

Power

**COAL CITY
VILLAGE BOARD MEETING
PUBLIC HEARING**

**WEDNESDAY
OCTOBER 23, 2019
7:00 p.m.**

**COAL CITY VILLAGE HALL
515 S. BROADWAY; COAL CITY, ILLINOIS**

AGENDA

1. Call meeting to order
2. Consideration For Establishing Special Service Area Number Three
 - i. Call Public Hearing to Order
 - ii. Swear in Testimonials
 - iii. Presentation of Project
 - iv. Public Comment
 - v. Board discussion
3. Adjourn

MEMO

TO: Mayor Halliday and the Board of Trustees

FROM: Matthew T. Fritz
Village Administrator

MEETING

DATE: October 23, 2019

RE: AMENDMENT TO SSA #3, SETTING 60 DAYS FOR FINAL ADOPTION

Back at the August 14th Regular Meeting of the Village Board, the intent to adopt Special Service Area (SSA #3) was to be sent to the affected property owner setting a public hearing at the October 23rd Meeting. That Public Hearing is to occur at 7:00pm. Once the hearing is conducted, an ordinance can be adopting establishing the SSA. However, the SSA cannot be effective until an additional objection period is cleared which begins with the public hearing and extends for 60 days. Therefore, this matter is being set for final adoption in December following that period of time.

The cover memo from the August 14th Regular Meeting along with a map of the SSA has been included. Mark Heinle, the Village Attorney and I will summarize the reasoning behind re-adopting the SSA and the expected obligation of the SSA when the levy is set later this year.

MEMO

TO: Mayor Halliday and the Board of Trustees

FROM: Matthew T. Fritz
Village Administrator

MEETING

DATE: August 14, 2019

RE: CREATING DORMANT SPECIAL SERVICE AREA FOR THE LONG-TERM MAINTENANCE OF UNDERWATER DRAINAGE BENEATH THE HOFFMAN TRANSPORTATION DEVELOPMENT

The Hoffman Transportation development placed multiple types of infrastructure in order to convert a green field site into the industrial warehouse the location has become. One of the improvements included replacing existing field tile responsible for conveying underwater drainage from the west side of the property (i.e. the east side of the Union Pacific RR tracks to the Claypool Drainage Ditch) with new drainage lines. The final part of completing this task is to ensure for its long-term maintenance should the private property owner fail to maintain this system within the private property. The best means of completing this task is to adopt a dormant special service area (SSA) that is recorded and allows the Village of Coal City to levy a task for a specific reason called out within the rules governing the purpose for which the SSA is recorded.

This evening, the ordinance stating the Village's intent to adopt an ordinance is being considered. This allows additional ordinances to be adopted after the required waiting period and notification take place. Attached is the letter from the Village Engineer stating the drainage is in compliance with the regulations stating some type of credit must be set aside to ensure for the long-term maintenance of this underground infrastructure. Prior to this evening, the Hoffman development has provided as-builts as well as a video and written report regarding this portion of improvement.

While most of the improvements have been made, the property remains on a temporary certificate of occupancy to ensure any outstanding issues are resolved. Chamlin provided a punchlist of outstanding items at the end of 2018. Ensuring the long-term maintenance of this infrastructure was a critical item to be addressed. The remaining items are primarily cosmetic but ensure the development complies with the approved PUD plan. The intention is to resolve these matters within the next 30-60 days to allow the remaining escrow funds to be released and conditional certificate of occupancy to be issued.

Recommendation:

Adopt Ordinance No. _____: Expressing the Village's Intent to Adopt a Dormant SSA on the Hoffman Transportation Property.

COAL CITY VILLAGE BOARD MEETING

**WEDNESDAY
OCTOBER 23, 2019
7:00 p.m.**

(immediately following the Public Hearing)

**COAL CITY VILLAGE HALL
515 S. BROADWAY, COAL CITY, ILLINOIS**

AGENDA

1. Call meeting to order
2. Pledge of Allegiance
3. Approval of Minutes October 9, 2019
4. Approval of Warrant List
5. Public Comment
6. Presentation of Proceeds Coal City H.S. Art Department
7. Ordinance 19-32 Conditional Use Permit
700 S. Mazon
EJCC, LLC (Eric Powell)

MEMO

TO: Mayor Halliday and the Board of Trustees

FROM: Matthew T. Fritz
Village Administrator

MEETING

DATE: October 23, 2019

RE: CONDITIONAL USE TO ALLOW CUSTOM CABINETRY SHOP AT 700 S MAZON STREET

Eric Powell, the owner of a retail building located at 700 S. Mazon, would like the Village to consider the adoption of a conditional use to allow a custom cabinetry shop within the available space. This item is to be considered at Monday's Zoning Board of Appeals (ZBA) Meeting. This is second of two tenants Mr. Powell is attempting to locate within the building. At the last meeting, the Board allowed for the placement of an Auto Repair Facility.

Dependent upon their consideration and recommendation to the Village Board, and Ordinance including the Findings of Fact provided for the petitioner have been included should the Village Board be prepared to adopt a recommended conditional use for the property.

Recommendation:

Adopt Ordinance No. ____: Granting a Conditional Use for a Custom Cabinetry Shop at 700 S. Mazon Street.

COAL CITY ZONING APPLICATION

Owners name or beneficiary of land trust: ESCC LLC

Address: 700 S. Mazon St Phone number: 815-922-6704

Owner represented by: Self Attorney

Contract purchaser _____ Other agent _____

Agents name _____ Phone number: _____

Address: _____

Existing zoning: C4 Use of surrounding properties: North N/A South RS-2

East C4 West C4

What zoning change or variance: (specify) Variance to allow a custom
Cabinetry business to operate in a C4.

To allow what use Cabinet shop on building A/B

Tax number of subject property: 09-03-431-002

Common address of property: 700 S. Mazon St Building A/B

Parcel dimensions: _____ Lot area (sq. ft.) _____

Street frontage 125'

Legal description _____

In addition, the applicant must comply with the ZONING ORDINANCE OF THE VILLAGE OF COAL CITY, adopted June 1, 1989, Chapter II, sections A through F available for review at the Village Clerks office. Also attached to the application are tables 1, 2 and 3 for the applicant's reference.

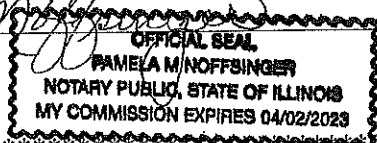
I, (we) certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

Eric Powell, being first duly sworn, on oath deposes and says,
Applicant's Name

that all of the above statements and the statements contained in the documents submitted herewith are true.

Subscribed and sworn before me on this 25 day of September, 2019.

Pamela M. Noffsinger
Notary Public (Seal)



X Eric Powell
Signature of Owner

You may attach additional pages, if needed, to support the documentation of application.

