



PUBLIC MEETING NOTICE AND AGENDA  
COMMITTEE OF THE WHOLE MEETING

SEPTEMBER 7, 2021  
7:30 P.M.

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Public Comment  
The public is invited to make an issue-oriented comment on any matter of public concern. The public comment may be no longer than 3 minutes in duration.
4. Staff Presentations
  - A. Administration
    1. Ordinance Amending Chapter 33, Section 33.08 "Number of Licenses Issued" of the Lake in the Hills Municipal Code
  - B. Police Department
    1. Informational Item concerning Overnight Night Parking Exception on Sonoma Circle
5. Board of Trustees
  - A. Trustee Harlfinger
  - B. Trustee Huckins
  - C. Trustee Dustin
    1. Planning and Zoning Commission Liaison Report
  - D. Trustee Bojarski
  - E. Trustee Murphy
  - F. Trustee Anderson
    1. Parks and Recreation Board Liaison Report
6. Village President
7. Adjournment

MEETING LOCATION  
Lake in the Hills Village Hall  
600 Harvest Gate  
Lake in the Hills, IL 60156

The Village of Lake in the Hills is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the Village's facilities, should contact the Village's ADA Coordinator at (847) 960-7410 [TDD (847) 658-4511] promptly to allow the Village to make reasonable accommodations for those persons.

Posted by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_



# REQUEST FOR BOARD ACTION

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**MEETING DATE:** September 7, 2021

**DEPARTMENT:** Administration

**SUBJECT:** Ordinance Amending Chapter 33, Section 33.08B "Number of Licenses Issued" of the Municipal Code

## EXECUTIVE SUMMARY

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Attached please find an Ordinance amending Section 33.08B of the Municipal Code providing for an additional Class D Liquor License for Desserts by Corinna LLC, d/b/a UpRising Bakery & Café. A Class D Liquor License which allows for the retail sale in restaurants, hotels, or country clubs only, of beer and wine for consumption on the premises where sold. Following is the only business that currently has a Class D Liquor License:

D.M. Prime Burgers

## FINANCIAL IMPACT

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None.

## ATTACHMENTS

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1. Proposed Ordinance

## RECOMMENDED MOTION

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Motion to approve an Ordinance amending Chapter 33, Liquor Control and Liquor Licensing, Section 33.08B "Number of Licenses Issued" of the Lake in the Hills Municipal Code to increase the Class D Liquor Licenses allowed within the Village from one to two.

VILLAGE OF LAKE IN THE HILLS

ORDINANCE NO. 2021-\_\_\_\_\_

**An Ordinance Amending Chapter 33, Liquor Control and  
Liquor Licensing, Section 33.08B "Number of Licenses Issued"  
of the Lake in the Hills Municipal Code**

WHEREAS, the Village of Lake in the Hills, McHenry County, Illinois (the "Village") is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the welfare of the Village and its residents; and

WHEREAS, the Village of Lake in the Hills has reviewed the number of liquor licenses issued for each classification of license available to business establishments within the Village; and

WHEREAS, the Village President and Board of Trustees of the Village desire to amend Chapter 33.08B of the Municipal Code to update the maximum number of Class D licenses; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Lake in the Hills, McHenry County, Illinois, as follows:

SECTION 1: That Section 33.08B "Number of Licenses issued" of the Lake in the Hills Municipal Code shall be amended to read as follows:

**33.08 CLASSIFICATIONS, FEES, AND DAILY AND EVENT PERMITS, AND  
AUXILIARY LICENSES**

B. NUMBER OF LICENSES ISSUED: There shall be in the Village not more than:

Class A:	Eight Licenses
Class A-1:	One License
Class A-2:	Four licenses
Class A-3:	One License
Class B:	Ten Licenses
Class B-1:	Zero Licenses
Class C:	Two Licenses
Class D:	<u>Two</u> <del>One</del> Licenses

Class E: One License  
 Class E-1: One License  
 Class F: One License  
 Class G: Zero Licenses  
 Class H: Zero License  
 Class BWT: Zero Licenses  
 Class BWT-1: Zero Licenses  
 Class MBP: Zero Licenses

SECTION 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Passed this 9<sup>th</sup> day of September 2021 by roll call vote as follows:

	Ayes	Nays	Absent	Abstain
Trustee Stephen Harlfinger	_____	_____	_____	_____
Trustee Bob Huckins	_____	_____	_____	_____
Trustee Bill Dustin	_____	_____	_____	_____
Trustee Suzette Bojarski	_____	_____	_____	_____
Trustee Diane Murphy	_____	_____	_____	_____
Trustee Wendy Anderson	_____	_____	_____	_____
President Ray Bogdanowski	_____	_____	_____	_____

APPROVED THIS 9TH DAY OF SEPTEMBER, 2021

\_\_\_\_\_  
 Village President, Ray Bogdanowski

(SEAL)

ATTEST: \_\_\_\_\_  
 Village Clerk, Shannon DuBeau

Published: \_\_\_\_\_



# INFORMATIONAL MEMORANDUM

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**MEETING DATE:** September 7, 2021  
**DEPARTMENT:** Police Department  
**SUBJECT:** Overnight Night Parking Exception – Sonoma Circle

## EXECUTIVE SUMMARY

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At the direction of the Village Board, staff researched exceptions to the Lake in the Hills Municipal Code, Chapter 41; Section 41.05; All Night Parking (specifically 2am - 6am) in the area of Sonoma Circle.

Section 41.06(B) of the Municipal Code allows for exceptions to overnight parking on designated streets within the Village in order to accommodate special needs that may arise due to parking space shortage and hardships. In order to have a street or more accurately, a residential district added to the list of exceptions in this Chapter, the Village Board would need to first conduct a public hearing.

In previous years, the Board has held public hearings to formally consider exceptions on at least three occasions, for two residential districts involving the roadways: 1) Village Creek Dr., which is a multi-family, high density development, and 2) Impressions Dr., which is primarily single-family homes with less than a two-car garage. Subsequently, Village Creek Dr. is the only designated street within the Village to have had the exception granted to allow permitted overnight parking. Impressions Drive was unsuccessful in its two prior public hearings as the majority of residents who choose to participate in the process were against allowing overnight parking.

In contrast, Sonoma Circle is within a single-family residential district with two-car garages and full driveways. This development allows for the parking of four (4) vehicles without encroaching on the sidewalk. Based on this, the location is not considered to have a parking space shortage, deficiency or hardship.

The department attempts to balance the needs of residents who are on both sides of the issue, those who need additional parking spaces and those that want the ordinance enforced. In August 2021 the department received a complaint regarding the parking violations on Sonoma Circle and addressed the matter, issuing (19) citations for overnight parking and parking over the sidewalk violations. Each residence can be granted five times per month where they can be exempt from all night parking and extended guest parking can be granted for up to (30) days.

## FINANCIAL IMPACT

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None.

## ATTACHMENTS

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None.

## **SUGGESTED DIRECTION**

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Sonoma Circle is not considered to have a parking space shortage and would therefore not meet the requirements of Section 41.05B to grant an exception to overnight parking. Staff recommends against granting a public hearing as outlined in Section 41.06(G) and respectfully seeks further direction from the Board.