

**VILLAGE OF NORTH UTICA**  
**248 W. Canal St.**  
**North Utica, IL 61373**  
**Special Meeting of the Board of Trustees**  
**June 15, 2023**  
[www.utica-il.gov](http://www.utica-il.gov)

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**AGENDA**

- I. **6:00 p.m.** - Call to Order Village Board Meeting
- II. Pledge of Allegiance
- III. Roll Call
- IV. Appearance Request: Mr. Kevin Lindeman, NCICG re: Passenger Rail Updates
  - 1.) Consideration and Possible Action on a Resolution for the Commitment of additional funds for the Passenger Rail Study in the amount of \$2,500 Resolution R2023-04
- V. Appearance Request: Mr. Ken Anders, Rise Broadband re: Temporary placement of internet equipment on the Village of North Utica Water Tower located on Rt. 6
  - 1.) Consideration and Possible Action on a Request for permission to place internet equipment on the Village of North Utica Water Tower located on Rt. 6
- VI. Village Attorney:
  - 1.) Summary of the Petition of Steven and Pamela Shanley. Petitioners are seeking approval to subdivide a lot, separating the existing home located at 316 W. Church St., Utica, IL, from the northern vacant area of the lot, and to have that re-subdivided lot rezoned as C-1 (Central Business District). The Petitioners are also seeking such setback Variances as shown on the proposed Plat of Survey. The tracts of land affected are Parcel I - 215 Division St., Utica, IL, currently zoned C-1 (Central Business District); and Parcel II – the northern part of 316 W. Church St., Utica, IL, and Parcel III - the southern part of 316 W. Church St., Utica, IL, both currently zoned R-1 (Single Family Residential)
  - 2.) Consideration and Possible Action to on an Ordinance granting the subdivision of property as follows: To subdivide Parcel II – the northern part of 316 W. Church St., Utica, IL, and Parcel III - the southern part of 316 W. Church St., Utica, IL, both currently zoned R-1 (Single Family Residential);
  - 3.) Consideration and Possible Action on an Ordinance, upon the subdividing of Parcel II and Parcel III, granting the rezoning of Parcel II - the northern part of 316 W. Church St., Utica, IL, to C-1 (Central Business District), for the purpose of expanding the existing commercial business, to the west, subject to the installation of a fence and plant screening along the property line to define the commercial business property. The existing commercial business is located at Parcel I - 215 Division St. and is currently zoned C-1 (Central Business District). Parcel III - the southern part of 316 W. Church St., Utica, IL, will remain zoned R-1 (Single Family Residential);
- VII. Consent Agenda: Consideration and Possible Action for the Approval of a Consent Agenda including the following items:
  - 1.) Minutes: 05-11-2023; 05-31-2023
  - 2.) May 2023 Financial Stmtns / Summary / Revenue Reports
  - 3.) May 2023 Prepaids
  - 4.) May 2023 A/P Bills

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VIII. Village Clerk:

- 1.) Consideration and Possible Action to amend the 2023 meeting schedule for regular Board Meetings to be held month at 6 pm on the 2<sup>nd</sup> Thursday each month.

IX. Donations / Advertising Requests: Consideration and Possible Action regarding the following request:

- 1.) Dave Carey Memorial Golf Outing      7-15-23      \$ 100

X. Director of Village Affairs:

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

XI. Village Treasurer:

- 1.) Consideration and Possible Action on an Ordinance approving the 2023 Appropriations Budget

XII. Police Department – Chief Mandujano:

- 1.) Consideration and Possible Action to approve the expenditure of Donated Funds from LaSalle County, in the amount of \$23,000, toward the Purchase of new Radio Equipment and Portable Laptop Computers for the North Utica Police Department.

XIII. Building / Zoning Enforcement Officer

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

- 1.) Update – 2023 Project List
- 2.) Update - Hitt St. Drainage Project
- 3.) Consideration and Possible Action on an estimate from D & D Pavement Solutions Inc. to patch additional areas located along 2803<sup>rd</sup> Road in an amount not to exceed \$14,000
- 4.) Consideration and Possible Action on estimates to re-paint the Water Tower located on Norman St. and to clean the Water Tower located on route 6.