Please note the number of pages attached. _____

FOR OFFICE USE ONLY

Case number ZA-310
Filing date 9-25-19
Hearing date 10-21-19
Filing fee \$ 100.00
Hearing time 7pm

Location of hearing
Village Hall
515 South Broadway
Coal City, Illinois

AFFIDAVIT RE: NOTICE TO ADJOINING PROPERTY OWNERS

The undersigned, EJCC LLC, being first duly sworn on oath, deposes and states as follows, to wit:

1. That I am the applicant, or the agent for the applicant, in zoning case #ZA- 310, now pending before the Zoning Board of Appeals of the Village of Coal City, Illinois.
2. That with respect to said Zoning Case, and pursuant to requirement. I have notified all owners of property adjacent to the property in question, as to the date, time and place of the public hearing to be conducted by the said Zoning Board of Appeals; and in conjunction therewith, I have included with said notification a copy of the zoning application heretofore filed in this matter.
3. That said notification was given to all such adjoining property owners, by letter, a copy of which is attached hereto and made a part hereof, which letter was sent by Certified Mail Return Receipt Requested or in another type of form showing receipt thereof.
4. That, further said notification was effective at least fifteen (15) but not more than (30) days prior to the said public hearing.
5. Following, is a list of the names and addresses of all such adjoining property owners, all of whom have been notified in the manner aforesaid; and attached hereto are the certified mailing receipts, or another type of form, evidencing such notification:

<u>Marisha Johnson</u>	<u>110 W. Walnut</u>	<u>Plattville Coating</u>	<u>80 W Chestnut</u>
<u>Matt Larsen</u>	<u>120 W. Walnut</u>	<u>BNSF Railroad</u>	<u>145 S. Baird St. HI</u>
<u>Brian Mellen</u>	<u>130 W. Walnut</u>		
<u>Culligan</u>	<u>75 W. Chestnut</u>		

6. That further notice was published in a newspaper of general circulation that is published in the Village at least fifteen (15) but not more than thirty (30) days before the scheduled date of the hearing and evidenced by a publishers certificate of publication a copy of which is attached hereto and made a part hereof.
7. In addition to the above requirements at least one sign was posted in the front yard of the affected property facing and visible from a public street and no further than thirty (30) feet from the right-of-way line.

EJCC LLC

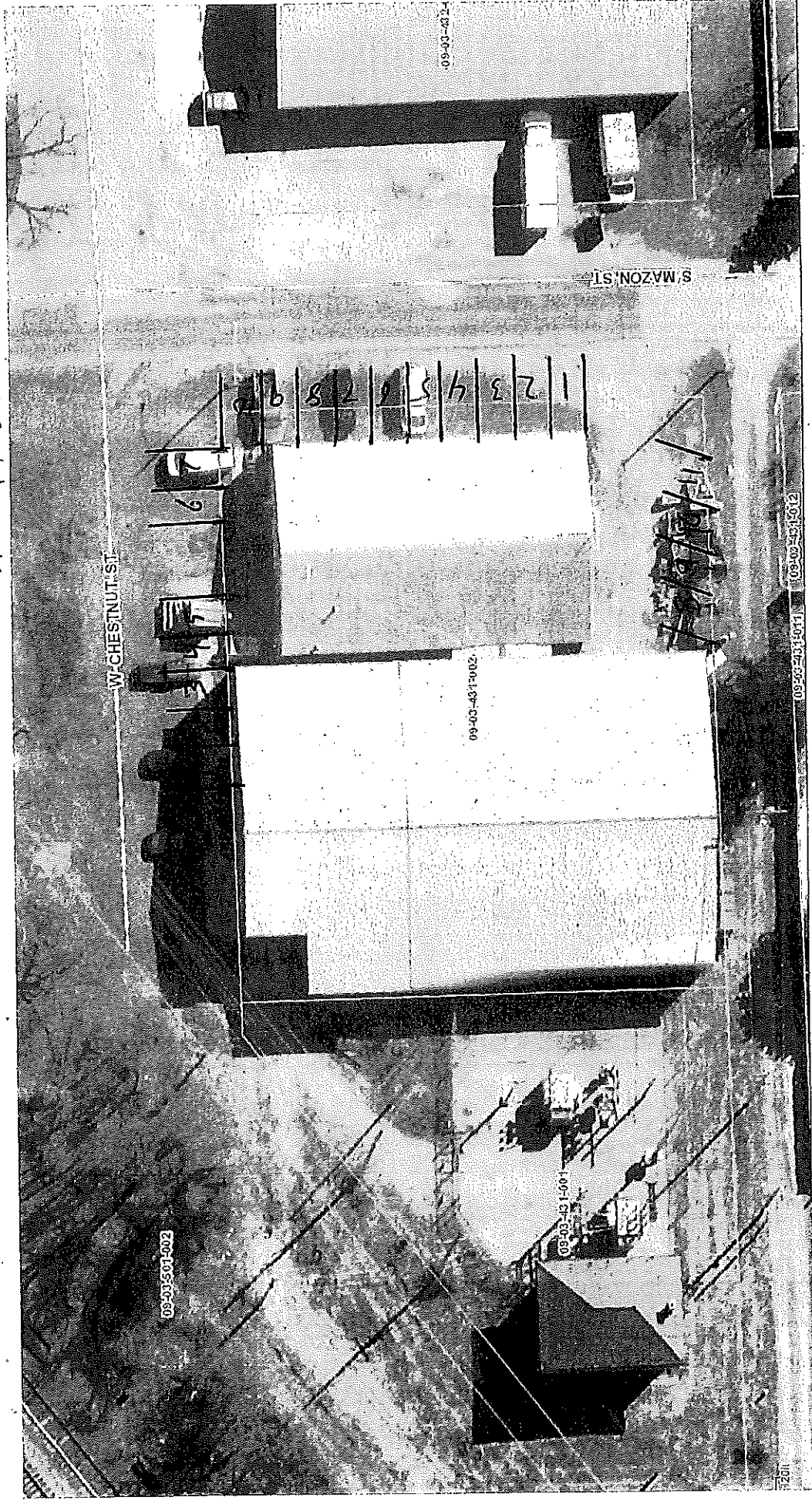
Applicant
Agent for applicant

SUBSCRIBED and SWORN to before me,
this _____ day of _____, 20_____.

Notary Public

16 on street
11 off street

700 S. Mazon Street



MUELLER

CUSTOM CABINETRY, INC.

Commercial



Residential

muellercustomcabinetry.com

Mazon, IL
Phone: 815-448-5448
Fax: 815-448-2167

9/19/19

Eric Powell
Avery Powell Properties

Hi Eric -

In the past we have had minimal solvent waste. We actually combined our "waste" with another company who used an outside service. We currently have no solvent waste. We are in the process of getting quotes from Safety Kleen and other vendors that offer this service for the future.

Thank you,

Sharon Mueller

Mueller Custom Cabinetry

815-448-5448

THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER _____

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR THE OPERATION OF A
CUSTOM CABINETRY SHOP WITHIN A COMMERCIAL ZONED PROPERTY AT
700 S. MAZON IN THE VILLAGE OF COAL CITY**

TERRY HALLIDAY, President
PAMELA M. NOFFSINGER, Village Clerk

SARAH BEACH
ROSS BRADLEY
TIMOTHY BRADLEY
DAN GREGGAIN
DAVID SPESIA
DAVID TOGLIATTI
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Coal City
on _____, 2019

ORDINANCE NO. _____

AN ORDINANCE GRANTING A CONDITIONAL USE FOR THE OPERATION OF A CUSTOM CABINETRY SHOP WITHIN A COMMERCIAL ZONED PROPERTY AT 700 S. MAZON IN THE VILLAGE OF COAL CITY

WHEREAS, an application for variance and a conditional use relating to Section 156.093 of the Village of Coal City Zoning Code ("Zoning Code") was filed by EJCC, LLC, represented by Eric Powell ("applicant") on September 25, 2019 for the operation of a custom cabinetry shop within a C-4 zoned property; and

WHEREAS, a public hearing regarding the conditional use consideration was held on October 23, 2019; and

WHEREAS, the Village of Coal City Planning and Zoning Board met on October 23, 2019 to consider passage of the conditional use to the Board of Trustees; and

WHEREAS, Section 156.230 permits the Village Board to approve certain uses on a conditional basis from the Zoning Code; and

WHEREAS, the Village Board of Trustees and the President of the Village of Coal City believe it is in the best interests of the Village to grant conditional uses.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Coal City, Grundy and Will Counties, Illinois, as follows:

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Findings of Fact. The Board of Trustees finds the following concerning the granting of a conditional use to operate a custom cabinetry shop at 700 S. Mazon:

- A. **Traffic.** The traffic related to the operation of a custom cabinetry shop shall not have an adverse impact on the surrounding properties within this C-4 zoned area.
- B. **Environmental Nuisance.** There shall not be any environmental nuisances that emanate from the conditional use. Proper equipment has been set in place to receive the exhaust related to woodworking. The utilization of the property for the proposed use shall not cause glare, noise, or odor that affects the neighboring properties.
- C. **Neighborhood Character.** The utilization of the property as a custom cabinetry shop will not result in undue deleterious effect upon the neighborhood. The use of the property in this way is harmonious to its adjacent neighbors.

