

APPROVED MINUTES

**VILLAGE OF ANTIOCH BOARD OF TRUSTEES
COMMITTEE OF THE WHOLE MEETING
Village of Antioch, Lake County, Illinois
Municipal Building: 874 Main Street, Antioch, IL 60002
September 28, 2022**

I. CALL TO ORDER

Mayor Gartner called the September 28, 2022 Committee of the Whole meeting of the Board of Trustees to order at 7:06 pm at the Antioch Municipal Building located at 874 Main Street, Antioch, IL and via Zoom.

II. ROLL CALL

Roll call indicated the following Trustees were present: Pierce, Macek, Pedersen, Bluthardt, Burman and Dominiak. Also present were Mayor Gartner, Attorney Vasselli, Administrator Keim and Clerk Romine.

III. Absent Trustees Wishing to Attend Remotely

There were no absent trustees wishing to attend remotely.

IV. Approval of the September 14, 2022 Committee of the Whole meeting minutes as presented

Trustee Macek moved, seconded by Trustee Pierce, to approve the September 14, 2022 Committee of the Whole meeting minutes as presented. Upon roll call, the vote was:

YES: 6: Pierce, Macek, Pedersen, Bluthardt, Burman and Dominiak.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

V. Mayoral Report

None.

Citizens Wishing to Address the Board

None.

VI. Regular Business

1. Discussion regarding request for a Cannabis Dispensary – Mr. Zacary Zises provided an overview of the cannabis ordinances approved by the Village of Antioch. He discussed the proximity of the nearest dispensary, and his experience with cannabis dispensaries in Illinois. He discussed the safety and security required for a cannabis dispensary, demographics of their clientele, revenues, employment opportunities, and aesthetics of the retail spaces they currently operate. He discussed on-site consumption, and hopes it is considered in Antioch. He showed the proposed site plan on Main Street and thanked the Board for their consideration.

Trustee Pierce said he voted no on the original ordinance, and said he is not in favor of this. He asked about the site plan that was previously approved, and asked the attorney to provide a copy of the ordinance approving cannabis in Antioch. Attorney Vasselli said the ordinance does discuss the prohibition of cannabis related to the Smoke-Free Illinois Act and will make sure it's circulated before the next board meeting. Trustee Pierce further expressed concern with this backing up to his neighborhood.

Trustee Macek said dispensaries make a safer solution to obtaining marijuana on the street that can be easily laced with Fentanyl. He further discussed the benefits of the tax and his support for a dispensary.

Trustee Pedersen said she is not opposed to a dispensary, but is opposed to consumption at the dispensary. She is also not in favor of a liquor/gaming license requested by the applicant.

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Trustee Bluthardt commented that he fully supports a dispensary, stating if we don't build one here, it will pop up nearby but without the benefits of the revenue. He said he is in favor of the location, and asked for an explanation of how the consumption license would actually work. Mr. Zises responded that Mundelein has a reservation and time-limit. He admitted that has not operated a dispensary with on-site consumption before, but added that they are not allowed to offer table service. He believes clients will purchase product in the dispensary and go to a table with the opportunity to consume. Trustee Bluthardt asked if there was something similar to Dram shop insurance for an on-site consumption dispensary. Mr. Zises responded that he hasn't done due diligence on the insurance piece. Trustee Bluthardt asked if there are any other consumption lounges that offer liquor. Mr. Zises replied that he is not aware of any, but at this time they will be withdrawing their request for a liquor license. He said they may come back in a year after the business is open, but will not ask for it at this time. Trustee Bluthardt asked if they are open to operating just a dispensary, or does it have to be a lounge for them to proceed. Mr. Zises said a consumption lounge is not a huge money maker, but draws people and is experiential. He added that it can provide a safe place for people crossing over the border to consume. He stated that he hasn't operated one before and it may be trial and error, but is confident it can be operated to draw in business and be a benefit to the consumer. Trustee Bluthardt asked if he has an anticipated opening date. Mr. Zises replied next summer at the earliest.

Trustee Burman asked if Round Lake just approved a dispensary, and thinks the Board needs to consider if this fits the brand of the town. She said Antioch is small-town family oriented and she doesn't feel that fits the brand we have worked so hard on. She also said she doesn't like the idea of consumption, liquor or gaming. Trustee Burman discussed potential for problems, and people see dollar signs and don't look at negative aspects. She doesn't believe there is not an increase in crime, and suggested maybe not in the vicinity of the shop, but asked if there have been any studies about increased crime in areas surrounding the shops.

