

VILLAGE OF NORTH UTICA
801 S. Clark St., North Utica, IL 61373
Regular Meeting of the Board of Trustees
June 14, 2017
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's Report:
 - 1.) Summary of the Planning Commission meeting held on 6-1-17 regarding the Petition of William D. Johnson and Dawn M. Johnson Owners, seeking the Approval to re-subdivide four (4) duplex lots in Ridgeview Subdivision, to make each side or half of each duplex into an individual saleable and taxable property. The tract of land affected is commonly known as follows: 703, 707, 709 & 711 Burgess Dr., Utica, IL.
 - A. Consideration and Possible Action to approve the petition to re-subdivide of four (4) duplex lots known as 703, 707, 709 & 711 Burgess Dr., in Ridgeview Subdivision Utica, IL, to make each side or half of each duplex into an individual saleable and taxable property.

 - 2.) Summary of the Planning Commission meeting held on 6-1-17 regarding the Petition of Northern White Sand, LLC, seeking a variance from the Village of North Utica Zoning Ordinance provisions regarding the height of buildings to be constructed and used by the Petitioner in its' operations. Petitioner is seeking a height variance not exceeding 90 feet. The tract of land (tract A) affected is commonly known as 1053 N. 2803rd Rd., Utica, IL.
 - A. Consideration and Possible Action to grant of a height variance to allow for construction to enclose the existing hydrosizer /wash plant to a height not exceeding 90 feet. Tract A is already zoned A -1 with Special Use Permit for Mining.

 - 3.) Summary of the Planning Commission meeting held on 6-14-17 regarding the Petition of Casey's Retail Company, as Contract Purchaser, and with the consent and support of property owners Terry H. Cross and Judith A. Cross, regarding construction of a Casey's General Store on property zoned C-3 and generally located at U.S. Route 6 and IL. Route 178 and seeking variances as follows:
 - a) To allow a proposed 4600 sf (approximately) building to be constructed, which is under the required 5000 sf minimum allowed in the C-3 zoning district; and
 - b) To allow a 26'-8" pylon sign, which is greater than the 20' maximum sign height allowed by code; and
 - c) To allow for four (4) canopy signs whereas the code allows for one (1) sign; and
 - d) To allow for eight (8) wall signs whereas the code allows for one (1) sign for each side fronting a public street, with each set of signs approximately 105 sf per façade in size; and
 - e) Such other relief as is necessary to allow the development.
 - A. Consideration and Possible Action regarding the construction of Casey's General Store and the granting of all indicated variances as necessary to allow the development.

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- 4.) Consideration and Possible Action to adopt the 2017 Prevailing Wage Ordinance
- 5.) Consideration and Possible Action regarding Amendments to the Peddlers, Solicitors, and Transient Merchants Ordinance (Vendors) including current Moratorium
- 6.) Consideration and Possible Action regarding the Dedication of a Park

- V. Appearance Request: Mike O'Malley; Illinois Valley Waste re: renewal of the Trash / Recycle Contract
- 1.) Consideration and Possible Action to enter into a new contract; effective July 1, 2017 for the renewal of a Trash / Recycle Contract between the Village of North Utica and Illinois Valley Waste

- VI. Consideration and Possible Action for the Approval of a Consent Agenda including the following items:
- 1.) Minutes: 05-10-17; 05-23-17
 - 2.) May 2017 Financial Stmts / Summary / Revenue Reports
 - 3.) May 2017 Prepays
 - 4.) May 2017 A/P Bills
 - 5.) Purchase of a Memorial Stone honoring the Marines and Submarines that passed along Utica on the Illinois River not to exceed \$500
 - 6.) LaSalle County Historical Society – Approval of the Annual Burgoo Festival being held on 10-08-17 from 6am – 6pm and a donation in the amount of \$4,000
 - 7.) Utica Garden Club – a reimbursement toward expenses not to exceed \$500 for the annual Garden Faire being held on June-10th / 11th, 2017
 - 8.) Renewal of annual PDC Water Testing Contract including Guard Dog Provision
 - 9.) Purchase of sewer cameras for the Maintenance Dept. at a cost not to exceed \$ 20,000
 - 10.) Amended Annual 2017 Payroll Schedule for Compensation of Appointed Officers
 - 11.) Purchase of a Projector for the Village Hall Meeting room not to exceed \$2,000

- VII. Finance Liaison
- 1.) Consideration and Possible Action regarding the 2017 Appropriations

- VIII. Donations & Advertising Requests
- 1.) Consideration and Possible Action of Donation and Advertising requests as follows:
 - a. 4 H Youth Development Program

