

**VILLAGE BOARD AGENDA  
FOR  
MONDAY, NOVEMBER 16, 2020  
AT  
5:30 PM  
151 NORTH MAIN STREET  
GLEN CARBON, ILLINOIS**

**SPECIAL MEETING CALLED TO ORDER VIA ZOOM -  
<https://zoom.us/j/93310613190>**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL AND VERIFICATION THAT ALL MEMBERS CAN HEAR ONE ANOTHER AND CAN HEAR ALL DISCUSSION**

**CONFIRMATION THAT ONE MEMBER IS PHYSICALLY PRESENT AT THE REGULAR MEETING LOCATION**

**PERSONS WISHING TO SPEAK BEFORE THE BOARD:** Via remote capability the meeting will be streamed on Facebook (<https://www.facebook.com/Village-of-Glen-Carbon-288852718374351>) and the Village Website ([www.glen-carbon.il.us](http://www.glen-carbon.il.us)). The Village will provide recordings of each meeting that will be available on the Village Facebook page. Those wishing to address the Board are urged to submit their comments by 5:30P.M., to our Village Administrator, Jamie Bowden, at [jbowden@glen-carbon.il.us](mailto:jbowden@glen-carbon.il.us) or by phone at (618) 406-3778.

**OLD BUSINESS: NONE**

**NEW BUSINESS**

- 1. Approval of Ordinance 2020-38 - An Amendment of the Village of Glen Carbon Liquor License Ordinance to Limit the Total Number of Class A Liquor Licenses Issued by The Village - Mayor Jackstadt/Village Attorney Jim Schrempf**
- 2. Approval of Ordinance 2020-39 - Amendment of the Village of Glen Carbon Liquor License Ordinance to Clarify the Definition of "Restaurant" - Mayor Jackstadt/Village Attorney Jim Schrempf**
- 3. Approval of Ordinance 2020-40 - An Ordinance Prohibiting Video Gaming devices in the Village of Glen Carbon - Mayor Jackstadt/Village Attorney Jim Schrempf**

**EXECUTIVE SESSION:** Pursuant to Sections 2C1 – Appointment, employment, compensation, discipline, performance or dismissal of specific employees; 2C2 – Collective negotiating matters or deliberations concerning salary schedules for one or more classes of employees, 2C5 – Purchase or lease of real property for use by the public body; 2C6 – Setting of a price for sale or lease of property owned by the public body, 2C11 – Litigation against or affecting or on behalf of the body when the same is pending or there is a specific finding that action is probable or imminent;

**ADJOURNMENT**



## Village of Glen Carbon

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151 North Main · P.O. Box 757 · Glen Carbon, Illinois 62034

Phone: (618) 288-1200 · Fax: (618) 288-1645

[www.glen-carbon.il.us](http://www.glen-carbon.il.us)

## Memo

**To:** Honorable Mayor and Village Trustees

**From:** Rob Jackstadt, Mayor

**Date:** November 16, 2020

**RE:** Approval of Ordinance 2020-38 - An Amendment of the Village of Glen Carbon Liquor License Ordinance to Limit the Total Number of Class A Liquor Licenses Issued by The Village - Mayor Jackstadt/Village Attorney Jim Schrempf

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***Proposed Motion: "To approve Ordinance 2020-38 - An Amendment of the Village of Glen Carbon Liquor License Ordinance to Limit the Total Number of Class A Liquor Licenses Issued by The Village."***

### **ATTACHMENTS:**

Description	Upload Date	Type
Ordinance 2020-38	11/13/2020	Ordinance

**ORDINANCE NO. 2020-38**

**AN ORDINANCE LIMITING THE NUMBER OF CLASS A LIQUOR  
LICENSES ALLOWED IN THE VILLAGE OF GLEN CARBON**

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**WHEREAS**, the Village Board finds it necessary and appropriate to amend the Village Code to limit the number of Class A liquor license allowed in the Village of Glen Carbon at any one time.

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF GLEN CARBON, AS FOLLOWS:**

**SECTION ONE**

That Subsection A (1) of Section 9 of Chapter 2 of Title 3 of the Village Code of the Village of Glen Carbon provides as follows:

3-2-9: A (1)

“1. Class A: A class A license shall entitle the licensee to sell alcoholic liquor, at retail, for consumption either: a) on the premises; or b) off of the premises where sold in the original package. The annual fee for such license shall be six hundred twenty five dollars (\$625.00).”