D. **Public Services and Facilities.** The property shall not require any additional installation or greater utilization of public services to serve the proposed conditional use.

E. **Public Safety and Health.** Granting this condition will not be detrimental to the occupants who utilize the facility or the surrounding public.

F. **Other Factors.** The property provides a startup business atmosphere providing lower rent for new businesses rather than the real estate located along Broadway.

Section 4. Description of the Property. The property is located at 700 South Mazon Street in the Village of Coal City within a C-4 District.

Section 5. Public Hearings. A public hearing concerning the consideration of a conditional use was advertised on October 2, 2019 in the Coal City Courant and held by the Planning and Zoning Board on October 23, 2019 at which time a majority of the Planning and Zoning Board members recommended passage of the Conditional Use and Variances to the Board of Trustees.

Section 6. Conditional Use. The conditional use requested in the September 25, 2019 Conditional Use Application is granted as follows:

A. A conditional use in conjunction with Section 156.093 is hereby granted to allow the operation of a custom cabinetry shop within a C-4 commercially-zoned district.

Section 7. Conditions. The conditional use granted herein is contingent and subject to the following conditions:

A. The custom cabinet shop shall be improved and operated in a manner consistent with the presentation to the Planning & Zoning Board and the Board of Trustees and comply with all other Village code requirements to include following the business plan concerning proper disposal of materials.

Section 8. Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 9. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Coal City prior to the effective date of this ordinance.

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR THE OPERATION OF A CUSTOM
CABINETS SHOP WITHIN A COMMERCIAL ZONED PROPERTY AT 700 S. MAZON IN THE
VILLAGE OF COAL CITY**

Section 10. Effectiveness. This ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

SO ORDAINED this _____ day of _____, 2019, at Coal City, Grundy & Will Counties, Illinois.

AYES:

NAYS:

ABSENT:

ABSTAIN:

VILLAGE OF COAL CITY

Terry Halliday, President

Attest:

Pamela M. Noffsinger, Clerk

MEMO

TO: Mayor Halliday and the Board of Trustees

FROM: Matthew T. Fritz
Village Administrator

MEETING

DATE: October 23, 2019

RE: 295 W DIVISION ZONING CHANGE TO RB FOR COUNSELING OFFICE

Tracy Stone would like to change the zoning at 295 W. Division in order to accommodate a professional doctor's office (where they will provide counseling): This type of zoning accommodates such a use; professional offices are permitted within RB. RB is intended "to reinforce historic development patterns, provide for the continuation of existing uses, and to provide business opportunities in close proximity to residential uses. This is intended to accommodate a wide variety of commercial activities, particularly those which are pedestrian-oriented, that will result in the most intensive and attractive use of the downtown area." Parking would be accommodated adjacent to the garage and within the Village right-of-way on the east side of Mary Street.

This petition is being considered at Monday's Meeting of the Planning & Zoning Board. The Findings of Fact being considered at the time of recommendation have been included with the Ordinance to grant this zoning amendment.

Recommendation:

Adopt Ordinance No. _____: Granting a Zoning Amendment to change the zoning at 295 W. Division from RS-3 to RB.

COAL CITY ZONING APPLICATION

Owners name or beneficiary of land trust: Tracy Stone

Address: 3610 Bass Ct, Morris Phone number: 708-906-5246

Owner represented by: Self Attorney

Contract purchaser Tracy Stone Other agent James Yates

Agents name James Yates Phone number: 708-667-0614

Address: 3610 Bass Ct, Morris, IL 60450

Existing zoning: Residential Use of surrounding properties: North _____ South _____

East _____ West _____

What zoning change or variance: (specify) Residential Business

To allow what use Counseling Center

Tax number of subject property: 09-03-226-001

Common address of property: 295 W Division St.

Parcel dimensions: _____ Lot area (sq. ft.) _____

Street frontage DIVISION

Legal description Buchanans Addition 50' W End Lot 2

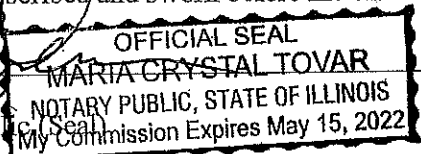
Block 2 Section 3-32-8

In addition, the applicant must comply with the ZONING ORDINANCE OF THE VILLAGE OF COAL CITY, adopted June 1, 1989, Chapter II, sections A through F available for review at the Village Clerks office. Also attached to the application are tables 1, 2 and 3 for the applicant's reference.

I, (we) certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

Tracy Stone, being first duly sworn, on oath deposes and says,
Applicant's Name

that all of the above statements and the statements contained in the documents submitted herewith are true.

Subscribed and sworn before me on this 30 day of September, 2019
 Tracy Stone
Signature of Owner

You may attach additional pages, if needed, to support the documentation of application.

Please note the number of pages attached. _____

FOR OFFICE USE ONLY

Case number ZA-311
Filing date 10-1-19
Hearing date 10-21-19
Filing fee \$ 200.00
Hearing time 7pm

Location of hearing
Village Hall
515 South Broadway
Coal City, Illinois

AFFIDAVIT RE: NOTICE TO ADJOINING PROPERTY OWNERS

The undersigned, Tracy Stone, being first duly sworn on oath, deposes and states as follows, to-wit:

1. That I am the applicant, or the agent for the applicant, in zoning case #ZA-311, now pending before the Zoning Board of Appeals of the Village of Coal City, Illinois.
2. That with respect to said Zoning Case, and pursuant to requirement. I have notified all owners of property adjacent to the property in question, as to the date, time and place of the public hearing to be conducted by the said Zoning Board of Appeals; and in conjunction therewith, I have included with said notification a copy of the zoning application heretofore filed in this matter.
3. That said notification was given to all such adjoining property owners, by letter, a copy of which is attached hereto and made a part hereof, which letter was sent by Certified Mail Return Receipt Requested or in another type of form showing receipt thereof.
4. That, further said notification was effective at least fifteen (15) but not more than (30) days prior to the said public hearing.
5. Following, is a list of the names and addresses of all such adjoining property owners, all of whom have been notified in the manner aforesaid; and attached hereto are the certified mailing receipts, or another type of form, evidencing such notification:

SEE ATTACHED PAGES FOR LIST

6. That further notice was published in a newspaper of general circulation that is published in the Village at least fifteen (15) but not more than thirty (30) days before the scheduled date of the hearing and evidenced by a publishers certificate of publication a copy of which is attached hereto and made a part hereof.
7. In addition to the above requirements at least one sign was posted in the front yard of the affected property facing and visible from a public street and no further than thirty (30) feet from the right-of-way line.

Tracy Stone
Applicant
Agent for applicant

SUBSCRIBED and SWORN to before me,
this 6 day of October, 2019.