IX. Village Clerk

- X. Village Treasurer
- 1.) Update on the Village Fireworks event taking place on July 2, 2017 at Carey Memorial Park

XI. Governmental Affairs Liaison

- XII. Park & Recreation Liaison
- 1.) Consideration and Possible Action re: Purchase of Equipment for Village Parks (Neighbor's)

XIII. Streets, Lights & Alleys Liaison

XIV. Police Department Liaison

XV. Water / Sewer Liaison

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- XVI. Building / Zoning Enforcement Officer
- XVII. Maintenance Department/ Public Works Director
 - 1.) Update - Ongoing projects in the Village
 - 2.) Update - Repairs on Florence Dr.
 - 3.) Update – Drainage issues on property located at 100 Wright Dr.
 - 4.) Update – Drainage issues on Johnson St.
 - 5.) Update – Lincoln St. Drainage
 - 6.) Update – Sewer Lagoon Testing
- XVIII. Village Engineer
 - 1.) Update – Ongoing projects in the Village
 - 2.) Update - Draft of a Village Action Plan for potential flooding
 - 3.) Update - IL River Bridge Project
- XIX. Village President
 - 1.) Letter of Resignation from the Village Chief of Police
 - 2.) Appointment of Village Chief of Police
 - A. Oath of Office
- XX. Public Comment
- XXI. Committee / Trustee Reports
- 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 06-12-17

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MINUTES

At 7:17 pm the regular meeting of the Village Board of Trustees was called to order by Village President David Stewart who then led the Pledge of Allegiance. Village Clerk Laurie Gbur took the meeting attendance. Present at the meeting were Trustees Debra Krizel, Mary Pawlak, Jim Schrader, John Schweickert, Joe Bernardoni and Ron Pawlak. Village Attorney Herb Klein was also present for the meeting. Village Engineer Kevin Heitz was absent.

Attorney's Report:

Attorney Klein provided a summary regarding the Petition of William D. Johnson and Dawn M. Johnson Owners, seeking the Approval to re-subdivide four (4) duplex lots in Ridgeview Subdivision, to make each side or half of each duplex into an individual saleable and taxable property. The tract of land affected is commonly known as follows: 703, 707, 709 & 711 Burgess Dr., Utica, IL.

The Planning Commission voted unanimously to recommend approval of the property being re-subdivided and there were no objectors present at the Hearing.

It was then motioned by Trustee Schweickert, seconded by Trustee Krizel to approve Ordinance 2017-09 allowing the properties located at 703, 707, 709 & 711 Burgess Dr., Utica to be re-subdivided.

6 Yes

Motion Carried

Attorney Klein then provided a summary regarding the Petition of Northern White Sand, LLC, seeking a variance from the Village of North Utica Zoning Ordinance provisions regarding the height of buildings to be constructed and used by the Petitioner in its' operations. Petitioner is seeking a height variance not exceeding 90 feet. The tract of land (tract A) affected is commonly known as 1053 N. 2803rd Rd., Utica, IL.

There were individuals present that had questions for Mr. Eugene Hodges, Northern White Sand, regarding the project. Mr. Hodges stated that the height variance would enclose the equipment and provide several benefits to area residents including a reduction in noise, lighting and sand storage due to the new slurry process being implemented. There were no objectors present at the Hearing, however statements were read by Mrs. Mary Whipple and Mr. Kelly Dempsey. After some discussion, the Planning Commission, by a vote of 4 yes and 1 no, recommended approval of the height variance based on the testimony presented.

It was then motioned by Trustee Bernardoni, seconded by Trustee R. Pawlak to approve a height variance for Northern White Sand. Ordinance 2017-10

6 Yes

Motion Carried

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Attorney Klein then provided a summary of the Petition of Casey's Retail Company, as Contract Purchaser, and with the consent and support of property owners Terry H. Cross and Judith A. Cross, regarding construction of a Casey's General Store on property zoned C-3 and generally located at U.S. Route 6 and IL. Route 178 and seeking variances as follows:

- a) To allow a proposed 4600 sf (approximately) building to be constructed, which is under the required 5000 sf minimum allowed in the C-3 zoning district; and
- b) To allow a 26'-8" pylon sign, which is greater than the 20' maximum sign height allowed by code; and
- c) To allow for four (4) canopy signs whereas the code allows for one (1) sign; and
- d) To allow for eight (8) wall signs whereas the code allows for one (1) sign for each side fronting a public street, with each set of signs approximately 105 sf per façade in size; and
- e) Such other relief as is necessary to allow the development.
 - A. Consideration and Possible Action regarding the construction of Casey's General Store and the granting of all indicated variances as necessary to allow the development.