XV. Village Engineer: Update – Upcoming / Ongoing Projects in the Village

- 1.) Update – 2023 MFT Road Project
- 2.) Update - Johnson St. Drainage Project

XVI. Village President:

- 1.) Update - Rebuild Downtown & Main Street Grant: Mini Mill St. Shop Development
- 2.) Update - Build Illinois Bond Grant: I & M Canal Rewatering Project

XVII. Trustee Reports:

- 1.) Trustee Reports

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

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XIX. Possible Action regarding Executive Session items:

- 1.) The appointment, employment, compensation, discipline, performance or dismissal for specific employees
- 2.) Pending Litigation –
  - a) Consideration and Possible Action to authorize the Village President to enter into Settlement and Release regarding Regulation of Vacation Rentals
- 3.) Purchase/Sale/Lease of Real Property --
  - a) Consideration and Possible Action to Authorize the Village President to enter into a Contract for the Purchase of Property generally located at 224 Church St. and Clark St., Utica IL 61373

XX. Public Comment

XXI. Adjournment

**Posted: 06-12-2023**

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MINUTES

At 6:05 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 Trustees Debbie Krizel, Jim Schrader, John Schweickert, Nate Holland and Kylie Mattioda. Also present were Village Attorney Herb Klein, Village Engineer Kevin Heitz, Public Works Director / Zoning Enforcement Officer Curt Spayer, Police Chief James Mandujano, Director of Village Affairs Jamie Turczyn. Village Treasurer Jill Margis was absent from the meeting.

Appearance Request: Mr. Kevin Lindeman, NCICG re: Passenger Rail Updates  
Mr. Lindeman provided a brief update on the status of the Passenger Rail Study. A previous survey confirmed that over 90% of respondents are in support of having a Feasibility Study for the construction of Regional Passenger Rail with local stops. A Grant was received to be able to perform a Feasibility Study of the local region. The cost of the Feasibility Study has increased considerably. It is being requested that the local participating communities commit to additional funding. The Village would be considering an additional contribution in the amount of \$2,500 in funding for the project; Previously the Village had committed \$5,000 to the Study.  
Trustee Schweickert asked Mr. Lindeman the amounts that the other surrounding communities have committed in additional funds.

Mr. Lindeman stated that the additional amount has been determined based on community population. He also provided a summary of the amounts that several of the local communities would be contributing to the Study as follows: LaSalle \$4,500; Peru \$4,500; Morris \$7,500; Ottawa \$9,000.

It was motioned by Trustee Schweickert, seconded by Trustee Holland to approve a Resolution committing additional funds in the amount of \$2,500 from the Village of North Utica toward the Passenger Rail Feasibility Study. R2023-04

5 Yes

Motion Carried

Appearance Request: Mr. Ken Anders, Rise Broadband re: Temporary placement of internet equipment on the Village of North Utica Water Tower located on Rt. 6.  
Mr. Anders was not present at this time. Mayor Stewart stated that Mr. Anders would be welcome to speak to the Board if he arrives before the meeting adjourns.

Village Attorney: Attorney Klein provided a brief summary of the Petition of Steven and Pamela Shanley. Petitioners are seeking approval to subdivide a lot, separating the existing home located at 316 W. Church St., Utica, IL, from the northern vacant area of the lot, and to have that re-subdivided lot rezoned as C-1 (Central Business District). The Petitioners are also seeking such setback Variances as shown on the proposed Plat of Survey. The tracts of land affected are Parcel I - 215 Division St., Utica, IL, currently zoned C-1 (Central Business District); and Parcel II – the northern part of 316 W. Church St., Utica, IL, and Parcel III - the southern part of 316 W. Church St., Utica, IL, both currently zoned R-1 (Single Family Residential)

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MINUTES

Attorney Klein stated that the Petitioners would like to subdivide the property located at 316 W. Church St. and then rezone the northern portion of the property to C-1 in order to extend the backyard and patio area of their business, Clark Run Antiques located at 215 Division St. They would install fencing along the border of the property of Parcel III to address concerns that the neighbors had regarding children wandering onto their property. The neighbors that attended the meeting and brought their concerns to the attention of the Planning Commission were Tom Guerrero and Belinda Kawiecki. The Petitioners also planned to plant arborvitae along the eastern boundary lot line of Parcel II to further screen the property. It was also noted that Clark Run Antiques has entertainment and music on Saturday afternoons between 2 pm and 5 pm; there would not be any late night music. The outdoor space just provides another area for people to enjoy a glass of wine and relax. The Petitioners also stated that they plan to have a small play area in the backyard for children to enjoy. The Planning Commission recommended approval of subdividing the property located at 316 W. Church St. and rezoning the northern portion of that property to C-1, subject to the installation of fencing within 6” of the northern boundary lot line of parcel III and plant screening along the eastern boundary of the lot line of parcel II. They also recommended approval of a Variance providing for the rear line setback of parcel III to not less than 10 ft, and the rear line setback and side line setback of parcel II to not less than 10 ft.

