

VILLAGE OF NORTH UTICA
801 S. Clark St.
North Utica, IL 61373
Special Meeting of the Board of Trustees
September 30, 2021
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 Clerk: Consideration and Possible Action regarding setting the 2021 Trick or Treating hours in the Village of North Utica

- V. Director of Village Affairs:
 - 1.) Update on Utica Business Association Meeting
 - 2.) Update on Upcoming Events in the Village

- VI. Village Treasurer

- VII. Police Department; Chief Damron

- VIII. Building / Zoning Enforcement

- IX. Maintenance Department
 - 1.) Updates- Upcoming / Ongoing projects in the Village
 - 2.) Update – Status of the 2021 Project List
 - 3.) Update – regarding the Florence Dr. Project

- X. Village Engineer:
 - 1.) Update – Upcoming / Ongoing projects in the Village
 - 2.) Update – IDOT Rt. 6 & Rt. 178 Intersection Project & Utility Relocation
 - 3.) Update -- New Village Hall Administrative Building

 - 4.) Update – regarding the 2021 MFT Road Project –
 - a.) Consideration and Possible Action to Authorize the Village Engineer to seek Bids for the 2021 Village of North Utica MFT Road Project

- XI. Village Attorney:
 - 1.) Summary of the Joint Meeting of the Board of Trustees and Planning Commission held on 9-30-2021 regarding proposed amendments to the Village of North Utica Zoning Ordinance as related to Garages and Accessory Structures in the Residential Zoning Districts
 - a.) Consideration and Possible Action on an Ordinance regarding amending the maximum square footage of garages and accessory structures, their definitions, heights, exterior finish materials, and / or setbacks, as such are allowed in the Residential Zoning Districts;

 - b.) Consideration and Possible Action on an Ordinance regarding amending the Definitions Section of Title 10, Chapter 2 regarding such.

VILLAGE OF NORTH UTICA
801 S. Clark St.
North Utica, IL 61373
Special Meeting of the Board of Trustees
September 30, 2021
www.utica-il.gov

- 2.) Summary of the Planning Commission Meeting held on 9-30-2021 regarding proposed amendments to the Village of North Utica Zoning Ordinance as related to Cannabis Growth, Sale, Manufacturing and / or products containing Cannabidiol (“CBD”) and / or Tetrahydrocannabinol (“THC”)
 - a.) Consideration and Possible Action on an Ordinance regarding potential amendments to the Village of North Utica Zoning Ordinance (Title 10 et. al.) including but not limited to, provisions within the 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, including but not being limited to, consideration of allowances as defined within provisions of the recently enacted State of Illinois Cannabis Regulation and Tax Act, and any and all other matters related in any matter to the growth, manufacturing, sale and / or use of Cannabis within the Corporate Limits of the Village of North Utica and matters related thereto;
- 3.) Consideration and Possible Action on an Ordinance regarding potential amendments to the Village of North Utica Zoning Ordinance (Title 10 et. al.) including but not limited to, provisions within the Definitions Section (Section 10-2-1 et. al.) and in regard to consideration of under what circumstances, and / or in which Zoning Districts, the sale and / or manufacturing of products containing Cannabidiol (“CBD”) and / or Tetrahydrocannabinol (“THC”) may be allowed, and any and all other matters related thereto, within the Corporate Limits of the Village of North Utica and matters related thereto.
- 4.) Consideration and Possible Action regarding Establishing a Moratorium on the issuance of licenses for hotels, motels, boarding houses, lodging houses, bed and breakfast establishments, and vacation rental units within the Village of North Utica.

