

# APPROVED MINUTES

**VILLAGE OF ANTIOCH BOARD OF TRUSTEES  
COMMITTEE OF THE WHOLE MEETING  
Antioch Senior Center: 817 Holbek, Antioch, IL 60002  
Virtual Meeting – Call In (312)626-6799 Access Code: 592-598-564  
September 23, 2020**

## **I. CALL TO ORDER**

Mayor Hanson called the September 23, 2020 Committee of the Whole meeting of the Board of Trustees to order at 9:21 pm in the Antioch Senior Center: 817 Holbek, 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 July 22, 2020 Committee of the Whole Meeting Minutes as presented.**

Trustee Macek moved, seconded by Trustee Yost, to approve the July 22, 2020 committee of the whole 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. Lucky Bernie's Liquor License Request –** Mayor Hanson reviewed the previous request from Mr. Jose Acosta at Lucky Bernie's for an improved liquor license from beer and wine to a full liquor license. The applicant is here today to request a full liquor license.

Mr. Adam Kingsly, attorney representing Mr. Acosta, discussed the history of the business, their initial and subsequent requests, and said he understands the opposition and the issues with the establishment prior to that time. He asked for a chance for his client to operate with a full liquor license and explained why he should be awarded that opportunity.

Mr. Acosta, owner, discussed his business associations outside of Lucky Bernies, and his experience owning and operating a bar for the first time. He said he had to rely on guidance from previous owners of the operation, and has learned many things throughout his time owning and operating the business. He now owns 95% of Lucky Bernie's, and feels like he has done the best he can to address the previous concerns previously raised. He has created an elevated menu, all food is hand-made and made to order, they are now offering charcuterie, the build out and property issues that were inherited have been resolved, and amendments were made to the billboard to reduce the emphasis on gaming. He discussed charitable and fundraising opportunities they have done, but feels as though the beer and wine restricts those events. Mr. Acosta plans on doubling staff if full liquor is offered including a cook and barback for table seating. He estimates beverage sales, food sales and gaming sales will be increased.

Trustee Pierce said it's been a year and a lot has changed in Antioch and the world, and his opinion is that the customers seem satisfied with Lucky Bernie's in the community. He has no problem with the improved license.

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Trustee Macek expressed concern with life safety and would like to see the building entrance connected with the stop light. He further expressed concern with the signatures on the petition that may not be as mature as required for such an establishment.

Trustee Yost said he would be willing to reconsider the request for a full liquor license. He likes the suggestion made by Trustee Macek, but would generally be supportive of this.

Trustee Dominiak thinks this is comparable to what is in town with Taylor's on Toft and is okay with approving the requested liquor license. She asked the Police Chief if there is any data or indication of overserving or concerns at Lucky Bernies. Chief Guttschow said there are not historically any issues, but the service of additional alcohol brings additional risk, and the police department generally sees more activity at businesses that serve hard alcohol in addition to beer and wine. Trustee Dominiak asked what the Village can do to seek a revision of the egress. Administrator Keim said the Village could entice the property owner with Business District funds to make the improvement, but it's also contingent on IDOT approval. Mayor Hanson added that he previously discussed using Business District funds for improvements to that intersection. Attorney Kingsley asked if a right-only turn could be done as a temporary solution. Trustee Dominiak said she struggles because they have done everything the board has asked, but sees the safety concern. She asked staff to work with IDOT on engineering.

Trustee Dominiak and Poulos discussed the potential for a name change so if there is a problem with other Lucky Bernie's establishments it doesn't reflect on them.

Trustee Poulos asked about Lyft and Uber options. Mr. Acosta responded that he has looked into partnering with Uber and Lyft for a passcode or promo code to get a discounted ride. He addressed concerns of intoxication, and feels staff is very conscious of how they're serving and make the best judgment calls to avoid drunk driving. Trustee Poulos agreed that the applicant has done what was asked and is supportive of this, but would like to pursue other life safety issues.

Trustee Johnson discussed the history of this business and the original application for a beer and wine license. Trustee Johnson said he has met with Jose and thinks he is a good businessman, has made good changes, has phenomenal staff and shouldn't be penalized for his location. He thinks the measures he is taking and staff training will help avoid that from happening. He discussed the struggle of these businesses during COVID and thinks Mr. Acosta has paid his dues and supports helping another business trying to make it in our community.

This item will be placed on a future village board agenda for consideration. Staff will contact the property owner to address concerns regarding the entryway.

Ms. Toni Huntner, employee, said she has been through many of the hardships of the business and thinks this is a business that deserves to have a full liquor license. She discussed BASSETT certifications which help reduce intoxicated patrons driving and overserving.

**2. Renaming of Sprenger Park to Ellis Park** – Mayor Hanson discussed the passing of State Trooper Ellis, Village resident from Neuhaven Subdivision. Trustee Yost said he suggested this renaming Sprenger Park to Ellis Park in order to honor Trooper Ellis as a hero, a father, a husband and a member of the community. He said there is widespread support from the community, and Trooper Ellis exemplified what it meant to be a service member to his community and thinks this is an appropriate tribute to his service and what he did. Administrator Keim doesn't see any reason why this request couldn't be fulfilled. He said Otto Sprenger was the original developer and cannot ascertain whether or not he is still with us, but that is the only obstacle to renaming the park. Research was done to try and located any connection to the Sprenger family. Trustee Yost suggested, if that is an issue, perhaps Mary's Park could be renamed Otto and Mary Sprenger Park. He has communicated with Trooper Ellis' wife who is also supportive of this.

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Trustee Pierce thinks this a wonderful idea and thanked Trustee Yost for bringing it forward. He said he would not post to Facebook until Trustee Yost has had the opportunity to make the announcement. Trustee Dominiak concurred with Trustee Pierce. Those present think it's a great idea and will be placed on a future Village Board agenda for consideration.

**3. Discussion of EMB Signs** – will be discussed at a later date due to the time.

**4. Christmas Eve Hours** – Mayor Hanson said last year, the Village offices closed a little earlier than usual on Christmas Eve. Clerk Romine stated that this year, Christmas Eve occurs during the objection filing period for the April 6, 2021 Consolidated Election. The number of hours Village Hall remains open determines whether or not Christmas Eve is counted as a day to accept objections. Trustee Pierce asked what the final day to file objections would be if Village Hall remained open 8 hours on Christmas Eve. Clerk Romine will research dates and provide that information to the board.

### VII. OTHER BUSINESS

Trustee Pierce discussed use of cell phones and intermingling public and private business. He asked if the Village would provide cell phones to the board to avoid conflict with sunshine laws. Staff will look into the cost of providing cell phones for the board.

Trustee Dominiak discussed the Village of Antioch Facebook page following her political page and asked staff to look into why it would be followed.

Mayor Hanson discussed the use of Facebook, and said any recap from the meetings or upcoming agendas should come from a Village site first in order to control commenting and avoid open meetings act violations. Trustee Dominiak asked if a process to post recaps could be done such as the briefing room. Trustee Pierce added that he is getting complaints regarding posts from the "Office of the Mayor". A discussion ensued regarding fb posts and the right of the mayor to issue statements. Clerk Romine provided an overview of materials included in the briefing room, such as agenda packet materials, recent village board action, and approved ordinances and resolutions.

### VIII. Executive Session

Trustee Yost moved, seconded by Trustee Dominiak to enter executive session at 10:20pm for property acquisition and 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 to exit executive session at 10:29pm 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 Special meeting adjourned at 10:29 pm.

Respectfully submitted,

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Lori K. Romine, RMC/CMC  
Village Clerk