Trustee Schweickert stated that Clark Run Antiques is a family business and they are addressing the neighbors’ concerns by installing fencing and trees therefore, he would be fine with the property being subdivided and rezoned commercial; Trustee Holland agreed.

After a brief discussion among the Board, it was motioned by Trustee Holland, seconded by Trustee Schweickert to subdivide the property located at 316 W. Church St.; Parcels II and III, subject to the installation of fencing along the northern boundary of the lot line of parcel III and plant screening along the eastern boundary of the lot line of parcel II. ORD 2023-12

5 Yes

Motion Carried

It was then motioned by Trustee Krizel, seconded by Trustee Holland to approve the rezoning of Parcel III of property located at 316 W. Church St., Utica, IL, from R-1 (Single Family Residential) to C-1 (Central Business District). ORD 2023-13

5 Yes

Motion Carried

It was then motioned by Trustee Schweickert, seconded by Trustee Holland to approve a Variance of the rear line setback of parcel III to not less than 10 ft, and a rear line setback and side line setback of parcel II to not less than 10 ft. ORD 2023-14

5 Yes

Motion Carried

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MINUTES

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

- 1.)Minutes: 05-11-2023; 05-31-2023
- 2.)May 2023 Financial Stmtns / Summary / Revenue Reports
- 3.)May 2023 Prepaids
- 4.)May 2023 A/P Bills

5 Yes

Motion Carried

Village Clerk: It was motioned by Trustee Schweickert, seconded by Trustee Krizel to approve an Ordinance amending the 2023 meeting schedule for regular Board Meetings to be held at 6 pm on the 2<sup>nd</sup> Thursday of each month and for Committee Meetings to be held at 6 pm on the 4<sup>th</sup> Thursday of each month . ORD 2023-15

5 Yes

Motion Carried

Donations / Advertising Requests: It was motioned by Trustee Holland, seconded by Trustee Schweickert to approve a donation in the amount of \$100 to the Dave Carey Memorial Golf Outing being held on 7-15-23.

5 Yes

Motion Carried

Director of Village Affairs: Director Turczyn provided information about the upcoming Village Wide Garage Sales being held on June 16<sup>th</sup> & 17<sup>th</sup>. Director Turczyn also reminded the group that the Starved Rock Street Cruise Car Show would be held on June 24<sup>th</sup>.

Village Treasurer: It was motioned by Trustee Schweickert, seconded by Trustee Holland to approve the 2023 Appropriations Ordinance. ORD 2023-16

5 Yes

Motion Carried

Police Department – Chief Mandujano stated that the radar units are approx. six weeks out before they will be in however, the laptops are in. The department is still waiting for the portables and for the repeater. LaSalle County is donating \$23,000 to the North Utica Police Department for the purpose of purchasing the new equipment. It was motioned by Trustee Schrader, seconded by Trustee Holland to approve the expenditure of donated funds, received from LaSalle County, in the amount of \$23,000 toward the purchase of new Radio Equipment and Portable Laptop Computers for the North Utica Police Department.

5 Yes

Motion Carried

Chief Mandujano then stated that he has not yet received an update on the arrival of the new Police Truck.

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MINUTES

Building / Zoning Enforcement Officer: NONE

Maintenance Department: Public Works Director Spayer provided a brief update on the ongoing and upcoming projects in the Maintenance Department.

Spayer stated that he would update the Board on the Project List at the next meeting as he has been focused on getting things ready for the Hitt St. Drainage Project.

