

APPROVED MINUTES

VILLAGE OF ANTIOCH BOARD OF TRUSTEES COMMITTEE OF THE WHOLE Municipal Building: 874 Main Street, Antioch, IL June 26, 2019

I. CALL TO ORDER

Mayor Hanson called the June 26, 2019 Committee of the Whole meeting of the Board of Trustees to order at 7:00 pm in the Municipal Building: 874 Main Street, Antioch, IL.

II. PLEDGE OF ALLEGIANCE

The Mayor and Board of Trustees led the Pledge of Allegiance.

III. ROLL CALL

Roll call indicated the following Trustees were present: Pierce, Macek, Yost, Dominiak, Poulos and Johnson. Also present were Mayor Hanson, Attorney Long, Administrator Keim and Clerk Romine.

IV. ABSENT TRUSTEES WISHING TO ATTEND REMOTELY

There were no absent trustees wishing to attend remotely.

V. Approval of the May 22, 2019 Special Meeting and Committee of the Whole Meeting Minutes as presented - Trustee Macek moved, seconded by Trustee Johnson, to approve the May 22, 2019 Special Meeting and Committee of the Whole meeting minutes as presented.

Upon roll call, the vote was:

YES: 6: Pierce, Macek, Yost, Dominiak, Poulos and Johnson.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

VI. REGULAR BUSINESS

1. Sawmill Dedication Discussion – Director Kabrick discussed the request from Dr. Don Skidmore and the Lions Club to fund a dedication plaque at the sawmill recognizing Richard Stroner, Frank Angelotti and Walt Sheppard.

Dr. Donald Skidmore, Village resident, discussed his experience in helping and volunteering on the sawmill project. He was told by former Mayor Mike Haley that the sawmill would not have happened without the three people mentioned in his request. According to Dr. Skidmore, the three Village employees mentioned gave birth to the project and were responsible for gathering volunteers and managing the project. He added that the Lions Club is prepared to assist with the funding of the sign.

Trustee Pierce agrees it is important to recognize the volunteers and thinks Marilyn Sterbenz and the volunteers should also be recognized if a sign is constructed. Trustees Macek and Yost agreed. Trustee Dominiak would be against anything that doesn't recognize Marilyn Sterbenz and her work on the project, and commented that the Village employees mentioned by Dr. Skidmore were provided extra compensation for their work on the project. Trustees Poulos and Johnson suggested recognizing the original contributors on a smaller section of the sign similar to a picture shown in the Antioch News dated June 28, 1978. Mayor Hanson suggested creating a sign providing a history of the sawmill including a recognition of those involved.

2. Discussion regarding Cannabis Regulation and Tax Act – Mayor Hanson announced that the bill was signed into law yesterday by Governor Pritzker, and Attorney Long has done some research.

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Attorney Long said the primary thing that needs to be done is expungements, which would not require board action, but a considerable amount of work on staff's end. Code Amendments would also need to be made, and the law is specific that communities will have to make recreational marijuana legal. There is a specific section of the act which would require decision making by the village board on whether or not they would permit sales in town. If permitted, zoning code amendments would need to be made. He commented on sales tax revenue and collateral sales for adjacent businesses, including increased real estate value. Other things to consider are enforcement, security and crime. He asked the board if they are interested in opting-out at this time. He discussed the number of dispensaries allowed in the State, and the fact that Antioch is a border community. The only regulatory power the Village Board has under this particular statute is the zoning district, whether to opt-in or opt-out, and what conditions may apply for a conditional use permit.

Those present discussed location restrictions, sign restrictions as a part of the conditional use permit, timeframes and deadlines.