Attorney Klein stated that Mr. Ryan Swanson, ARC Design, and Mr. Bryce Loring, Casey's Corporation, had provided a power point presentation outlining the project. It showed the layout and design of the new Casey's as well as setbacks to Rt. 6 and Rt. 178. It provided information on the size of the building, areas for the purchase of fuel, entry into the store and signage. Mr. Swanson also presented the testimony regarding the variances that are needed regarding signage, size of the building, etc. There were no objectors present at the Hearing.

Trustee Schweickert asked when the construction would be completed.

Mr. Loring stated that they hope to be open by January 1, 2018 if possible, but it does depend on permits and the construction season.

Trustee Schweickert also asked how many employees would be hired.

Mr. Loring stated that there will be 20-25 employees hired.

Trustee Schrader asked if there will be designated employee parking.

Mr. Loring answered no, however there are 3 – 4 parking spots on the west side of the building that can generally be used for employee parking.

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Trustee Schrader then asked if the east side of the building, facing Rt. 178, could be enhanced rather than it just being a brick wall.

Trustee Krizel agreed that she would also like to see something on the east side of the building and then asked why the building would be facing Rt. 6 instead of Rt. 178.

Mr. Swanson answered that this was determined by Casey's Corporation based on their marketing plans and traffic counts as well as the size of the building on the lot and the area that will be utilized for deliveries.

Trustee Schrader asked if signage could be considered on that wall? He asked about the possibility of a sign that would thank people for visiting Historic Utica.

Attorney Klein then reminded everyone that the Public Hearing was closed therefore the Board can only discuss and consider the Testimony that was provided. If the Board has additional questions, the Petition can be referred back to the Planning Commission or the Board can consider approving the items of Petition subject to additional stipulations.

It was then motioned by Trustee Bernardoni, seconded by Trustee Schrader to approve Ordinance 2017-11; Casey's General Store for the following:

- a) To allow a proposed 4600 sf (approximately) building to be constructed, which is under the required 5000 sf minimum allowed in the C-3 zoning district; and
- b) To allow a 26'-8" pylon sign, which is greater than the 20' maximum sign height allowed by code; and
- c) To allow for four (4) canopy signs whereas the code allows for one (1) sign; and
- d) To allow for eight (8) wall signs whereas the code allows for one (1) sign for each side fronting a public street, with each set of signs approximately 105 sf per façade in size;

5 Yes (M. Pawlak, Schrader, Schweickert, Bernardoni, and R. Pawlak)

1 No (Krizel)

Motion Carried

It was then motioned by Trustee Krizel, seconded by Trustee Schweickert to amend the Agenda for the purpose of moving up an appearance request by Illinois Valley Waste.

All in favor

Motion Carried

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Appearance Request: Mr. Mike O'Malley, Illinois Valley Waste regarding the renewal of the Trash / Recycle Contract. At the May Committee Meeting, the Board had been presented with information and rates to consider. The Board had some final questions for Mr. O'Malley

1. When will the 95 gallon receptacles be delivered to residents? IVWASTE – by the end of July. Each property will receive 1 95-gal Trash and 1 95-gal Recycle container.
2. How much would the containers be to replace? IVWASTE – They are \$75 each
3. Can property owners put their name / address on the containers? IVWASTE – Yes, however, its preferable that they are marked with removeable duct tape.
4. What dates are available for E-Waste recycle collection? IVWASTE - September 16, 23, or 30 2017
5. Do you also provide people to help with E-Waste recycle collection and how long does an event like this take? IVWASTE – we provide 3 people and generally they run from 8 am – noon. The city will help by checking id's and setting parameters regarding how many tv's or computers can be brought in per household, etc. The city also advertises the recycle event.

It was then motioned by Trustee Schweickert, seconded by Trustee M. Pawlak to approve Option #4 which includes (2) 95-gal containers per household, one clean-up day, one E-Waste recycle collection and regular yard waste and recycle collection annually. Ordinance 2017-12

6 Yes

Motion Carried

Attorney's Report (Continued):

It was motioned by Trustee Schweickert, seconded by Trustee Krizel to approve Ordinance 2017-13 approving the 2017 Prevailing Wage Schedule in the Village of North Utica.