2803<sup>rd</sup> Road - Spayer then provided an update on the estimate from D & D Pavement Solutions, Inc. to patch areas located along 2803<sup>rd</sup> Road. While D & D is in town, they would be able to finish patching some additional areas that have been located along 2803<sup>rd</sup> Road. The additional amount would be \$14,000 which provides for a third truck to do the patching. It was motioned by Trustee Schrader, seconded by Trustee Krizel to approve the estimate from D & D Pavement Solutions, Inc. in an amount not to exceed \$14,000 to patch additional areas along 2803<sup>rd</sup> Road.

5 Yes

Motion Carried

Water Tower(s) – The Board discussed the project to repaint and repair the Water Tower located at 600 Norman St. and to clean the Water Tower located on Rt. 6

After a brief discussion it was decided that the Village would seek additional information and estimates before moving forward with the project.

Village Engineer: Engineer Heitz provided a brief update of the ongoing projects in the Village.

2023 MFT Road Project – The MFT Road Project will tentatively begin approx. June 26th. The Maintenance Department has been doing a good job prepping the roads and we should be ready to go when Advanced is ready to start. We will coordinate with them and we can work to notify the residents before the project begins. The project should be completed within two to three weeks, subject to the weather.

Johnson St. Drainage Project – The Johnson St. Drainage Project will be finishing up.

Village President: Mayor Stewart provided a brief update on the following:

Rebuild Grant – The Village is ready to begin the Engineering Design Phase of the Project.

I & M Canal Rewatering Project – The project is moving forward. The Village has reviewed and completed the documents and they have been submitted to the Army Corp of Engineers. We should hear something within three or four months but there shouldn't be a need for any revisions to the design at this time.

Trustee Reports: NONE

Mayor Stewart stated that he will review Committee Assignments at the next meeting.



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MINUTES

Executive Session: At 6:49 pm, it was motioned by Trustee Schrader, seconded by Trustee Holland 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

5 Yes

Motion Carried

At 7:27 pm, it was motioned by Trustee Krizel, seconded by Trustee Schrader to reconvene the meeting.

All in Favor

Motion Carried

Appearance Request: Mr. Ken Anders Rise Broadband re: Temporary placement of internet equipment on the Village of North Utica Water Tower located on Rt. 6.

Mr. Anders stated that he is with Rise Broadband and the company is requesting permission to temporarily move their internet equipment to the Rt. 6 Water Tower. The equipment is currently located on the LaSalle Water Tower located near IL Rt. 178. They will be having some repainting and maintenance performed on the Tower and they have requested that the equipment be removed temporarily. Once the LaSalle Water Tower Project has been completed, the equipment will be moved back; within approx. 3 – 4 months.

Trustee Holland asked how long it would take to install the equipment on the Villages' Tower.

Mr. Anders stated that it should be completed within a day and a half.

Trustee Holland asked about insurance.

Mr. Anders stated that Rise Broadband will furnish insurance.

Mayor Stewart asked Mr. Anders if Rise Broadband is in a Contract with the City of LaSalle to have their equipment on their Water Tower.

Mr. Anders responded, "Yes."

Mayor Stewart stated that the Village would need to further review the request however, if Mr. Anders could leave his contact information the Village would get back with him.

Mr. Anders agreed and stated that they will need to start moving their equipment very soon.

It was motioned by Trustee Schrader, seconded by Trustee Holland to authorize the Village President to negotiate and enter into a Contract with Rise Broadband for the temporary installation of internet equipment on the Village of North Utica Water Tower located on Rt. 6.

5 Yes

Motion Carried



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MINUTES

It was then motioned by Trustee Schweickert, seconded by Trustee Krizel to approve a Resolution authorizing the Village President to execute a Settlement and Release Agreement and to dismiss some of the Ordinance Violations with some of the Plaintiffs that are in current litigation with the Village. R2023-05

5 Yes

Motion Carried

It was then motioned by Trustee Schweickert, seconded by Trustee Schrader to authorize the Village President to enter into a Contract for the Purchase of property generally located at 224 Church St., Utica, IL, in an amount not to exceed \$100,000; subject to terms as follows: a payment in the amount of \$50,000 on or before September 1, 2023; and final payment in the amount of \$50,000 on or before September 1, 2024.

5 Yes

Motion Carried

Public Comment: NONE

With no additional business, it was motioned by Trustee Schweickert, seconded by Trustee Krizel to adjourn the meeting at 7:39 pm.

All in Favor

Motion Carried

Respectfully submitted,

Laurie A. Gbur  
Village Clerk