

APPROVED

COUNCIL OF THE WHOLE MEETING **NEW LENOX BOARD OF TRUSTEES**

**New Lenox Village Hall,
One Veterans Parkway
Monday, January 18, 2016**

#16-02

CALL TO ORDER

The Council of the Whole Meeting of the New Lenox Village Board of Trustees was called to order at 7:00 p.m. by Mayor Baldermann in the Council Chambers of the New Lenox Village Hall.

ROLL CALL

Upon Roll Call by the Clerk, the following members of the corporate authorities answered "Here" or "Present":

Trustees Butterfield, Bowden, Madsen, Finnegan and Mayor Baldermann

Absent: Trustees Johnson and Smith

QUORUM

There being a sufficient number of members of the corporate authorities in attendance to constitute a quorum, the meeting was declared in order.

OTHER OFFICIALS IN ATTENDANCE

Also in attendance were Village Administrator Kurt Carroll, Village Clerk Laura Ruhl, Village Engineer Will Nash, Finance Director Kim Auchstetter, Community Development Director/Assistant Administrator Robin Ellis, Director of Public Works Brian Williams, Deputy Police Chief Bob Pawlisz, Building & Zoning Administrator Warren Rendleman and Attorney Chris Spesia

DISCUSSION ITEMS

Discussion of Proposed Amendments to the Liquor Code – BYO, Microbrewery, Winery

Mayor Baldermann reported as New Lenox continues to expand we are getting requests for new business that New Lenox has not had before. The proposed ordinance in packets addresses these requests.

Attorney Spesia stated the first ordinance is a change to Chapter 106, Zoning, which will add microbreweries and wineries to the C2-District.

Ms. Ellis stated the C2-District allow for bars and tavern whereas the C1-District only allow restaurants. The new Arrowhead Ales Brewing Company is in the C-3-District. Whatever is permitted in the C2 is permitted in the C3 and C7 Districts.

Trustee Butterfield asked about the Bring Your Own (BYO).

Mayor Baldermann stated there are certain restaurants that allow patrons to bring in their own wine. This does not mean that anyone business that has a Liquor License will offer BYO, this will be a separate license. There have been requests to open different types of businesses that are not as controlled

Attorney Spesia added this would be a separate Liquor License and they will be required to provide the same criteria as all other Liquor Licenses.

Mr. Carroll stated the proposed ordinance allows for BYO to a special event. This can be changed if the Village Board is not comfortable.

Trustee Finnegan reported that he knows of different kinds of BYO's for example, bring in your own wine, with a corking fee, to an establishment that has a Liquor License or the establishment does not have a Liquor License and you can bring in your own liquor.

Mayor Baldermann and the Village Board went on to discuss businesses that might offer the BYO.

Attorney Spesia explained they would have to apply for a Liquor License and supply the insurance along with the BASSET Training requirements.

Trustee Bowden asked what happens to any wine that the customer did not drink. Does it stay at the establishment?

Trustee Finnegan stated that there is a state ordinance that requires the establishment to cork and seal any unused wine before the customer can take it with them. Beer has to be thrown out.

Attorney Spesia referred to the Village of LaGrange's ordinance which says that "No BYO authorized establishment may permit any customer to leave with any open beer or wine container except only a single wine bottle that has been sealed in compliance with the Illinois Liquor Code".

Mayor Baldermann suggested that this would be acceptable. The Village Board concurred.

Attorney Spesia reported on another proposed ordinance that will allow wineries and breweries to have entertainment and also a different definition of the sale of food.

Mr. Carroll noted the proposed zoning change will have to go before the Plan Commission and public hearing then brought back to the Village Board for first read.

Discussion of Tobacco Stores/Vapor Establishments

Mayor Baldermann explained we are taking steps to deal with the increase of vapor establishments. The first proposed ordinance has changes to the Smoke Free Ordinance, the second proposed ordinance will rezone smoke shops to industrial areas and existing establishments would be grandfathered in. The third proposed ordinance amends the violations to include vapor and the fourth amends our penalties to include vapor.

Discussion of Video Gaming

Mayor Baldermann reported the proposed ordinance will allow video gaming in licensed establishments. There will be additional limits regarding the location of the gaming. Also Mayor Baldermann stated he personally does not want to see the café types where all they provide is soft drinks and video gaming. He went on to say that he met with certain liquor license holders in town that have strong interest in having the video gaming as a supplement. The ordinance proposes that a licensed establishment must derive more than 60% of its revenue on an annual basis from non-video gaming related activities. Mayor Baldermann explained the establishment must also have a half wall or partition with a separate door for the gaming.

The Village Board concurred.

Discussion of Metra Lot Pay Applications

Mr. Carroll reported this is a viable option for a pay application that can be utilized at our Metra Lots. This option was looked at years ago but the company was not ready for the public. Staff received from Passport, a company being used by the City of Chicago, Schaumburg, Downers Grove and a number of other successfully in the Chicagoland area. Mr. Carroll went on to describe how the mobile app works.

The Village Board went on to discuss the Passport Pay Mobile App. This will come back to the Board for more discussion and approval.

PUBLIC COMMENTS OR QUESTIONS

William Walter questioned the closing of Floyds Ale House.

Mr. Walter asked if the Video Gaming Ordinance is passed will the restaurants and bars will need to have a separate room.

Mayor Baldermann stated yes they will be required to have a separate room for video gaming.

Mr. Walter asked if there was any news on the train station.

Mayor Baldermann said Metra has been very receptive and there will be an upcoming meetings.

Mr. Walter asked if the Nelson Road extension would be started in the spring.

Mayor Baldermann stated that is the plan.

Mr. Carroll added the Village is working with the pipeline company and putting plans together.

Mr. Walter asked the time of the upcoming State of the Village at Silver Cross Hospital.

Mayor Baldermann reported from 7:00am-10:00am on February 25th.

ADJOURNMENT

Motion to Adjourn the Meeting made by Trustee Bowden and seconded by Trustee Finnegan. Upon voice vote, the motion carried. The Council of the Whole Meeting of the Village of New Lenox Board of Trustees held on January 18, 2016 was adjourned at 7:33p.m.

Laura Ruhl, Village Clerk