

**VILLAGE OF NORTH UTICA**  
801 S. Clark St., North Utica, IL 61373  
Regular Meeting of the Board of Trustees  
April 12, 2018  
[www.utica-il.gov](http://www.utica-il.gov)

**AGENDA**

- I. 7:00 p.m. - Call to Order Regular Village Board Meeting
- II. Pledge of Allegiance
- III. Roll Call
- IV. Attorney' Report:
  - 1.) Summary of the Petition of Ethan Tamborini seeking approval to locate a small home on property located described as lot #5 of Byczynski Subdivision, known as 511 W. Washington St., Utica, IL
  - 2.) Consideration and Possible Action on an Ordinance to grant intended relief for Petition of Ethan Tamborini including:
    - a) Determination that the proposed small home is not a mobile home as defined in the Village of North Utica Code;
    - b) Alternatively, if such is determined to constitute a mobile home:
      1. amendment of 10-7A-3 to allow as a Special Use in the R-1 District, a mobile home without the installation date or lot size restrictions currently imposed and;
      2. Granting of a Special Use to this Petitioner
    - c) A Variance from 10-7A-5 to allow a home of less than 1,000 sq. ft. in the R-1 District
    - d) Such other relief as necessary to allow the location of a Small Home on said lot #5 of Byczynski Subdivision, known as 511 W. Washington St., Utica, IL
  - 3.) Consideration and Possible Action to Approve an Intergovernmental Agreement between the Village of North Utica and Utica Fire Protection District regarding the Maintenance of a Traffic Light Pre-emptive Device
  - 4.) Consideration and Possible Action regarding Amending the Liquor Ordinance re: Defining a Class G License
- V. Appearance Requests:
  - 1.) Mr. Keith Arwood re: Construction of a new building to relocate Stonehead Leather to a new location at 703 Clark St.
  - 2.) Mr. Dale Senica re: Class A Liquor License for a Business to be located at 142 Mill St.
  - 3.) Mrs. Christie Donahue re: Future plans for property located at 229 Clark St.
- VI. Consent Agenda: Consideration and Possible Action for the Approval of a Consent Agenda including the following items:
  - 1.) Minutes: 03-08-18; 03-22-18
  - 2.) MARCH 2018 Financial Stmt. / Summary / Revenue Reports
  - 3.) MARCH 2018 Prepaids
  - 4.) MARCH 2018 A/P Bills
- VII. Village Clerk: Consideration and Possible Action to Forgive the Repayment of Funds from the Park and Recreation Fund back to the General Fund for Fiscal Yr. 2018
- VIII. Village Treasurer: Consideration and Possible Action to approve the purchase of Military Banners not to exceed \$2,500
- IX. Finance Liaison: Consideration and Possible Action on an Ordinance authorizing the Village President to enter into an Agreement to Secure Additional Funds from LaSalle State Bank to be used to fund certain projects in the Village.
- X. Donations / Advertising Requests:

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- 1.) Waltham PTCC Annual Pancake Breakfast \$300
  - 2.) Horizon House Road to Independence Campaign \$50
  - 3.) Special Olympics \$150
  - 4.) Kids Fishing Expo \$50
  - 5.) Central States Regional Tournament \$75
- XI. Governmental Affairs Liaison:
- 1.) General updates on UBA
- XII. Park & Recreation Liaison:
- 1.) Consideration and Possible Action to approve payment to the Utica Little League for the purchase of Field Dry Mix not to exceed \$1,500
- XIII. Streets, Lights & Alleys Liaison
- XIV. Police Department Liaison
- XV. Water / Sewer Liaison
- XVI. Building / Zoning Enforcement Officer
- XVII. Maintenance Department/ Public Works Director
- 1.) Update - Ongoing projects in the Village
- XVIII. Village Engineer
- 1.) Update – Ongoing projects in the Village
  - 2.) Update – Estimates for the John St. / Hitt St. Project
- XIX. Village President
- XX. Committees / Trustees
- 1.) Committee Assignment updates
    - a. Pork Fest
    - b. Emergency Plan Update
  - 2.) Trustee Reports
- XXI. Public Comment
- XXII. Executive Session
- 1.) The appointment, employment, compensation, discipline, performance or dismissal for specific employees
  - 2.) Pending Litigation
  - 3.) Purchase/Sale/Lease of Real Property
- XXIII. 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
- XXIV. Adjournment

Posted 04-10-18

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At 7:31 pm, the meeting was called to Order by Village President David Stewart who then led the Pledge of Allegiance. Present at the meeting was Village Clerk Laurie Gbur and Trustees Debbie Krizel, Mary Pawlak, Jim Schrader, John Schweickert, Joe Bernardoni and Ron Pawlak. Also Present was Village Attorney Herb Klein and Village Engineer Kevin Heitz.

Attorney's Report: Attorney Klein provided a brief summary of the Public Hearing held before the Planning Commission earlier in the evening for the Petition of Ethan Tamborini seeking approval to locate a small home on property located described as lot #5 of Byczynski Subdivision, known as 511 W. Washington St., Utica, IL.