Notary Public

Untitled

Property owner
35 Mary ST
Col City IL, 60416

property Oner
20 Mary ST
Coal City IL, 60416

Property Owner
275 W. Division
Coal City IL, 60416

Property Owner
320 W. Division
Coal City IL, 60146

Blanche Trotter
290 W. Division
P.O.box 127
Coal City IL, 60416

THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER _____

**AN ORDINANCE APPROVING THE CHANGE IN ZONING FOR
THE PROPERTY KNOWN AS 295 W DIVISION FROM RS-3 TO RB WITHIN THE
VILLAGE OF COAL CITY**

TERRY HALLIDAY, President
PAMELA M. NOFFSINGER, Village Clerk

SARAH BEACH
ROSS BRADLEY
TIM BRADLEY
DANIEL J. GREGGAIN
DAVID SPESIA
DAVID TOGLIATTI
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Coal City
on _____, 2019

ORDINANCE NO. _____

**AN ORDINANCE APPROVING THE CHANGE IN ZONING FOR
THE PROPERTY KNOWN AS 295 W DIVISION FROM RS-3 TO RB WITHIN THE
VILLAGE OF COAL CITY**

WHEREAS, Tracy Stone (“applicant”) is the contract purchaser of the property located at 295 W. Division, which property is currently zoned in the Village’s RS-3 district; and

WHEREAS, an application for the approval of a zoning amendment was filed by the applicant on October 1, 2019 for the zoning amendment; and

WHEREAS, Section 156.081 sets forth the standards for the residential-business district zoning; and

WHEREAS, a public hearing was noticed and duly held on October 21, 2019; and

WHEREAS, the Village of Coal City Planning and Zoning Board met on October 21, 2019, and considered approval of the zoning amendment for the Board of Trustees; and

WHEREAS, Section 156.271 sets forth the manner by which the Village Board may approve a zoning amendment; and

WHEREAS, the Village Board of Trustees and the President of the Village of Coal City believe it is in the best interests of the Village to grant the requested zoning amendment and conditional use.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Coal City, Grundy and Will Counties, Illinois, as follows:

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Findings of Fact. Findings of Fact. The Planning & Zoning Board finds as follows concerning the Requested Zoning Amendment for the property at 295 W. Division:

- A. **Compatible with Use or Zoning of Environs.** Amending the existing zoning from RS-3 to RB is compatible with the location of the property and its relationship to one of the arterial roads located within Coal City. Allowing a professional medical office within the space shall be compatible with the existing neighborhood residences.
- B. **Supported by Trend of Development.** Currently, there are multiple commercial properties on the south side of Division between Broadway and Carbon Hill Road to include professional offices and a daycare center.

C. **Consistent with Comprehensive Plan Objectives.** The comprehensive plan calls for the change for residential properties into RB within transitional zones, which are found within the Core Area business district and main arterials.

D. **Furthers Public Interests.** The end use of this business shall provide professional medical service currently not being provided within the Village, which is an improvement to the quality of life of its residences.

Section 4. Description of the Property. The property is located at 295 W. Division in the Village of Coal City within an RS-3 District.

Section 5. Public Hearing. A public hearing was advertised on October 4, 2019 in the Morris Herald and held by the Planning and Zoning Board on October 21, at which time a majority of the Planning and Zoning Board members recommended passage of the Zoning Amendment and Conditional Use to the Board of Trustees.

Section 6. Approvals. The approvals requested in the October 1, 2019 Zoning Application to the Zoning Code are granted as follows:

A. A zoning amendment in conjunction with Section 156.271 is hereby granted to allow the change in zoning of 295 W. Division, from its current RS-3 zoning designation to the RB, Residential-Business district.

Section 7. Conditions. The approvals granted herein are contingent and subject to the following conditions:

A. The business shall be operated in a manner consistent with the presentation to the Planning & Zoning Board and the Board of Trustees.

B. The property must comply with the standards set forth within the Village Code and elaborated upon with the Findings of Fact stated herein.

Section 8. Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 9. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Coal City prior to the effective date of this ordinance.

Section 10. Effectiveness. This ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

SO ORDAINED this _____ day of _____, 2019, at Coal City, Grundy & Will Counties, Illinois.

AYES:

NAYS:

ABSENT:

ABSTAIN:

VILLAGE OF COAL CITY

Terry Halliday, President

Attest:

Pamela M. Noffsinger, Clerk

MEMO

TO: Mayor Halliday and the Board of Trustees

FROM: Matthew T. Fritz
Village Administrator

MEETING

DATE: October 23, 2019

RE: OAK STREET SUBDIVISION, 3 RESIDENTIAL LOTS

Jim Fredin represents the owners of the last portion of unsubdivided land west of DiPaolo at on the south side of Oak Street. He has requested this property be split into 3 residential lots. Usually, the subdivision approval carries the requirement of a security being posted for public improvements. In this case, Mr. Fredin posted payment for the roadway prior to its completion resulting in that portion being already being done. The easement for the storm work was prescribed by the Village in order to allow Public Works to extend the storm collection utility from the southeast portion of the lot westward to serve 7 different lots (including the three new lots) and the water extension must be completed in order for the water service to be available at each lot for a single family residence to be constructed.

Enclosed is the Plat for these three lots as well as an Ordinance adopting this 3-lot subdivision. The Plan Commission unanimously recommends the adoption of this subdivision. At the Plan Commission Meeting, Mr. Fredin presented his subdivision stating there would be covenants and it would be limited to single-family detached dwelling despite the land carrying multi-family zoning. The ordinance has been proposed to capture this restriction.

Recommendation:

Adopt Ordinance No. _____: Approving the Final Plat for the Oak Street Subdivision.

THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER _____

**AN ORDINANCE APPROVING A PRELIMINARY AND FINAL PLAT OF
SUBDIVISION**

(Fredin Oak Street Subdivision)

TERRY HALLIDAY, Village President
PAMELA M. NOFFSINGER, Village Clerk

SARAH BEACH
ROSS BRADLEY
TIMOTHY BRADLEY
DANIEL GREGGAIN
DAVID SPESIA
DAVID TOGLIATTI
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of
Coal City

on _____, 2019

ORDINANCE NO. _____

AN ORDINANCE APPROVING A PRELIMINARY AND FINAL PLAT OF
SUBDIVISION

(Fredin Oak Street Subdivision)

WHEREAS, the Village of Coal City (hereinafter, the "*Village*") is an Illinois municipal corporation organized and operated under the laws of the State of Illinois; and

WHEREAS, the Village is a non-home rule municipality and, as such, may exercise delegated statutory and Constitutional powers and such powers as are necessarily implied therefrom; and

WHEREAS, JAMES A. FREDIN, a natural person residing in Illinois, and DOUGLAS J. FREDIN, a natural person living in Illinois (cumulatively, James A. Fredin and Douglas J. Fredin are known herein as "*Owner*") are the owners of that certain parcel of real property located in Coal City, Grundy County, Illinois, bearing permanent index number 09-03-183-006 and legally described on **Exhibit A** attached hereto and made a part hereof (the "*Fredin Property*"); and

WHEREAS, the Fredin Property is currently zoned RM-1 Low-Density Multifamily Residential District ("*RM-1 District*"); and

WHEREAS, the permitted uses in the RM-1 District are set forth in Table 5 of the Village's Zoning Code and include, *inter alia*, single-family detached dwellings (Group A(7)), single-family attached dwellings (Group C(3)), multifamily dwellings (Group C(2)), and two-family dwellings other than townhouses (Group C(5)) as of right; and

WHEREAS, Owner and the Village are mutually desirous of limiting development on the Fredin Property within the Oak Street Subdivision to single-family detached dwellings; and

WHEREAS, Owner has submitted an application to the Village requesting combined approval of a preliminary and final plat of subdivision to create three buildable lots on the Fredin Property called the Oak Street Subdivision; and

WHEREAS, the proposed preliminary and final subdivision plats were presented to the Plan Commission at its meeting on October 7, 2019, and the Plan Commission recommended approval of the preliminary and final subdivision plats for the Fredin Property; and

WHEREAS, the President and Village Board of Trustees find and determine that it is in the best interest of the Village that the preliminary and Final Plats of subdivision be approved for the Fredin Property, subject to and contingent upon fulfillment of the conditions set forth hereinbelow.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Coal City, Counties of Will and Grundy, Illinois, as follows:

SECTION 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

SECTION 2. Preliminary and Final Plat of Subdivision Approval. Subject to the conditions set forth in Section 3 of this Ordinance, the Village Board of Trustees hereby approves preliminary plat of subdivision for the Fredin Property, as depicted on the Final Plat attached to this Ordinance as **Exhibit B** (the "**Preliminary Plat**") and the Final Plat of subdivision for the Fredin Property, as depicted on the Final Plat attached to this Ordinance as **Exhibit C** (the "**Final Plat**"). The President, Clerk, Treasurer, Plan Commission Chairperson and Village Engineer are authorized to sign the Final Plat as provided herein and any documents necessary to effectuate the terms and intention of this Ordinance.

