

# 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 27, 2023**

## **I. CALL TO ORDER**

Mayor Gartner called the September 13, 2023 Committee of the Whole meeting of the Board of Trustees to order at 7:24 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: Burman, Bluthardt, McNeill, Pierce, Macek and Pedersen. Also present were Mayor Gartner, Attorney Vasselli, Administrator Keim and Clerk Romine.

## **III. Absent Trustees Wishing to Attend Remotely**

There were no Trustees attending remotely.

## **IV. Mayoral Report**

None.

## **Citizens Wishing to Address the Board**

There were no citizens wishing to address the board at this time.

## **V. Regular Business**

**1. Approval of the August 23, 2023 and September 13, 2023 Committee of the Whole meeting minutes as presented** – Trustee Macek moved, seconded by Trustee Pierce, to approve the August 23, 2023 and September 13, 2023 Committee of the Whole meeting minutes as presented.

Upon roll call, the vote was:

**YES: 6:** Burman, Bluthardt, McNeill, Pierce, Macek and Pedersen.

**NO: 0.**

**ABSENT: 0.**

**THE MOTION CARRIED.**

**2. Discussion regarding a site plan for a new auto sales and service facility for Raymond Kia of Antioch located at the Northwest corner of IL 173 and Brown Avenue** – Director Garrigan presented the request for a site plan review which went before the Planning and Zoning Board. This will be the first phase of the Brown LLC property, which consists of 22 acres. The new dealership will be located to the west of Walmart and Menards, and will be approximately 25,000 square feet on approximately 7 acres. Director Garrigan relayed that IDOT has identified and consented to full access on Route 173 with a full intersection, which will be completed concurrent with this development. Director Garrigan reviewed the remaining details of the site plan, including the building design. He indicated that this site plan received a unanimous recommendation from the Planning and Zoning Board.

Trustee Pierce asked if there would be signalization at the intersection. Director Garrigan responded it would likely not have a signal due to nearby signalization. Trustee Pierce asked the applicant, Mr. Mark Scarpelli, his typical employee load at a dealership. Mr. Scarpelli responded that there will likely be 55-70 employees at the proposed dealership.

# APPROVED MINUTES

Trustee Macek asked if the speed limit would be reduced, and asked for that to be discussed with IDOT.

Attorney Vasselli commented that this property is located within the proposed TIF district, and the infrastructure improvements will require TIF funds. Therefore, the tax increment that would be generated and used on the infrastructure would satisfy the “but-for” test.

This item will be placed on the next Village Board agenda for consideration.

**3. Discussion regarding a site plan for 710 Anita Street** – Director Garrigan discussed the site plan from Ash Pallet Management, and the surrounding areas and zoning. He stated that the applicant is interested in constructing a parking facility on the almost 8-acre site. He discussed limitations on the property, and the storage area and potential future maintenance building which is not part of this site plan.

Trustee Burman asked if a traffic study was completed. Director Garrigan responded that a traffic study was not done. Trustee Burman has concerns regarding traffic, and would like to table this until this a traffic study is completed.

Trustee Burman moved, seconded by Trustee Pierce, to defer this item to the Planning and Zoning Board for additional findings consistent with a traffic study and other findings consistent with the overall development. Upon roll call, the vote was:

**YES: 6:** Burman, Bluthardt, McNeill, Pierce, Macek and Pedersen.

**NO: 0.**

**ABSENT: 0.**

**THE MOTION CARRIED.**

**4. Discussion regarding a concept for a senior living facility located on approximately 5.90 acres at 991 E IL Route 173** – Mayor Gartner said the applicant has withdrawn their concept at this time in order to have a meeting with the neighboring property owners.

**5. Heron Harbor Merger of Associations** – Director Garrigan reviewed the request to consolidate the Heron Harbor Associations into one master association. Typically this would not be referred to the Village Board, but the bylaws and covenants require notification, review and consent by the Village Board for any dissolution of any of the associations.

Mr. Scharnak, attorney for the association, said there are 7 sub-associations, and this includes all associations with the exception of number 5. He said they don't need Village consent to terminate the sub association declarations, but the village is granted easements and obligations related to storm water and open spaces, and they cannot do anything that will affect those rights without the Village's consent. He said they are proposing to include all of the Village required notifications, rights and benefits in the new document. The Village Board would like to see a list of affected properties, easements, open spaces and associations included in the consolidation of associations.

Trustee Macek said he is shocked that the association didn't notify him, and discussed finances involved and notifications to the individual associations. He thinks residents of all units were misinformed, especially related to easements, amenities and finances, and reiterated that more information needs to be given to the residents. Mr. Scharnak said the reason this matter is going to the Village Board first is that if the Village Board isn't interested, it won't go any further. If they are, it will be communicated to the residents. Mr. Scharnak said the intent is to preserve rights for the Village.

