 07-12-2022; 07-28-2022
2. July 2022 Financial Stmts / Summary / Revenue Reports
3. July 2022 Prepays
4. July 2022 A/P Bills
 - I. Including Wozniak Construction for repairs at the Sewer Plant in the amount of \$43,595
5. Replacement of a Culver on 11th Rd. at a cost not to exceed \$7,800
6. Construction of a Basketball Court at Burgess Park at a cost not to exceed \$8,000

6 Yes

Motion Carried

Village Clerk: It was motioned by Trustee Krizel, seconded by Trustee Pawlak to approve the annual Veteran's Parade being held on November 6, 2022, and the temporary road closure of certain Village Streets for the event.

6 Yes

Motion Carried

It was then motioned by Trustee Pawlak, seconded by Trustee Schweickert to approve Resolution R2022-03 for the temporary road closure of IL. Rt. 178 for the annual Veterans Parade being held on November 6, 2022.

6 Yes

Motion Carried

It was then motioned by Trustee Holland, seconded by Trustee Pawlak to approve a donation in the amount of \$6,000 to the Utica American Legion toward their expenses for the annual Veteran's Parade.

6 Yes

Motion Carried

Donations & Advertising Requests:

It was motioned by Trustee Krizel, seconded by Trustee Mattioda to approve the annual donation in the amount of \$4,000 to the LaSalle County Historical Society.

6 Yes

Motion Carried

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MINUTES

It was motioned by Trustee Pawlak, seconded by Trustee Schweickert to approve the annual donation in the amount of \$750 to the Utica Fire Department.

6 Yes

Motion Carried

It was motioned by Trustee Holland, seconded by Trustee Schweickert to approve the annual donation in the amount of \$500 to the Utica Public Library.

6 Yes

Motion Carried

Director of Village Affairs: Director Turczyn provided a brief update on the upcoming events being held in the Village.

Craft Beer Fest and Pub Crawl 8-20-2022

Corn Eating Contest 8-20-2022

Vintage Illinois Wine Fest 9-17-2022 & 9-18-2022

It was then motioned by Trustee Schrader, seconded by Trustee Krizel to approve a 'Corn Roast Event' to be held on 8-27-2022 along with the temporary road closure of Church St. from Mill St. east to the alley. The event is being organized by Bruce & Ollie's.

6 Yes

Motion Carried

Village Treasurer: NONE

Police Department: Chief Damron stated that the Utica Police Department had received a letter of thanks and recognition for the two Officers that responded to the fire at Grand Bear Resort in May 2022. Officers' Quinn and Credi responded to the incident and helped to evacuate the properties and they helped Utica Fire Department put out a second smaller fire.

Building / Zoning Enforcement Officer: NONE

Maintenance Department: Public Works Director Spayer provided a brief summary of the ongoing projects in the Village.

2022 Project List – The Maintenance Department is working on the remaining items on the project list.

Trustee Schweickert asked Spayer if the Village was working on a project on the west end of Washington St. because the area had been located by Julie. Spayer stated that the department was not currently working on a project in that area; he will look into the matter.

Village Engineer: NONE

Village President: Mayor Stewart stated that the Rt. 178 & Rt. 6 Intersection and Roundabout Project had begun moving forward again however, the Village has not received an update on the project timeline.

Mayor Stewart also stated that the Village will still be going out to bid on the 2022 MFT Road Project however, he is hopeful that costs will come down so that we can include a few additional streets in the project as we had originally planned for.

Engineer Heitz will provide an update at the next meeting including an estimate on the Johnson St. Drainage Project.

It was then motioned by Trustee Schweickert, seconded by Trustee Krizel to approve a Proclamation for National Payroll Week in 2022.

6 Yes

Motion Carried

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Committee / Trustee Reports:

Trustee Krizel asked Mayor Stewart about the plan for additional appointments and term limits for the Planning Commission. Mayor Stewart stated that currently there are seven Members serving on the Planning Commission; the Village can have up to nine Members serving therefore there are two seats available. Mayor Stewart stated that he is planning to move forward with the additional appointments, concurrent with the upcoming election cycles.

Trustee Pawlak stated that the Utica Baptist Church had striped their parking lot and at the same time, they also striped a few parking spots on Church St.

Executive Session: At 8:16 pm, it was motioned by Trustee Schrader, seconded by Trustee Pawlak to enter into Executive Session for the purpose of:

- 1) The appointment, employment, compensation, discipline, performance or dismissal for specific employees
- 2) Pending Litigation
- 3) Purchase/Sale/Lease of Real Property

All in Favor

Motion Carried

At 8:27 pm, a motion was made by Trustee Holland to reconvene the meeting. The motion was seconded by Trustee Schrader.

All in Favor

Motion Carried

Public Comment: NONE

With no additional business, the meeting was adjourned at 8:29 pm. Motioned by Trustee Schrader, seconded by Trustee Pawlak.

All in Favor

Motion Carried

Respectfully submitted,

Laurie A. Gbur

Village Clerk