SECTION 3. Conditions. The combined approval of the Preliminary Plat and Final Plat is conditioned upon and limited by the following requirements, conditions, and restrictions, the violation of any of which shall, in the sole discretion of the President and Board of Trustees, render void all permits and approvals granted pursuant to this Ordinance:

- A. No Authorization of Work. This Ordinance does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind shall be commenced on the Fredin Property pursuant to the approvals granted in this Ordinance unless and until all conditions of this Ordinance precedent to such work have been fulfilled, including without limitation recordation of the Final Plat and approval of final engineering plans, and after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law, including any necessary zoning relief and site plan approvals for the proposed use of the Fredin Property.
- B. Compliance with Laws. The Village's Zoning Code, the Subdivision Code, the Building Code, and all other applicable ordinances and regulations of the Village shall continue to apply to the Fredin Property, and the development and use of the Property shall be in compliance with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.
- C. Final Engineering Plans. Final engineering plans must be submitted for approval by the Village prior to any development on the Fredin Property.
- D. Improvements. All improvements for the proposed development on the Fredin Property shall be installed in accordance with the approved final engineering plans, and shall be subject to the review and approval of the Village Engineer.

Before any development may occur on the Fredin Property, performance security must be posted as required by the Village's Subdivision Code.

- E. Covenants, Conditions and Restrictions (CCRs). The Owner will record covenants, conditions, and restrictions against the Fredin Property, inclusive of each of the three subdivided lots to restrict development thereon to single-family detached dwellings in a form acceptable to the Village Attorney and detail said restriction in any deed(s) from Owner conveying any of said lots. The CCRs shall contain substantially the following language:

The following restriction shall be construed as a covenant running with the land unless the Village releases it. The properties shall be transferred and conveyed subject to this Covenant and shall be binding on all parties claiming thereunder. This Covenant shall be recorded with the Grundy County Recorder of Deeds:

All lots in the subdivision shall be known and described as residential lots. Structures in this subdivision shall be erected for and used exclusively as detached single-family dwellings. No residential structure other than one detached single family dwelling and a private garage for not more than two automobiles shall be erected or permitted to remain on any lot in this subdivision.

In the event of noncompliance with this Covenant, the Village may file a lawsuit in order to enforce the terms of this Covenant. It is acknowledged and agreed that the Village may obtain specific performance of this Covenant to prohibit or rescind any construction activity that may render any of the properties non-compliant with this restriction. The Owners shall be responsible for the payment of all of the Village's costs and attorneys' fees in enforcing the terms of this Covenant. The Village shall not be required to provide any notice of default to Owner. In the event Owner is in default under the terms of this Covenant, the Village's failure to act promptly shall not constitute a waiver of any of the Village's rights hereunder. This Covenant and each term hereof is binding upon and enforceable against the successors, assigns, transferees, beneficiaries and the like of Owner.

If any portion of this Covenant is deemed unenforceable, it shall be excised from the Covenant and the remainder of the Covenant shall remain in full force and effect.

- F. Other Governmental Approvals. The Final Plat will not be recorded unless and until all required permits and approvals from all governmental bodies having jurisdiction over the Fredin Property that are necessary for subdivision approval have been applied for and issued.
- G. Final Plat Signatures. Fredin is responsible for securing all required signatures upon the Final Plat before presenting the Final Plat for signature by Village officials.
- H. Recording Costs. Fredin is responsible for the costs of recording this Ordinance and the Final Plat.

SECTION 4. Authorization. The Village President and Village Clerk are hereby authorized and directed to execute and seal, on behalf of the Village, the Final Plat upon Fredin's presentation to the Village of the Final Plat with all other signatures.

SECTION 5. Recordation. The Village Administrator or designee is hereby authorized and directed to record a copy of this Ordinance and the Final Plat with the Recorder of Deeds of Grundy County, Illinois. This Ordinance and all approvals granted herein (including the approval of the Final Plat) will be null and void and of no effect if any lot created by the Final Plat is conveyed, leased, or otherwise transferred or encumbered to any person not signing the Final Plat prior to the recording of the Final Plat and this Ordinance.

SECTION 6. Resolution of Conflicts. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. Saving Clause. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

SECTION 8. Effectiveness. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SO ORDAINED this _____ day of _____, 2019, at Coal City, Grundy and Will Counties, Illinois.

AYES:

NAYS:

ABSENT:

ABSTAIN:

VILLAGE OF COAL CITY

Terry Halliday, President

Attest:

Pamela M. Noffsinger, Clerk

EXHIBIT A

Fredin Property

Commencing at the Southwest Corner of Lot 2 of Mar-Leen Subdivision Fifth Addition, being a subdivision located in the Northwest Quarter of Section 3, Township 32 North, Range 8 East of the Third Principal Meridian, said point being the Point of Beginning; thence South 89 degrees 55 minutes 53 seconds West along the North Line of Mar-Leen Subdivision Third Addition for a distance of 271.32 feet to the Northwest Corner of said Third Addition; thence North 00 degrees 01 minutes 53 seconds East for a distance of 235.65 feet; thence North 89 degrees 50 minutes 44 seconds East for a distance of 271.33 feet to the Northwest Corner of Mar-Leen Subdivision Fifth Addition; thence South 00 degrees 01 minutes 53 seconds West along the West Line of said Fifth Addition for a distance of 236.42 feet to the Point of Beginning, all located in the Northwest Quarter of Section 3, Township 32 North, Range 8 East of the Third Principal Meridian, Village of Coal City, Grundy County, Illinois.

P.I.N.: 09-03-183-006

EXHIBIT B

Preliminary Plat of Subdivision

[Appended on following page]

EXHIBIT C

Final Plat of Subdivision

[Appended on Following Page and Recorded Separately]

4846-3752-8101, v. 1

MEMO

TO: Mayor Halliday and the Board of Trustees

FROM: Matthew T. Fritz
Village Administrator

MEETING

DATE: October 23, 2019

RE: LIQUOR CODE AMENDMENTS

The Village revamped the liquor code some years back and kept a provision that required the manager of the building to be local if the liquor license was held by a corporation. This provision is local and goes farther than what is required by the State statute and has caused some problems for business owners in the past. Recently, the owner of Emmy's has been considering selling the franchise locations to another competitor who also runs multiple gaming locations. The new owner, Rick Scali, lives in Cook County but is acquiring all of these Emmy's locations with the Coal City location being the only one with such a limitation.

The Police Department gained eth information on the members of the corporation to ensure they could gain the liquor license and they came back as being worthy of receiving a license. Additionally, as soon as the current owners sell Emmy's one of the existing liquor licenses sunsets. This occurs so every liquor license must come before the Village Board regardless of zoning. This provision will remain the same.