# APPROVED MINUTES

Trustee Pierce said he appreciates Trustee Macek's questions and concerns, and knows there are many issues with the many different associations.

Ms. Christine Sibelski, resident in association number 7, expressed concern with lake rights. She would like something about lake rights included in the master declarations also.

Ms. Beth Anders, member of the board for association number 4, said she was notified on Monday that this was on the agenda, and has seen no documentation otherwise. She added that there was no notification to other board presidents or documentation provided to the impacted boards.

Trustee Bluthardt asked about the Village responsibility. Attorney Vasselli said he has not seen the Covenants, Conditions and Restrictions (CCR), and it would depend on Village rights in those covenants. He said he would need a map to show where the changes are, and a listing of what the changes will be. If the CCR was approved through a Planned Unit Development (PUD), it would have to go back to the Planning and Zoning Board. Attorney Vasselli added that a merger cannot happen until the Village Board agrees to the dissolution of any of the associations. Trustee Bluthardt commented that without knowing if the residents want it, it's difficult to support it at this time.

Trustee McNeill asked for a copy of the CCR to see what open spaces are referred to in the documents. Attorney Scharnak said it will go from 6 separate documents to 1 document. All information to the residents is coming, but they wanted to wait until they got the okay from the Village Board.

Trustee Pedersen said she will not agree to anything until the residents are at least aware of this.

This matter will be put on another Committee of the Whole meeting once documents are received.

**6. Northbridge Church conservation easement agreement** – Mark Sural, Business Development Manager, discussed the request from Northbridge Church to make their new park an affiliated Village Park. As part of the agreement, they would allow an easement to the far east of the property. The church would like this to be a community park, and not just for members of the church. The church would own, maintain, insure, and there would be no responsibility from the Village in any way.

Mayor Gartner discussed the hold harmless area of the agreement. Attorney Vasselli said the draft is very preliminary, and other considerations must be made. The easement would remain if the church ceased to operate.

Trustee Pierce asked about parking. Attorney Vasselli responded that the easement does not address the parking, but there is a provision that they need to adhere to all laws.

This will be amended and brought back to a regular meeting after sending to church for review.

**7. Discussion regarding the window at the café building** – Mr. Sural discussed the window, the purpose of the building, and said staff met with architects to minimize the cost change. He added that this alternate will provide a more aesthetically pleasing window to the café. He discussed the cost change, and other factors for the cost. He added that some of the expenses would have been there with the original window.

# APPROVED MINUTES

Trustee Burman discussed the intent of the building as a café/concession, and not a full restaurant. She said the purpose was to have a gathering space, and bring people into downtown, and expressed concern with bringing people away from restaurants downtown. She discussed cutting costs, and proposed the elimination of a concession area all together. Mr. Sural said the building houses mechanicals as well, and the café portion isn't very large. He added that it would be difficult to say what costs might be saved considering the potential for future lost revenue with a lease or sales of the building. Mr. Sural has communicated with business owners regarding the open space development, and said they see the potential of the open space development to bring more people into downtown.

Trustee Bluthardt discussed weather, and asked if the windows would be open. Mr. Sural described the windows, stating they would have 6 total panels, and one could be opened and closed with the others remaining closed during the winter. Trustee Bluthardt sees it serving the same purpose as the previous windows, and asked why the windows would be open with air conditioning running. Mr. Sural said he spoke with 2 potential vendors in town interested in operating the cafe, and they wanted the window to have more of a café appearance. He discussed the itemized change order. Trustee Bluthardt said he doesn't have a problem with the change, but wants more information on the cost and use.

Trustee McNeill said she likes the design, and saw something similar in Aurora. She discussed vendors, and the potential for a rotation or different vendors using the facility. Mr. Sural said there would be challenges with equipment if using different vendors.

Trustee Pierce discussed change orders and change events, and the total additional costs incurred to date. He thought the board was going to be more frugal or looking more closely at costs, and doesn't agree to this added expense. He would like the board to have a running list of change events.

Trustee Macek doesn't think the window would pass health department inspections. Administrator Keim said the health department has already seen it. Trustee Macek said he thinks the old windows are perfectly fine, and hopes spending additional money doesn't take away from security.

Trustee Pedersen commented on Oliverri North and Station 51 using the same open concept for their restaurants. She said there is one chance to build this. If a future board wants to change to this window, will cost more than putting it in now, and this Village Board needs to do right the first time.

This item will be brought back for consideration.

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

## **VII. OTHER BUSINESS**

None.

## **VIII. ADJOURNMENT**

There being no further discussion, the Village Board of Trustees Committee of the Whole meeting adjourned at 8:47 pm.

Respectfully submitted,

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Lori K. Romine, RMC/CMC  
Village Clerk