Trustee Dominiak asked Mr. Zises who is 280E and who is Dispensary 33. Mr. Zises responded that Dispensary 33 is the operating company for the dispensary and being sold. He has worked with 9 groups that have 21 licenses in the Chicago area, and will determine who will operate after the real estate side is figured out. When he comes back with a special use, he will be able to identify the licensee. Trustee Dominiak said she does not support a lounge, and has trepidation about the fact that he hasn't operated a consumption business before. Trustee Dominiak asked if this was a cash based business, to which Mr. Zises said it is, but they have the ability to do reverse ATM transactions. Trustee Dominiak asked about the prior approval of the site plan. Director Garrigan said the site plan was approved for the property owner, Troy Sunday, over 2 years ago, and the applicant is seeking to construct a building with same footprint, and requested modifications to the façade. He has not yet seen elevations for the revised building, but said it would require a site plan if there are significant changes. Trustee Dominiak said she would like opportunity to review site plan, and would like to hear from other interested licensees before making a decision.

Trustee Pierce asked the attorney about special use approvals needed. Attorney Vasselli responded that a special use permit is part of the codification, and it is common that these types of business are only allowed as a special use. Trustee Pierce expressed concern that this hasn't gone to the Planning and Zoning Board, and they are asking the Board to provide support prematurely. Trustee Pierce said the applicant should have come more prepared, and he hasn't seen anything that convinces him they are prepared at all. Mr. Zises said they want to make sure this is a community that supports this business before beginning the formal processes. Trustee Pierce further expressed concern with cross-border business, and said if it's all about the money, why aren't there other adult businesses in town.

Trustee Macek said residents are better off driving 2 miles to get it than having to drive 20 miles.

Trustee Bluthardt commented that it's a legal drug, and doesn't see it being an issue in how it affects the vision of Antioch. He thinks if we don't allow one, there will be one very close that will have potential for the same issues, but without the revenue benefits. He said it's destined to be here at some point, and the sooner the better. He would like to discuss further at a committee of the whole meeting.

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Trustee Burman thinks the Board also needs to consider the residents that would be in that area living in close proximity to a dispensary. She discussed the request before the Village of Richmond and the applicants process with them.

Trustee Dominiak would like a report from the Police Chief at a future discussion regarding the impact of this business on the community. She wants to be clear that if the ordinance is in place, it's her personal decision whether or not to vote on a dispensary.

2. Discussion regarding an Ordinance adding Section 7-1-5 to the Antioch Village Code regarding non-highway vehicles on Village Streets – Administrator Keim presented the draft ordinance, stating amendments will need to be made. He asked the Board for feedback on how they'd like to see the final draft presented. He recommended a simpler revocation process, and updated definitions on allowed vehicles and parking areas.

Trustee Pierce said he is in favor of golf carts, but not other vehicles. He also asked for signage on the roads showing where it's allowed and not allowed.

Trustee Macek asked if you could cross Route 173. Administrator Keim said yes; per the Illinois Vehicle Code, you can cross state highways.

Trustee Pedersen doesn't believe too many golf carts will be active the first year where parking will need to be addressed. She also doesn't see a problem with the crossings as long as everyone is careful.

Trustee Bluthardt likes the idea of the \$100 license fee, but asked if there was a reason for the \$50 renewal fee. Administrator Keim said it's just a proposal and can be a \$100 annual fee. Trustee Bluthardt thinks it should be restricted to golf carts only, and we should proceed and clean it up as best we can to move forward.

Trustee Burman agrees it should be restricted to golf carts.

Trustee Dominiak agrees with restricting this to golf carts and asked if an age limit should be considered. She expressed concern with the crossings at Routes 59 and 173.

Administrator Keim said he feels it's inherently unsafe to get in a vehicle, and doesn't think we should put up signs or establish crossings. Users should acknowledge it's at their own risk.

This item will be discussed at a future committee of the whole meeting.

3. Discussion regarding Christmas Tree Lighting – Administrator Keim discussed the Park Board recommendation to decorate and light the trees near the bandshell. He said quotes were obtained in the amount of \$6,500 to do the tree properly. He said he will move forward with this program unless the board has a discussion and tells him not to spend the money decorating the tree.

Trustee Pedersen discussed the gathering around the current tree at Village Hall, and said the Park Board really wants a large tree lit with Santa at the Bandshell. She stated there is a lot of room for people to gather after the parade, and thinks it would be nicer at the Bandshell.

Trustee Bluthardt supports the expense and asked if they are taken down or if they stay on the tree, and if this will be an annual expense. Administrator Keim said they could stay up, but we will at least own the lights.

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VII. OTHER BUSINESS

Trustee Dominiak discussed a recently attended session on home rule units and said she put copies of the presentation in each Board Member's mailbox.

VIII. EXECUTIVE SESSION – Personnel and Pending Litigation, Lease of Village Property, Collective Bargaining – The Mayor and Board of Trustees did not go into executive session.

IX. ADJOURNMENT

There being no further discussion, the Village Board of Trustees Committee of the Whole meeting adjourned at 8:23 pm.

Respectfully submitted,

Lori K. Romine, RMC/CMC
Village Clerk