Village Exhibit # 1: Notice of the Petition as published in the News Tribune.

Petitioners' Exhibit # 1: Special Use Permit Application

Petitioners' Exhibit # 2: Zoning Variance Application

Petitioners' Exhibit # 3: Mr. Tamborini provided 3 printed pictures of the tiny home; two of the exterior and one of the interior.

Mr. Tamborini requested the approval to be able to move his tiny home (mobile home) onto the vacant lot so that he could be near family. The home is comprised of two mobile units: one unit is 10' X 26' and is used as the main house and the other unit is 8 ½' X 14' and is used as the bath house. Each unit has a metal roof and fold down decks. The interior of each unit is comprised of materials consisting of redwood, natural stone and the main home has a kitchen with full sized appliances. Mr. Tamborini stated that the cost to construct the tiny home units was approx. \$120,000. He stated that he would use a generator and solar panels for power; he would use his mom's driveway to access his lot; he would remove the wheels and place the home on a concrete slab and 'skirt' the structure.

There were several people that attended the Public Hearing that spoke in opposition of the Petition, as well as a few that spoke in favor of the Petition.

The Planning Commission, by a 5 – 0 vote, made the recommendation to deny the Petition for the following reasons:

1. The 'tiny home' is in fact a mobile home and would be better suited on a lot in a trailer court.
2. The Petitioner would be using generator for power and they thought that the noise and decibels from a generator would be disruptive of the neighborhood.
3. They thought that the size of the home was much too small than what is currently allowed which is 1,000 sq. ft. in the R-1 District and separately, 1,600 sq ft. as required by the subdivision covenants.

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Trustee Schrader stated that he does not think that a tiny home mobile unit should be allowed on a vacant lot in the R-1 District.

Trustee R. Pawlak agreed and stated that this type of home needs to be in a trailer court.

Trustee Krizel stated that people were very concerned that a tiny home would adversely affect their property values. The Board agreed that this was a possibility.

It was then motioned by Trustee Schrader, seconded by Trustee Schweickert to accept the recommendation of the Planning Commission to deny the Petition.

6 Yes

Motion Carried

It was then motioned by Trustee Schweickert, seconded by Trustee Schrader to approve an Intergovernmental Agreement between the Village of North Utica and Utica Fire Protection District for the maintenance on the traffic light pre-emptive device sensor located at the intersection of Rt. 6 & Rt. 178. Ord 2018-13

6 Yes

Motion Carried

It was then motioned by Trustee Schrader, seconded by Trustee M. Pawlak to approve an amendment to the Liquor Ordinance regarding the Class G Liquor License and the language to remove the 4 oz. limit for tastings of beer, and adding the language that no draft beer shall be allowed. ORD 2018-14

6 Yes

Motion Carried

**Appearance Requests:**

- 1.) Mr. Keith Arwood, Stoneheads Leather Shop: Mr. Arwood explained his plan for the construction of a new building to relocate Stonehead Leather to a new location at 703 Clark St. He stated that due to the potential for flooding he is planning to relocate his business and just rent out the current building. Trustee Schrader asked if this construction would impact other properties and the flooding or drainage in the area. Attorney Klein stated that Mr. Arwood would have to complete a site plan and submit for review by the Planning Commission. If any Variances will be necessary for the construction, there will have to be a Public Hearing. Mr. Arwood will submit his plan to Zoning Enforcement Officer, Curt Spayer, in the next week or two.
- 2.) Mr. Dale Senica: Mr. Senica explained that he would like to apply for a Class A Liquor License for a business that he would like to open on his property located at 142 Mill St. He stated that there have been several small businesses that have been located in the building, however they haven't been successful, so he would like to open a small bar at the location. Mayor Stewart stated that the property is located in the C-1 District therefore a Special Use would be needed to open a bar and to obtain a Liquor License. He also reminded everyone that there was a previous Hearing for the Petition of Kelly Waters who was requesting to open a gaming parlor and that request was denied. Mr. Senica stated that he feels that a bar would be a business that would be supported year-round rather than just seasonally.

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Mr. Senica asked if there are any Class A Liquor Licenses available. Mayor Stewart stated that there are currently two available licenses. Attorney Klein then reminded everyone that an Ordinance approving a Special Use would be required to open a bar because the property is located in the C-1 District. Trustee Schweickert asked Mr. Senica if he planned to utilize the entire building or just the small front portion where the former Sweet Bar was located. Mr. Senica stated that he would plan to start small and see how the business goes before making that decision. Trustee Schweickert then stated that the Planning Commission would want to see a layout of the building as well as a plan for the business hours, signage etc. Trustee Krizel then stated that she was disappointed that bars and alcohol seem to be what the Village gravitates toward for our businesses. She addressed Mr. Senica and stated that he comes from a very well-respected family in the community, but she feels that the Village Board needs to follow the Comprehensive Plan and look for more retail and diversity in the business community. Mr. Senica stated that several businesses have been located in the building but they just weren't able to survive during the slow times and the winter, whereas a bar would be more successful throughout the entire year.

