

# VILLAGE OF NORTH UTICA

248 W. Canal St.  
North Utica, IL 61373

Meeting of the Village Board of Trustees  
And the Planning Commission

For a Joint Meeting

**December 15, 2022**

[www.utica-il.gov](http://www.utica-il.gov)

## AGENDA

- I. 5:00 PM - Call to Order
- II. Pledge of Allegiance
- III. Roll Call:
  - 1.) Village Board of Trustees
  - 2.) Planning Commission
- IV. Public Hearing:
  - 1.) Public Hearing held by the Planning Commission in conjunction with the Village Board of Trustees, for the purpose of considering and hearing Public Comment and Testimony as to possible amendments to the Village of North Utica Ordinances regarding Hotels and Motels, Bed and Breakfast Establishments and Vacation Rental Units. The proposed amendments to be discussed include but are not limited to the following:
    - a) Consideration of potential amendments to the Village of North Utica Hotels and Motels Ordinance (Title 3, Chapter 7, Sec. 1 et.al.), the Bed and Breakfast Establishments Ordinance (Title 3, Chapter 8, Sec. 1 et.al.), and the Vacation Rental Unit Ordinance (Title 3, Chapter 12, Sec. 1 et.al.), regarding the operation, taxation, licensing, and regulation requirements of each, the Definition Section of each, and all other matters, applications and/or incorporations as may be deemed appropriate and necessary.
    - b) 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.) in regard to under what conditions Hotels, Motels, Bed and Breakfast Establishments and/or Vacation Rentals may be allowed; and if so allowed, consideration of regulations regarding the operation, taxation, licensing, and regulation requirements of such, and all other matters, applications and incorporations, as may be deemed appropriate and necessary.

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2.) Discussion and Possible Recommendations of the Planning Commission regarding such Hearing;

- a) That in connection with the above requests and matters related thereto, the Planning Commission of the Village of North Utica may take such action, make appropriate findings, and make such recommendations as the Planning Commission of the Village of North Utica may deem appropriate for recommendation, and/or consideration thereof to the Village Board of Trustees, in the appropriate exercise of discretion of the Planning Commission, including making recommendations in connection with any modifications of said requests as the Planning Commission may deem appropriate, all of which may also be subject to and contingent upon such further covenants, terms, provisions and restrictions and the Planning Commission of the Village of North Utica may deem appropriate in the circumstances at the time of said Planning Commission Public Hearings, and/or any continuance, and/or reconvening of the same, all of which will be held pursuant to and consistent with the Law in such cases.

V. Consideration of Planning Commission Meeting Minutes: 10-27-2022

VI. Old Business / New Business

VII. Public Comment

VIII. Adjournment

POSTED 12-12-22

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## MINUTES

At 5:05 pm the Joint Meeting of the Village Board of Trustees and Planning Commission 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, Debbie Krizel, Nate Holland, Mary Pawlak, Kylie Mattioda and Jim Schrader. Also Present were Planning Commission Members Doug Gift, Warren Munson, Andy Skoog, Mark MacKay, Mike Brown and Bill Zens. Chairman Tom Guttilla and Member Dennis Hamilton were absent from the meeting. Also present for the meeting was Village Attorney Herb Klein, Village Engineer Kevin Heitz, Public Works Director / Zoning Enforcement Officer Curt Spayer, Director of Village Affairs Jamie Turczyn and Police Chief Rodney Damron.

Village President: Mayor Stewart shared with the group that Planning Commission Member Dennis Hamilton had resigned from his position. The Planning Commission and Board of Trustees thanked Mr. Hamilton for his years of dedication and service to the Village.

Mayor Stewart then stated that the meeting was being held as a Joint Meeting of the Planning Commission in conjunction with the Village Board of Trustees for the purpose of considering and hearing Public Comment and Testimony as to possible amendments to the Village of North Utica Ordinances regarding Hotels and Motels, Bed and Breakfast Establishments and Vacation Rental Units. The Village adopted a Moratorium on the issuance of Lodging Licenses in 2021. The Moratorium had been extended in 2022 and it will expire on March 9, 2023. Now that the Village has concluded the extensive review of the Sign Ordinance, Mayor Stewart would like to review the Lodging Ordinances. There are some discrepancies between the Bed & Breakfast Ordinance, Vacation Rental Ordinance and Hotel / Motel Ordinance. The discrepancies are items such as differences in insurance, fees, definitions etc. Mayor Stewart would like to review the three (3) Ordinances and make amendments to them so that they will be more uniform and consistent with each other. There will be no changes in any of the Lodging Ordinances regarding uses allowed in any Zoning areas.

Village Attorney: Attorney Klein provided a brief summary of the Public Hearing(s) being held by the Planning Commission in conjunction with the Village Board of Trustees, for the purpose of considering and hearing Public Comment and Testimony as to possible amendments to the Village of North Utica Ordinances regarding Hotels and Motels, Bed and Breakfast Establishments and Vacation Rental Units. The proposed amendments to be discussed include but are not limited to the following:

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- b) Discussion and 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.) in regard to under what conditions Hotels, Motels, Bed and Breakfast Establishments and/or Vacation Rentals may be allowed; and if so allowed, consideration of regulations regarding the operation, taxation, licensing, and regulation requirements of such, and all other matters, applications and incorporations, as may be deemed appropriate and necessary.