In order to get the Village requirements in line with state statutes and other municipalities, the amendment has been created which will merely require the person to live within the State of Illinois (which is what is the requirement in most other locations). The second amendment is eth same exercise that is provided each time the Village Board desires to ensure a license can change hands.

Recommendation:

- 1.) Adopt Ordinance No. _____: Amending the Liquor Code to be in line with the State Statute Allowing persons within the State of Illinois to possess a Liquor License.
- 2.) Adopt Ordinance No. _____: Granting an Additional Class A License to Allow the sale of Emmy's Gaming to new owner Rick Scali,

THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER _____

AN ORDINANCE AMENDING TITLE XI, CHAPTER 112, ARTICLE II, SECTION 112-16 OF THE VILLAGE CODE TO ALIGN VILLAGE LIQUOR LICENSE RESIDENCY ELIGIBILITY REQUIREMENTS WITH THE ILLINOIS LIQUOR CONTROL CODE

TERRY HALLIDAY, Village President
PAMELA M. NOFFSINGER, Village Clerk

SARAH BEACH
ROSS BRADLEY
TIMOTHY BRADLEY
DANIEL GREGGAIN
DAVID SPESIA
DAVID TOGLIATTI
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of
Coal City

on _____, 2019

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE XI, CHAPTER 112, ARTICLE II, SECTION 112-16 OF THE VILLAGE CODE TO ALIGN VILLAGE LIQUOR LICENSE RESIDENCY ELIGIBILITY REQUIREMENTS WITH THE ILLINOIS LIQUOR CONTROL CODE

WHEREAS, the Village of Coal City (hereinafter, the “*Village*”) is an Illinois municipal corporation organized and operated under the laws of the State of Illinois; and

WHEREAS, the Village is a non-home rule municipality and, as such, may exercise delegated statutory and Constitutional powers and such powers as are necessarily implied therefrom; and

WHEREAS, the Village is authorized by Section 4-1 of the Illinois Liquor Control Act of 1934 (the “Act”), 235 ILCS 5/4-1, *inter alia*, to license and regulate the sale at retail of alcoholic liquor in a manner consistent with the Act; and

WHEREAS, the Village is authorized by Section 4-1 of the Act to establish additional regulations and restrictions upon the issuance of and operations under its local liquor licenses insofar as such restrictions are inconsistent with the Act;

WHEREAS, the Village has adopted Chapter 112 (“Liquor Control Regulations”) of the Village of Coal City Code, as amended from time to time, including Article II (“Licensing Requirements”), Section 112-16 (“Persons Not Entitled to License”) of the Coal City Village Code, defining the eligibility criteria for prospective liquor licensees and prohibiting the issuance of liquor licenses to certain partnerships, corporations, and limited liability companies whose principal officers do not reside within the Village or have a local manager residing within Grundy or Will Counties responsible for the licensee’s operations; and

WHEREAS, the Act declares that the eligibility of liquor license applicants may not be prohibited by local ordinance except as provided in 235 ILCS 5/6-2; and

WHEREAS, the Village President and Board of Trustees (the "Corporate Authorities") of the Village have determined that the Village Code's prohibition on non-resident business entities from obtaining a liquor license unless a local manager is hired to be more restrictive than the Act; and

WHEREAS, the Corporate Authorities desire to amend Section 112-16 of the Village Code to render it consistent with the liquor license issuance restrictions set forth in Section 6-2 of the Act and find such amendment to be in the interest of the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Coal City, Counties of Will and Grundy, Illinois, as follows:

SECTION 1. RECITALS. That the foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

SECTION 2. AMENDMENTS TO TITLE 15, CHAPTER 156. Title XI ("Business Regulations"), Chapter 112 ("Liquor Control Regulations"), Article II ("Licensing Requirements"), Section 112-16 ("Persons Not Entitled to License") of the Coal City Village Code is hereby amended to add the following new defined terms, with all existing defined terms continuing in full force and effect as currently written unless expressly stated otherwise (additions **underlined in bold font**, deletions marked with strikethrough and omitted text is unaffected by this ordinance):

TITLE XI BUSINESS REGULATIONS

CHAPTER 112 LIQUOR CONTROL REGULATIONS

ARTICLE II LICENSING REQUIREMENTS

SECTION 112-16 PERSONS NOT ENTITLED TO LICENSE.

- A. No licenses required by this chapter shall be issued to:
- (1) A person who is not a resident of the Village of Coal City ~~or, if a corporation, which does not employ a resident manager who resides in either the County of Grundy or Will;~~
 - (2) A person who is not of good character and reputation in the community in which he or she resides;
 - (3) A person who is not a citizen of the United States;
 - (4) A person who has been convicted of a felony under any federal or state law unless the Liquor Control Commissioner determines that such person has been sufficiently rehabilitated to warrant the public trust after considering matters set forth in such person's application and the Commissioner's investigation. The burden of proof of sufficient rehabilitation shall be on the applicant;
 - (5) A person who has been convicted of keeping a place of prostitution or keeping a place of juvenile prostitution, promoting prostitution that involves keeping a place of prostitution or promoting juvenile prostitution that involves keeping a place of juvenile prostitution;
 - (6) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality;
 - (7) A person whose license issued under this chapter has been revoked for cause or whose liquor license issued under state law or other municipal ordinance was revoked for cause;
 - (8) A person who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application;
 - (9) A person whose place of business is conducted by a manager or agent, unless such manager or agent possesses the same qualifications required of the licensee.
 - (10) A copartnership, unless all the members owning more than 5% of the aggregate limited partner interest of such copartnership are qualified to obtain a license

notwithstanding any such member's residency status within the Village of Coal City;

- (11) A corporation or limited-liability company, if any officer, manager, or director thereof, or any stockholder or stockholders owning in the aggregate more than 5% of the stock of such corporation would not be eligible to receive a license under this chapter for any reason other than **residence within the Village of Coal City citizenship or residency except** as provided in Subsection A(1) above;
- (12) A corporation or limited-liability company unless it is incorporated or organized in Illinois, or unless it is a foreign corporation or foreign limited-liability company which is qualified under the Business Corporation Act of 1983 or the Limited Liability Company Act to transact business in Illinois;
- (13) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses the same qualifications required by the licensee;
- (14) A person who has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor, subsequent to the passage of this chapter, or has forfeited his or her bond to appear in court to answer charges for any such violation;
- (15) A person who does not beneficially own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is to be issued;
- (16) Any law-enforcing public official, the Village President, or any member of the Village Board of Trustees or employee of the Village;
- (17) A person who is not a beneficial owner of the business to be operated by the licensee;
- (18) A person who has been convicted of a gambling offense, as provided by law;
- (19) A person or entity to whom a federal wagering stamp has been issued by the federal government, unless the person or entity is eligible to be issued a license under the Raffles Act[1] or the Illinois Pull Tabs and Jar Games Act[2];

[1] Editor's Note: See 230 ILCS 15/0.01 et seq.
[2] Editors' Note: See 230 ILCS 20/1 et seq.
- (20) A person who intends to sell alcoholic liquors for use or consumption on his or her licensed retail premises who does not have liquor liability insurance coverage for that premises in an amount that is at least equal to the maximum liability amounts set forth in this chapter.