6 Yes

Motion Carried

It was then motioned by Trustee Schweickert, seconded by Trustee M. Pawlak to approve Ordinance 2017-14 for the Dedication of Parks in the Village as follows:

Grove St. Community Garden
Magnuson Park

6 Yes

Motion Carried

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After some discussion regarding Amendments to the Peddlers, Solicitors, and Transient Merchants (Vendors) Ordinance including the current Moratorium, it was decided that the Moratorium would be lifted and the following guidelines would now apply to Vendor Permits in addition to the current Ordinance:

Daily Vendor Permits allowed = 3	Cost = \$25 each per day
Monthly Vendor Permits (30 Days) = 3	Cost = \$150 each per 30 days
Summer License Vendor Permits (May 1 st – Sept. 30 th)	Cost = \$500 each per summer

A Bond (Cash deposit) in the amount of \$500 to be held by the Village Clerk must also be submitted with the application. The Bond (Cash deposit) will be returned once all other items have been satisfied and no damages have occurred.)

The Chief of Police will approve parking when necessary. The Zoning Officer will approve signage. There will be no selling on streets and no impeding of traffic. There will be no licenses issued in residential areas. All items including tents, trailers and vehicles, trash and debris, and all other items necessary for the merchant shall be removed at the end of each day.

It was motioned by Trustee Schrader, seconded by Trustee Scweickert to approve Ordinance 2017-15 amending the Peddlers, Solicitors and Transient Merchants(Vendors) Ordinance.

6 Yes

Motion Carried

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

- 1.) Minutes: 05-10-17; 05-23-17
- 2.) May 2017 Financial Stmt's / Summary / Revenue Reports
- 3.) May 2017 Prepaids
- 4.) May 2017 A/P Bills
- 5.) Purchase of a Memorial Stone honoring the Marines and Submarines that passed along Utica on the Illinois River not to exceed \$500
- 6.) LaSalle County Historical Society – Approval of the Annual Burgoo Festival being held on 10-08-17 from 6am – 6pm and a donation in the amount of \$4,000
- 7.) Utica Garden Club –a reimbursement toward expenses not to exceed \$500 for the annual Garden Faire being held on June-10th / 11th, 2017
- 8.) Renewal of annual PDC Water Testing Contract including Guard Dog Provision
- 9.) Purchase of sewer cameras for the Maintenance Dept. at a cost not to exceed \$ 20,000
- 10.) Amended Annual 2017 Payroll Schedule for Compensation of Appointed Officers
- 11.) Purchase of a Projector for the Village Hall Meeting room not to exceed \$2,000

6 Yes

Motion Carried

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Finance Liaison: It was motioned by Trustee Schweickert, seconded by Trustee Schrader to approve the 2017 Appropriations Ordinance as presented. ORD 2017-16

6 Yes

Motion Carried

Donations: It was motioned by Trustee Schweickert, seconded by Trustee M. Pawlak to approve a donation to 4-H Youth Development Program in the amount of \$100.

6 Yes

Motion Carried

Village Clerk: NONE

Village Treasurer: An update was provided regarding the upcoming 2017 annual Fireworks Event. Banners will be going up prior to the 4th of July weekend and they will remain displayed until after the Veteran's Parade. Also, the Board was informed that there is a Ribbon Cutting for Makery on Mill being held on 6-15-17 at 4 pm.

Governmental Affairs Liaison: NONE

Park & Recreation Liaison: NONE

Streets, Lights & Alleys Liaison: NONE

Police Dept. Liaison: NONE

Water / Sewer Liaison: NONE

Building / Zoning Enforcement: NONE

Maintenance Department: Public Works Director Curt Spayer provided an update on the ongoing projects in the department.

Florence Dr. – the road is open however it will be paved at a later date.

Areas looked at next are as follows: Wright Dr. for a drainage issue and Johnson St. for a drainage issue and then Lincoln St. for a drainage issue.

Sewer Lagoon – The company is reviewing the samples tested and they have contacted the IEPA prior to applying for the permit to clean out the lagoon. Land application of the material is still an option.

Engineer's Report: Absent

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President's Report: Mayor Stewart announced that he had received a letter of resignation from Chief of Police, Jay Stachowiak. It was motioned by Trustee R. Pawlak, seconded by Trustee Schrader to accept the letter of resignation with regret. The entire Board thanked Chief Stachowiak for his service to the Village and wished him well in his retirement.

All in favor
Motion Carried

It was then motioned by Trustee Schweickert, seconded by Trustee R. Pawlak to consent to Mayor Stewart's appointment of Mr. Rodney Damron to the position of Chief of Police in the Village of North Utica.

All in favor
Motion Carried

**An Oath of Office was then administered by the Village Clerk.

Public Comment: NONE

Trustee Reports: NONE

Executive Session: NONE

With no additional business, at 8:28 pm it was motioned by Trustee Bernardoni, seconded by Trustee Schrader to adjourn the meeting.

All in favor
Motion Carried

Respectfully submitted,

Laurie A. Gbur
Village Clerk
Village of North Utica