XII. Village President

XIII. 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

XIV. Public Comment

XV. Executive Session

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

XVI. 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

XVII. Adjournment

POSTED: 09-28-2021

VILLAGE OF NORTH UTICA
801 S. Clark St.
North Utica, IL 61373
Special Meeting of the Board of Trustees
September 30, 2021
www.utica-il.gov

MINUTES

At 7:45 pm the Special Meeting of the Board of Trustees 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, Mary Pawlak, Debbie Krizel and Jim Schrader. Also present were Village Attorney Herb Klein, Village Engineer Kevin Heitz, Public Works Director / Zoning Enforcement Officer Curt Spayer, Director of Village Affairs Jamie Turczyn, Village Treasurer Jill Margis and Police Chief Rodney Damron. Trustee Ron Pawlak was absent from the meeting.

Village Clerk: It was motioned by Trustee Schrader, seconded by Trustee M. Pawlak to set the Trick or Treat Hours in the Village of North Utica for 5:30 pm – 7:30 pm on Sunday, October 31, 2021.

5 Yes

1 Absent (R. Pawlak)

Motion Carried

Director of Village Affairs: NONE

Village Treasurer: NONE

Police Department: Chief Damron stated that the Vintage Illinois Wine Festival was a great event and everything went well during the weekend.

Building / Zoning Enforcement: NONE

Maintenance Department: Public Works Director Curt Spayer provided an update on the ongoing projects in the Village. Florence Dr. Project – The Florence Dr. Project is approx. 45% complete. Spayer stated that they had to take a break from the project to set up for events however, now the work will continue and he is hoping to have the project finished within 3 weeks.

Village Engineer: Village Engineer Kevin Heitz provided an update on the ongoing projects in the Village.

IL Rt. 178 & Rt. 6 Intersection Roundabout Project – The utility relocation will be completed during this construction season and then the roundabout project will resume in early 2022.

New Village Hall Administrative Building – The renovations to the new building are coming along well. The flooring has been finished and the windows are being wrapped and the A/C in the Clerk's Office has been finished.

2021 MFT Road Project – The street assessment will be complete and we should be ready to go out for bids before the next meeting. It was motioned by Trustee Schweickert, seconded by Trustee M. Pawlak to authorize the Village Engineer to seek bids for the 2021 MFT Road Project.

5 Yes

1 Absent (R. Pawlak)

Motion Carried

VILLAGE OF NORTH UTICA
801 S. Clark St.
North Utica, IL 61373
Special Meeting of the Board of Trustees
September 30, 2021
www.utica-il.gov

MINUTES

Village Attorney: Attorney Klein provided a brief summary of the Joint Board of Trustees & Planning Commission Meeting that was held earlier in the evening, on 9-30-2021, regarding proposed amendments to the Village of North Utica Zoning Ordinance as related to Garages and Accessory Structures in the Residential Zoning Districts. The Planning Commission unanimously recommended to adopt a new chart for proposed garages and lot sizes; to increase the garage door height to 10 ft.; to define ‘accessory building’ in the Zoning Ordinance and to require a Special Use for all shipping containers in the Residential Zoning District. After a brief discussion, it was then motioned by Trustee Schweickert, seconded by Trustee Krizel to approve an Ordinance adopting the chart for proposed garages and lot sizes; to increase the garage door height to 10 ft.; to define ‘accessory building’ in the Zoning Ordinance and to require a Special Use for all shipping containers in the Residential Zoning District. ORD 2021-31

5 Yes

1 Absent (R. Pawlak)

Motion Carried

Attorney Klein then provided a brief summary of the Planning Commission Meeting that was held earlier in the evening, on 9-30-2021, regarding proposed amendments to the Village of North Utica Zoning Ordinance as related to Cannabis Growth, Sale, Manufacturing and / or products containing Cannabidiol (“CBD”) and / or Tetrahydrocannabinol (“THC”). Discussion was held among the Board. The Planning Commission unanimously recommended that the Village prohibit growing, selling or manufacturing Cannabis. Attorney Klein stated that the State of Illinois allows a community to prohibit the aforementioned businesses except for a medical dispensary.