B. In addition to other grounds specified in this section, the Liquor Control Commissioner, on complaint of the State Department of Revenue, shall refuse the issuance or renewal of

a license, or suspend or revoke such license, for any of the following violations of the Retailers Occupation Tax Act:

- (1) Failure to make a tax return;
 - (2) The filing of a fraudulent return;
 - (3) Failure to pay all or part of any tax or penalty finally determined to be due;
 - (4) Failure to keep proper books and records;
 - (5) Failure to secure and display a certificate or subcertificate of registration;
 - (6) Willful violation of any rule or regulation of the State Department of Revenue relating to the administration and enforcement of tax liability.
- C. No license shall be issued to any person for the sale at retail of any alcoholic liquor at any store or other place of business when the majority of customers are less than 21 years of age or when the principal business transacted consists of school books, school supplies, food, lunches, or drinks for such customers.
- D. No license shall be issued for the purpose of selling or offering for sale at retail any intoxicating liquor in any dwelling house, flat, or apartment building.
- E. No license shall be issued for the sale at retail of any alcoholic liquor within 100 feet of any church, school other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children or any military or naval station; provided that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where sale of alcoholic liquors is not the principal business carried on, if such place of business so exempted shall have been established for such purposes prior to the taking effect of this chapter, or to the renewal of a license for the sale at retail of alcoholic liquor on premises within 100 feet of any church or school where such church or school has been established within such 100 feet since the issuance of the original license. In the case of a church, the distance of 100 feet shall be measured to the nearest part of any building used for worship services or educational programs and not to property boundaries. In all other instances, the distance of 100 feet shall be measured from property line to property line.

SECTION 3. RESOLUTION OF CONFLICTS.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. SAVING CLAUSE.

If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

SO ORDAINED this _____ day of _____, 2019, at Coal City,
Grundy and Will Counties, Illinois.

AYES:

ABSENT:

NAYS:

ABSTAIN:

VILLAGE OF COAL CITY

Terry Halliday, President

Attest:

Pamela M. Noffsinger, Clerk

THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER _____

**AN ORDINANCE INCREASING THE NUMBER OF CLASS "A" LIQUOR LICENSES
FROM ONE TO TWO**

TERRY HALLIDAY, Village President
PAMELA M. NOFFSINGER, Village Clerk

SARAH BEACH
ROSS BRADLEY
TIMOTHY BRADLEY
DANIEL GREGGAIN
DAVID SPESIA
DAVID TOGLIATTI
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of
Coal City
on _____, 2019.

ORDINANCE NO. _____

**AN ORDINANCE INCREASING THE NUMBER OF CLASS "A" LIQUOR LICENSES
FROM ONE TO TWO**

WHEREAS, the Village of Coal City (hereinafter, the "*Village*") is an Illinois municipal corporation organized and operated under the laws of the State of Illinois; and

WHEREAS, the Village is a non-home rule municipality and, as such, may exercise delegated statutory and Constitutional powers and such powers as are necessarily implied therefrom; and

WHEREAS, Article IV of the Illinois Liquor Control Act of 1934, 235 ILCS 5/4-1, *et seq.*, authorizes the corporate authorities of the Village to license and regulate the sale of alcoholic liquor within the Village, and to determine the number, kind and classification of local liquor licenses, as well as the fees for such licenses and to provide such further regulations and restrictions on the issuance and operations pursuant to such local licenses; and

WHEREAS, the Village regulates the sale of liquor by creating various classifications of liquor licenses and establishing the maximum number of licenses that may be issued in each such class; and

WHEREAS, upon the termination of a particular liquor license, the number of available licenses in the terminated liquor license classification is automatically reduced by one pursuant to Section 112-12(B) of the Village Code;

WHEREAS, Village liquor licensee Emmy's Café recently sold to new ownership, and due to the non-transferability of liquor licenses, the transfer resulted in the termination of the Class A-1 liquor license formerly held by the owner of Emmy's Café;

WHEREAS, a new liquor license may be issued by the Liquor Commissioner only if the Village Board has created a sufficient number of licenses in a particular classification to have a surplus license available;

WHEREAS, the Village Board is desirous of creating a new Class A liquor license to replace the terminated Class A-1 license and ensure that an appropriate liquor license is available for application by new ownership of the business operating in the location of the former Emmy's Café;

WHEREAS, the Corporate Authorities of the Village hereby find and determine that it is in the best interest of the Village and the public to amend the Village Code to provide for one (1) additional Class "A" Liquor License.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Coal City, Counties of Will and Grundy, Illinois, as follows:

SECTION 1. RECITALS. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

SECTION 2. AMENDMENT. Section 112-12(A) of the Village Code ("Number of Licenses; Limitations") shall be and hereby is amended to reflect an increase of one (1) Class "A" Liquor License to a maximum of two (2), contingent upon (i) the issuance by the Liquor Commissioner of an additional Class A License to a qualified and valid applicant on or before January 31, 2020. If a second Class A liquor license is not approved and issued by January 31,

2020, then the number of Class A liquor licenses shall revert to one (1) by operation of law without further legislative action by the Village.

SECTION 3. RESOLUTION OF CONFLICTS.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. SAVING CLAUSE.

If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

SO ORDAINED this _____ day of _____, 2019, at Coal City, Grundy and Will Counties, Illinois.

AYES:

ABSENT:

NAYS:

ABSTAIN:

VILLAGE OF COAL CITY

Terry Halliday, President

Attest:

Pamela M. Noffsinger, Clerk

MEMO

TO: Mayor Halliday and the Board of Trustees

FROM: Matthew T. Fritz
Village Administrator

MEETING

DATE: October 23, 2019

**RE: EARLY REIMBURSEMENT OF INDUSTRIAL DEVELOPMENT BONDS
FOR THE UP RAIL LEAD TRACK PROJECT**

The bonds entitled the \$1,900,000 General Obligation Taxable Alternate Revenue Bonds (Rail Extension Use Revenues Alternate Revenue Source), Series 2013 were issued on December 2, 2013 to allow a lead track to be constructed from the Union Pacific (UP) main line to service the industrial park of Coal City located south of Reed Road on both sides of Broadway. These bonds had an early call feature, which allows them to be called for early reimbursement without any penalties. There are different fees to be collected on the benefitting properties related to the improvement that was made with the revenue bonds.

One of the fees on the benefitting land, which is spelled out in a development agreement for the land is a land development fee. This fee requires \$6,500 per acre to be remitted to the Village at the time of the closing of the land. Earlier this year, after the levy was previously adopted, approximately 30 acres was closed upon to a third party unrelated to the existing land owners. This resulted in the Village receiving \$793,045.50. This money has been held awaiting the property tax payments for 2019 (levied in 2018) to ensure additional funds were remitted as planned for the regular annual payment that is due on November 1, 2019 related to the repayment of this debt. Such funds have been collected and remitted by Grundy County to the Village of Coal City via the property tax bill collection process.

At this time, \$790,000 of the land development fees is to be utilized to bring down the total remaining debt left outstanding. This amount is utilized because the bond holder will only call the outstanding bonds in \$5,000 increments. The remaining funds - \$3,045.50, shall be subtracted from the total amount planned to be levied against the SSA in the near-term future. Early reimbursement of this amount will significantly impact the next three payments because all of the 2020 and 2021 bonds shall be retired along with \$50,000 of the 2022 bonds.