- 3.) Mrs. Christy Donahue: Mrs. Donahue stated that she and her husband are purchasing property located at 229 Clark St. They would like to consider two businesses on the property. The first business, located in the home, would be an 'AirBnb' for the rental of overnight lodging. The second business would be a specialty shop, located in the garage which would be completely renovated. The property is currently zoned commercial however, it is located within a residential neighborhood. Mrs. Donahue provided a sketch of the proposed specialty shop which would carry Rocks, Minerals and Gemstones. She stated that they have been working with the materials for over 26 years and are excited about the possibility of opening a retail shop. Attorney Klein stated that the Specialty Shop would be allowed in the C-2 District however, the lodging business located in the home on the property would require a Petition for a Special Use. Mrs. Donahue stated that she will complete and submit the application for a Special Use once they close on the property in a couple of weeks.

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

- 1.) Minutes: 03-08-18; 03-22-18
- 2.) MARCH 2018 Financial Stmts. / Summary / Revenue Reports
- 3.) MARCH 2018 Prepaids
- 4.) MARCH 2018 A/P Bills

6 Yes

Motion Carried

Village Clerk: It was motioned by Trustee Krizel, seconded by Trustee M. Pawlak to forgive the repayment of funds from the Park & Recreation Fund back to the General Fund for Fiscal Yr. 2018.

6 Yes

Motion Carried

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Village Treasurer: It was motioned by Trustee Schrader, seconded by Trustee Krizel to approve the purchase of Military Banners not to exceed \$2,500.

6 Yes

Motion Carried

Finance Liaison: It was motioned by Trustee Bernardoni, seconded by Trustee Schweickert to approve an Ordinance authorizing the Village President to enter into an Agreement to Secure Additional Funds from LaSalle State Bank to be used to fund certain projects in the Village. ORD 2018-15

6 Yes

Motion Carried

Donations / Advertising Requests: It was motioned by Trustee Schweickert, seconded by Trustee Krizel to approve the donation requests as follows:

- 1.) Waltham PTCC Annual Pancake Breakfast \$300
- 2.) Horizon House Road to Independence Campaign \$50
- 3.) Special Olympics \$150
- 4.) Kids Fishing Expo \$50
- 5.) Central States Regional Tournament \$75

6 Yes

Motion Carried

Governmental Affairs Liaison: NONE

Park & Recreation Liaison: It was motioned by Trustee M. Pawlak, seconded by Trustee Schweickert to approve the reimbursement to Utica Little League for the purchase of Field Dry Mix not to exceed \$1,500.

6 Yes

Motion Carried

Streets, Lights & Alleys: NONE

Police Department Liaison: NONE

Building / Zoning Enforcement: NONE

Maintenance Department: NONE

Engineer's Report: Engineer Heitz provided an update on the ongoing projects in the Village.

Northern White Sand – There will be permit applications coming in soon for the pre-approved projects to construct a thickener to add to their dry process and to construct a shell around the wet process plant.

Ridgeview Subdivision Phase 4– watermains are in, storm sewer in in and roads will be going in within the next week or two. Burgess also has a few lots sold already so the Village will be receiving building permit applications for those.

Johns St. / Hitt St. – Heitz is still reviewing data to put together a cost estimate for the project.

President's Report: Mayor Stewart stated that Casey's will be opening on 4-19-18 and they will be having a ribbon cutting / Grand Opening on 5-11-18.

He then stated that the Mill St. Canopy Lighting would be installed during the second or third week of May.

Mayor Stewart also stated that the recent Ad placed in the Tri-County Magazine really looks nice; they did a great job!

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Committee / Trustee Reports:

Trustee M. Pawlak – Pork Fest Committee met and the tickets will be ready to go pretty soon. There will be a draw down and raffles. The bands for the weekend have been hired. The next meeting will be held on 4-19-18 at 3:30 pm.

Public Comment: Mr. Dale Senica, Washington St., asked about the area between the sidewalk and the road. Grass won't grow in that area.

Curt stated that later in the season he could hot patch the area.

Mrs. Linda Moyer-Halm, 2853<sup>rd</sup> Rd., asked if there have been any discussions on moving forward with cleaning and restoring the Canal.

Mayor Stewart stated that the Village has made several attempts to gain approval to dredge the canal, however it has always been denied. The Village has been unable to be granted a dredging permit. The funds that the Village will receive as a profit from the Pork Fest will be allocated to be used for the project to restore the Canal. Mayor Stewart noted that this is a lengthy project and currently the Village does not have a timeframe.

Executive Session: NONE

With no additional discussion, the meeting was adjourned at 7:40 pm. Motioned by Trustee Schweickert, seconded by Trustee R. Pawlak.

All in Favor

Motion Carried

Respectfully submitted,

Laurie A. Gbur  
Village Clerk