**SECTION TWO**

That Subsection A (1) of Section 9 of Chapter 2 of Title 3 of the Village Code of the Village of Glen Carbon shall be amended by deleting the present wording thereof and substituting the following wording therefore:

3-2-9: A (1)

“1. Class A: A class A license shall entitle the licensee to sell alcoholic liquor, at retail, for consumption either: a) on the premises; or b) off of the premises where sold in the original package. The annual fee for such license shall be six hundred

twenty five dollars (\$625.00). The total number of class A liquor licenses authorized to be issued by the Village of Glen Carbon at any one time shall be reduced by attrition to two (2).”

### **SECTION THREE**

If any part of this Ordinance is found to be unconstitutional, invalid or unenforceable by a Court of competent jurisdiction, such invalidity shall not affect the validity or effectiveness of the remaining provisions of this Ordinance or any part thereof and said Ordinance shall be read as if said invalid provision was struck therefrom and the context thereof changed accordingly with the remainder of the Ordinance to be and remain in full force and effect.

### **SECTION FOUR**

All ordinances or parts of other ordinances in conflict herewith shall be and hereby are repealed to the extent of any such conflict, provided that nothing herein shall in any way excuse or prevent prosecution of any previous or existing violation of any ordinance or part of any ordinance repealed or superseded hereby. Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court, any rights acquired, any liability incurred, any cause of action acquired or existing by reason of this Ordinance or any part thereof repealed by this Ordinance. No accrued legal right or remedy of any kind or character shall be lost, impaired or affected by this Ordinance.

### **SECTION FIVE**

This Ordinance shall be in full force effective, following its passage, approval, and publication in pamphlet form in accordance with State Statutes.

Passed by the Village Board of the Village of Glen Carbon, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Approved by the Mayor of the Village of Glen Carbon, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Mayor, Village of Glen Carbon, Illinois

ATTEST:

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Village Clerk  
Village of Glen Carbon, Illinois



## Village of Glen Carbon

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## Memo

**To:** Honorable Mayor and Village Trustees

**From:** Rob Jackstadt, Mayor

**Date:** November 16, 2020

**RE:** Approval of Ordinance 2020-39 - Amendment of the Village of Glen Carbon Liquor License Ordinance to Clarify the Definition of "Restaurant" - Mayor Jackstadt/Village Attorney Jim Schrempf

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***Proposed Motion: " To Approve Ordinance 2020-39 - Amendment of the Village of Glen Carbon Liquor License Ordinance to Clarify the Definition of "Restaurant".***

### ATTACHMENTS:

Description	Upload Date	Type
ORDINANCE 2020-39	11/13/2020	Ordinance

**ORDINANCE NO. 2020-39**

**AN ORDINANCE AMENDING THE DEFINITION OF RESTAURANTS**

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**WHEREAS**, the Village Board finds it necessary and appropriate to amend the definition of Restaurants within the Village Code.

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF GLEN CARBON, AS FOLLOWS:**

**SECTION ONE**

That Section 1 of Chapter 2 of Title 3 of the Village Code of the Village of Glen Carbon provides as follows for the definition of Restaurant:

“RESTAURANT: Any public place having regular menus, which is kept, used, maintained, advertised and held out to the public as a place where meals are served, and where meals are actually and regularly served, such space being provided with adequate and separate sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook, and serve suitable food for its guests. In addition, any business claiming to be a "restaurant" must document, upon demand, that fifty percent (50%) or more of its gross receipts is derived from the sale of food as distinguished from alcoholic liquor.”

**SECTION TWO**

That Section 1 of Chapter 2 of Title 3 of the Village Code of the Village of Glen Carbon shall be amended by deleting the present definition of Restaurant and substituting it for the following wording therefore:

“RESTAURANT: Any public place having regular menus, which is kept, used, maintained, advertised and held out to the public as a place where meals are served, and where meals are actually and regularly served, such space being provided with adequate and separate sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook, and serve suitable food for its guests. In addition, any

business claiming to be a "restaurant" must document, upon demand, that fifty percent (50%) or more of its gross receipts is derived from the sale of food as distinguished from all other income generated on the premises, including gaming revenue.”