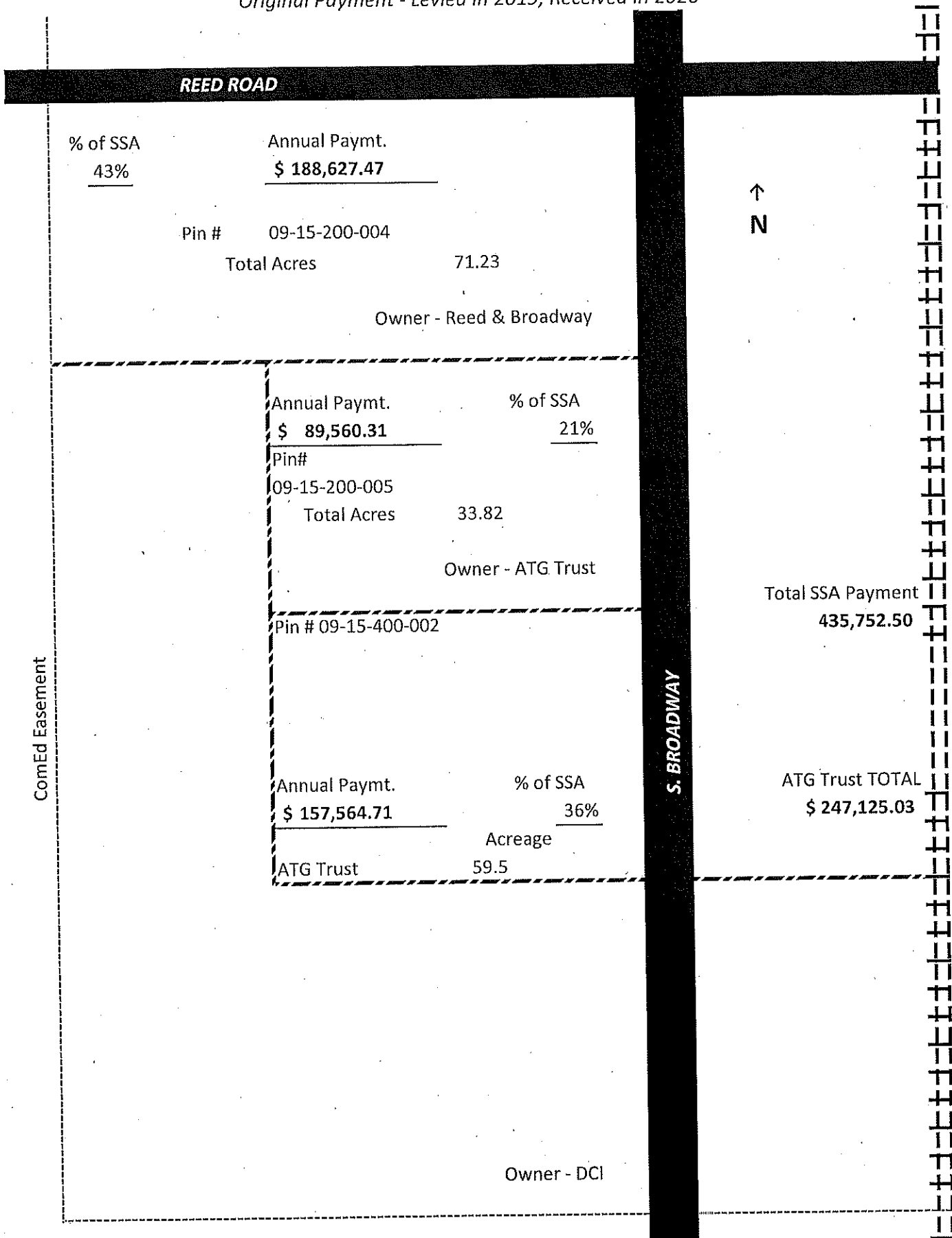
Reimbursing these bonds in this manner is called for within the development agreement with the land owners.

Recommendation:

Approve \$1,135,000 to be paid to First American Bank for the payment of the 2019, 2020, 2021 Series 2013 Bond payments as well as reimbursing \$50,000 of the 2022 Bonds.

Apportionment of Development Agreement Payments

Original Payment - Levied in 2019, Received in 2020



REED ROAD

% of SSA
43%

Annual Paymt.
\$ 188,627.47

Pin # 09-15-200-004

Total Acres 71.23

Owner - Reed & Broadway

↑
N

Annual Paymt. % of SSA
\$ 89,560.31 21%

Pin#
09-15-200-005

Total Acres 33.82

Owner - ATG Trust

Total SSA Payment
435,752.50

Pin # 09-15-400-002

Annual Paymt. % of SSA
\$ 157,564.71 36%

ATG Trust Acreage
59.5

ATG Trust TOTAL
\$ 247,125.03

ComEd Easement

S. BROADWAY

Owner - DCI

Coal City Police Department
Weekly Summary of Activities
Thursday 09-26-19 – Wednesday 10-02-19

During this period, there were 45 calls for service, 23 verbal warnings and 0 assist Grundy County Sheriff's Dept.

Significant Incidents

09-26-19 at 2:22 PM, police responded to a N. 5th Ave. residence for a criminal damage to property report. Police observed two mailboxes destroyed and a set of tire tracks in the grass. The complainant and his neighbor both stated they did not hear any noises over the previous evening.

09-30-19 at 10:30 AM, police responded to an E. Bartber Ct. residence for an animal complaint. The anonymous complainant stated her neighbors allows her dog to run around unsupervised and unleashed. Police were able to make contact with the homeowner and advise her of the village ordinance for unleashed dogs.

10-02-19 at 1:17 AM, police responded to a S. Mazon St. for a domestic disturbance call. The complainant stated that he and his girlfriend got into an argument and she left the residence but came back demanding the cell phone she bought for him. When he refused, she took his car keys and attempted to take his vehicle. Police were able to resolve this incident when the keys were later found in the residence and they provided her with a ride to a friend's house for the evening.

Arrest Incidents

Warrant	2
Failure to Yield	1
Speeding	2
Expired Registration	1

Coal City Police Department
Weekly Summary of Activities
Thursday 10-03-19 – Wednesday 10-09-19

During this period, there were 42 calls for service, 19 verbal warnings and 0 assist Grundy County Sheriff's Dept.

Significant Incidents

10-05-19 at 4:52 AM, police responded to a S. Mary St. apartment for a domestic disturbance call. The complainant stated his live in girlfriend was demanding he leave the apartment and when he refused, a verbal altercation took place. Police spoke with both parties and was able to resolve the incident when they both agreed to stay away from each other.

10-06-19 at 2:10 PM, police responded to a N. 2nd Ave. residence for a neighborhood problem. The complainant stated a neighbor from a few doors down came over and was yelling at him for having her adult daughter's financial information. The complainant stated he told her he had no idea what she was talking about but wanted police to give her a trespass warning not to come onto their property. The neighbor denied yelling and stated she would not go onto their property.

Arrest Incidents

Speeding	4
Operating a Hand Held device while driving in a Construction Zone	1
Operating a hand held device while driving	1
Warrant	1
Expired Registration	1
Driving in the Wrong Lane	1
Suspended D.L.	1
Failure to Yield	1

Coal City Police Department
Weekly Summary of Activities

Thursday 10-10-19 – Wednesday 10-16-19

During this period, there were 43 calls for service, 18 verbal warnings and 1 assist Grundy County Sheriff's Dept.

Significant Incidents

10-11-19 at 6:46 PM, police responded to a N. Broadway St. for a juvenile problem. The complainant stated she and her 16-year-old daughter was arguing, and the daughter barricaded herself in her bedroom. Police tried to talk and open the door but realized she had left the house out of her bedroom window. Police canvassed the area and was able to locate the teen. Police were able to resolve this incident when she agreed to spend the weekend with her father.

10-13-19 at 9:54 AN, police responded to a W. Elizabeth Dr. residence for a domestic disturbance call. The male subject stated it was only verbal but the female cut her finger while throwing items around the room. Police were able to resolve this incident when the female called her father to pick her up.

10-14-19 at 1:03 PM, police responded to a church parking lot for a criminal damage to property report. The complainant stated when she returned to her vehicle she observed several scratches on both sides of her vehicle. Police observed the scratches were consistent with the use of a sharp object

Arrest Incidents

Suspended D.L.	2
Expired Registration	5
Disobeying a Traffic Control Device	2
Obstructing Justice	1
Possession Controlled Substance	1
Warrant	2
Failure to reduce speed to avoid an accident	3
No Valid D.L.	1
Improper Backing	1
Speeding	1