Trustee Schrader stated that if the Village prohibits the growth or manufacturing or sale of cannabis completely, a developer looking to construct a business related to cannabis won’t be interested in coming to the Village. “Those developers will take their business to other communities and the jobs and the revenue from that business will go there too.”

Trustee Krizel stated that she has concerns that this type of business does not fit with the plan of what the Village is looking to attract for our community.

Trustee Schweickert stated that if a potential developer is looking at property to develop for a cannabis related business in the Village, the word ‘prohibit’ would not scare them away.

Trustee Schrader disagreed and stated that ‘prohibit’ is a strong word.

Trustee Holland stated that even though he doesn’t want a cannabis business located in the downtown, he doesn’t want to miss out on the revenue from something that could be developed in the C-3 Zoning District near I-80.

Trustee Krizel stated that we have a lot that we are starting to build on and a cannabis business doesn’t fit with that type of growth that we are looking for.

Trustee Schweickert stated that the manufacturing plant in Oglesby seems to be successful.

Mayor Stewart suggested that the Board Table to discussion until the November Board Meeting for further research and review; the Board agreed. It was then motioned by Trustee M. Pawlak, seconded by Trustee Schweickert to Table the item as related to Cannabis until the November Board Meeting.

5 Yes

1 Absent (R. Pawlak)

Motion Carried

Attorney Klein then provided a summary regarding the Planning Commission Meeting held earlier in the evening related to potential amendments to the Village of North Utica Zoning Ordinance (Title 10 et. al.) including but not limited to, provisions within the Definitions Section (Section 10-2-1 et. al.) and in regard to consideration of under what circumstances, and / or in which Zoning Districts, the sale and / or manufacturing of products containing Cannabidiol (“CBD”) and / or Tetrahydrocannabinol (“THC”) may be allowed, and any and all other matters related thereto, within the Corporate Limits of the Village of North Utica and matters related thereto.

VILLAGE OF NORTH UTICA
801 S. Clark St.
North Utica, IL 61373
Special Meeting of the Board of Trustees
September 30, 2021
www.utica-il.gov

MINUTES

Attorney Klein stated that CBD products are not regulated by the State and no State License is required. They are legal products and can contain non-regulated THC and a person needs to be 21 years old to be able to make a purchase. Chief Damron Stated that CBD products that contain non-regulated THC can be dangerous. The Planning Commission unanimously recommended to allow a CBD business in the C-3 Zoning District as a Special Use. It was motioned by Trustee Holland, seconded by Trustee Krizel to approve an Ordinance to permit CBD and non-regulated THC businesses in the C-3 Zoning District and in the I-1 Zoning District as a Special Use. ORD 2021-32

5 Yes

1 Absent (R. Pawlak)

Motion Carried

A brief discussion was then held about the Ordinance regulating Hotels, Motels, Bed & Breakfast establishments and Vacation Rentals. This section of the Village Zoning Ordinance needs to be reviewed. There are some old definitions contained in the Ordinance such as 'Lodging Houses and Boarding Houses. Mayor Stewart recommended a Moratorium on issuing any licenses for any Hotel, Motel, Bed & Breakfast or Vacation Rental through April 1, 2022 to allow for time to further review the current Ordinance. It was motioned by Trustee Schweickert, seconded by Trustee Krizel to approve an Ordinance for a Moratorium on the issuance of a license for a Hotel, Motel, Bed & Breakfast establishment and Vacation Rentals until April 1, 2022. ORD 2021-33

5 Yes

1 Absent (R. Pawlak)

Motion Carried

Village President: Mayor Stewart reminded everyone about the upcoming ribbon cutting on 10-1-2021 for October Obscurity, the new outdoor beer garden, located on Canal St.

Committee / Trustee Reports: NONE

Public Comment: NONE

Executive Session: NONE

Adjournment: It was motioned by Trustee Schrader, seconded by Trustee Krizel to adjourn the meeting at 8:15 pm.

All in Favor

Motion Carried

Respectfully submitted,

Laurie A. Gbur
Village Clerk