The Public Hearing was held for the review and discussion regarding several amendments to the Lodging Ordinances. The Ordinances were adopted separately throughout the past several years and there are some areas that require updating to make all of them more consistent with each other. Some of the areas discussed were Insurance requirements, License requirements, and definitions within the Lodging Ordinances. The Hotel and Motel Ordinance would be amended to require the License Fee to be valid for the calendar year of issuance regardless of when the License is applied for and the addition of an Insurance requirement of not less than one million dollars per occurrence for the establishment. Guesthouse and Boarding House, terms located within the Bed and Breakfast Ordinance, are no longer a relevant and therefore, the Ordinance will be amended to remove that definition as a use in the Village. Additionally, amendments to the Insurance and Licensing and Taxing requirements were also discussed. Within the Vacation Rental Ordinance, the Registration, Licensing Fee and Insurance requirements would be amended to be consistent with the other Lodging Ordinances.

Village Exhibit #1 – Legal Notice published on November 30, 2022

Village Exhibit #2 - Village of North Utica Ordinances

Exhibit A - Title 3, Chapter 7; Hotels and Motels

Exhibit B - Title 3, Chapter 8; Bed and Breakfast Establishments

Exhibit C - Title 3, Chapter 12; Vacation Rental Unit

Exhibit D - Title 10, Chapter 2; Rules and Definitions

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Several amendments to the Lodging Ordinances were discussed as follows:  
Remove the words ‘Boarding / Guest House’ from definitions and throughout Ordinance.  
Provision to require Village consent to Transfer a Bed & Breakfast License.  
Consistent Insurance requirements – not less than \$1,000,000.  
Consistent language regarding Lodging Tax, fees, penalties.  
Provision for the Village to increase the Lodging Tax.

There were no Public Comments regarding the Public Hearing(s).

At 5:36 pm the Public Hearing was closed. Motioned by Member Zens, seconded by Member Skoog.

All in Favor  
Motion carried

Following the Public Hearing(s), several amendments to the Lodging Ordinances were discussed among the group as follows:

- Remove the words ‘Boarding / Guest House’ from definitions and throughout Ordinance(s).
- Consistent Insurance requirements – not less than \$1,000,000.
- Consistent language regarding Lodging Tax, fees, penalties.
- Provision for the Village to increase the Lodging Tax.
- Provision to require Village consent to Transfer a Bed & Breakfast License.

Member Brown asked if there would be any Zoning changes to any of the Ordinances. Mayor Stewart stated that there will be no changes considered to Zoning as related to Lodging. Member Brown stated that he believes it is important to leave the residential areas alone because of the historical nature of our residential community.

Member Zens asked if a Bed & Breakfast is allowed in a Residential District.

Attorney Klein stated that a Bed & Breakfast can be permitted by being granted a Special Use in the Residential District.

Member Zens then asked if a large free-standing sign would require a Special Use in the Residential District.

Mayor Stewart stated that the business would need to abide with the Villages’ Sign Ordinance or they would need to request a Variance or Special Use to be permitted to have a larger sign.

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It was then motioned by Member Zens, seconded by Member Brown to approve the recommendations to the Lodging Ordinances as presented.

5 Yes

Motion Carried

Minutes: It was then motioned by Member Brown, seconded by Member MacKay to approve the Minutes from the October 27, 2022 Planning Commission Meeting as presented.

All in Favor

Motion Carried

Old Business / New Business: Mayor Stewart provided a brief update on several Grants.

Rebuild Downtown & Main Street Grant - The Village was awarded the Rebuild Downtown & Main Street Grant for the Mini Mill St. Shop Development. The Village should receive the formal Agreement in the 1<sup>st</sup> quarter of 2023 and then we can proceed with the final plans for the project. The goal would be to be able to have everything ready to go for either late season 2023 or for spring 2024.

ITEP Grant Application – The Village submitted an application for the ITEP Grant. This Grant would provide the funding to be able to construct a sidewalk from south of the I & M Canal along IL Rt. 178 to the Village Police Department. The approx. cost of the project is \$1,800,000.

Build IL Bond Award – The Village is currently working on a project to re-water a portion of approx. 1,500 ft. of the I & M Canal. This would consist of the area running from the foot bridge on the west side of Carey Park to the foot bridge east of the Museum. We will be working on a plan to add water into this section and if the level can be maintained, we will be able to look at extending the area further out.

2023 MFT Road Project – The Village is working on the final paperwork to begin a MFT Road Project in the Village in early 2023. Engineer Heitz is also working on several drainage projects as well as a plan for parking near the new Village Administrative Building.

Member Brown stated that the Village has been working on many things and the improvements and projects taking place throughout the community look very good.

Member Gift stated that there seems to be a lot of excitement about the Mini Mill St. Shop Development.

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Public Comment: NONE

With no additional discussion, the meeting was adjourned at 5:43 pm. Motioned by Member Skoog, seconded by Member Brown.

All in Favor

Motion Carried

Respectfully submitted,

Laurie A. Gbur  
Village Clerk