### **SECTION THREE**

If any part of this Ordinance is found to be unconstitutional, invalid or unenforceable by a Court of competent jurisdiction, such invalidity shall not affect the validity or effectiveness of the remaining provisions of this Ordinance or any part thereof and said Ordinance shall be read as if said invalid provision was struck therefrom and the context thereof changed accordingly with the remainder of the Ordinance to be and remain in full force and effect.

### **SECTION FOUR**

All ordinances or parts of other ordinances in conflict herewith shall be and hereby are repealed to the extent of any such conflict, provided that nothing herein shall in any way excuse or prevent prosecution of any previous or existing violation of any ordinance or part of any ordinance repealed or superseded hereby. Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court, any rights acquired, any liability incurred, any cause of action acquired or existing by reason of this Ordinance or any part thereof repealed by this Ordinance. No accrued legal right or remedy of any kind or character shall be lost, impaired or affected by this Ordinance.

### **SECTION FIVE**

This Ordinance shall be in full force effective, following its passage, approval, and publication in pamphlet form in accordance with State Statutes.

Passed by the Village Board of the Village of Glen Carbon, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.



Approved by the Mayor of the Village of Glen Carbon, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor, Village of Glen Carbon, Illinois

ATTEST:

\_\_\_\_\_  
Village Clerk  
Village of Glen Carbon, Illinois



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## Memo

**To:** Honorable Mayor and Village Trustees

**From:** Rob Jackstadt, Mayor

**Date:** November 16, 2020

**RE:** Approval of Ordinance 2020-40 - An Ordinance Prohibiting Video Gaming devices in the Village of Glen Carbon - Mayor Jackstadt/Village Attorney Jim Schrempf

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***Proposed Motion: "To Approve Ordinance 2020-40 - An Ordinance Prohibiting Video Gaming devices in the Village of Glen Carbon."***

### ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2020-40	11/13/2020	Ordinance

**ORDINANCE NO. 2020-40**

**AN ORDINANCE PROHIBITING VIDEO GAMING, AS DEFINED AND DESCRIBED BY THE ILLINOIS VIDEO GAMING ACT, WITHIN THE CORPORATE BOUNDARIES OF THE VILLAGE OF GLEN CARBON**

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**WHEREAS**, the Illinois Video Gaming Act, 230 ILCS 40/27, provides that a municipality may pass an ordinance prohibiting video gaming and gambling within the corporate boundaries of the municipality; and

**WHEREAS**, the corporate authorities of the Village of Glen Carbon, Illinois believe that it is in the best interests of the Village and its citizens to limit the participation of gambling within the corporate boundaries of the Village of Glen Carbon, Illinois.

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF GLEN CARBON, AS FOLLOWS**

**SECTION ONE**

The facts and statements set forth in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**SECTION TWO**

Pursuant to Section 27 of the Illinois Video Gaming Act, 230 ILCS 40/27, video gaming as defined and described by the Illinois Video Gaming Act is prohibited within the corporate boundaries of the Village of Glen Carbon, Illinois.

**SECTION THREE**

If any part of this Ordinance is found to be unconstitutional, invalid or unenforceable by a Court of competent jurisdiction, such invalidity shall not affect the validity or effectiveness of the remaining provisions of this Ordinance or any part thereof and said Ordinance shall be read as if said invalid provision was struck

therefrom and the context thereof changed accordingly with the remainder of the Ordinance to be and remain in full force and effect.

#### **SECTION FOUR**

All ordinances or parts of other ordinances in conflict herewith shall be and hereby are repealed to the extent of any such conflict, provided that nothing herein shall in any way excuse or prevent prosecution of any previous or existing violation of any ordinance or part of any ordinance repealed or superseded hereby. Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court, any rights acquired, any liability incurred, any cause of action acquired or existing by reason of this Ordinance or any part thereof repealed by this Ordinance. No accrued legal right or remedy of any kind or character shall be lost, impaired or affected by this Ordinance.

#### **SECTION FIVE**

This Ordinance shall be in full force effective, following its passage, approval, and publication in pamphlet form in accordance with State Statutes.

Passed by the Village Board of the Village of Glen Carbon, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Approved by the Mayor of the Village of Glen Carbon, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Village of Glen Carbon, Illinois Mayor,

ATTEST:

\_\_\_\_\_  
Village Clerk  
Village of Glen Carbon, Illinois