Trustee Pierce morally disagrees and thinks it is a bad idea on part of the State, however he also disagrees with regulating morality. He thinks we would be foolish to opt-out based on the situation the State has put communities in. Trustee Macek agrees, and would like to opt-in to better regulate location and signage, and added that the village has a fiduciary responsibility. Trustee Yost commented on the character of the community and what we want the community to be and how we want it to look. He expressed concern that others, like him, would avoid downtown if that is where the dispensary is located. Trustee Poulos agrees with Trustees Pierce and Macek, and would not be interested to opt-out, but is totally against any lounges. He would like to apply the highest possible tax and limit the option to existing liquor or vape retailers. Trustee Johnson asked if it would be difficult to prohibit lounges at this time, and allow them at a future date. Attorney Long replied that it would not, but would likely require a zoning change. Trustee Johnson discussed enforcement, and lack of the potential for revenue if the board chooses to opt-out. He also commented on the comp plan, and the future vision of the village as discussed by Trustee Yost, adding that the additional revenue may help us achieve that vision. Those present discussed the licensing, which is done through the State and not locally. Attorney Long added that the only local approval that may be needed would be for the issuance of a conditional use permit. Trustee Yost confirmed that a portion of the revenues directed by the State will be divided equally among all municipalities to assist with the funding of enforcement, regardless of their decision to opt-in or out of the local sales. Trustee Dominiak discussed serving the health and welfare of the community, and doesn't think adding a marijuana shop is something the community would support. She suggested conducting a community survey and expressed concern with enforcement and driving laws. She said she has taken an oath to uphold the constitution of the United States, and asked Attorney Long for advice on how to do that when there is potential to assist someone breaking a federal law or a law in another state. Trustee Dominiak disagreed that there may be residual revenues for people coming in to town to purchase the product, and discussed her concerns regarding cash-based businesses. She recommends taking action to get a sense of what the residents want before any decisions are made, and added that, if this is allowed, she would not like it in the downtown. Mayor Hanson said the problems will still be here regardless of a shop being in town, and added that the only things that will change for the community if the board opts-in is that residents won't have to drive as far to get it, the additional revenue will be realized by the Village and it can be regulated by the board. The discussion continued related to following the laws, projected revenues and the risk of federal enforcement. Trustee Dominiak asked Mayor Hanson for clarification on his earlier comment related to Antioch residents and their wish to have this in their community. Mayor Hanson responded that he meant the State has allowed recreational marijuana, so it is going to be allowed regardless of what individual communities desire.

It was the consensus of those present to have Attorney Long move forward with drafting regulations based on comments provided.

3. Retail/Commercial Outdoor Storage – Director Garrigan discussed regulation of commercial outdoor storage, which is currently exempted in the village code and not regulated. Recently, there have been concerns raised about outdoor storage at certain retailers on Main Street and he presented pictures of

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businesses currently utilizing outdoor storage. He asked the board if there was support to regulate outdoor storage for retail business.

Trustee Pierce believes this to be display of sales goods and not outdoor storage and believes it attracts potential customers. Trustee Macek thinks it's not a good look and said some of the stuff is just junk. Trustee Yost disagrees that it attracts potential customers and believes it goes to the character of the community and could deter potential businesses. He believes fair regulation should be considered. Trustee Dominiak supports stricter regulations, but expressed concern with enforcement. She thinks staff should sit down with existing businesses to work toward a solution. Trustee Poulos thinks downtown displays should be restricted to sidewalk sales days/Maxwell street days, and items should only be allowed to be placed outside during business hours. Trustee Johnson said we do have to be fair to the businesses and agreed with speaking with business owners. Those present discussed display, appearance, and setback requirements and agreed to have staff meet with business owners to discuss the issue.

VII. OTHER BUSINESS

No report.

VIII. EXECUTIVE SESSION – Personnel and Pending Litigation, Lease of Village Property, Collective Bargaining – property - Trustee Dominiak moved, seconded by Trustee Yost, for the Mayor and Board of Trustees to go into executive session at 8:36 p.m. to discuss pending litigation.

Upon roll call, the vote was:

YES: 6: Pierce, Macek, Yost, Dominiak, Poulos and Johnson.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

Trustee Dominiak moved, seconded by Trustee Yost for the Mayor and Board of Trustees to return from executive session to the open meeting at 9:03 pm with **no action taken**. Upon roll call, the vote was:

YES: 6: Pierce, Macek, Yost, Dominiak, Poulos and Johnson.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

IX. ADJOURNMENT

There being no further discussion, the Village Board of Trustees Committee of the Whole meeting adjourned at 9:04 pm.

Respectfully submitted,

Lori K. Romine, RMC/CMC
Village Clerk