

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
October 25, 2023**

I. CALL TO ORDER

Mayor Gartner called the October 25, 2023 committee of the whole meeting of the Board of Trustees to order at 8:19pm 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.

**indicates attendance via Zoom*

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.

V. Regular Business

1. Approval of the October 11, 2023 Committee of the Whole meeting minutes as presented – Trustee Bluthardt moved, seconded by Trustee Burman, to approve the October 11, 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 an incentive 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 discussed the recently approved site plan, and this request for an economic incentive for the development. He reviewed the \$1 million down payment, and a 50% breakdown of future tax incentives over a 10-year period. He discussed the potential sales taxes at the development.

Mr. Mark Scarpelli, business owner, presented a graphic of what the new Raymond Kia will look like in different parts of the building, and outlined the square footage and amenities of the site. He discussed the location of the new dealership and the seven acres purchased on the 80-acre site in hopes to encourage more development. He discussed their community programs, and the future jobs available with the new dealership. Mr. Scarpelli discussed the economic development plan, and said they will expand the tax base, create jobs, promote a new commercial business on the Route 173 corridor, and will act as a catalyst for the full 80-acre site. He spoke with the developer about potential users, and said there are some interested users.

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Trustee Burman said it's exciting and hopes it spurs on new development.

Trustee Bluthardt said it's nice to see Raymond getting the business area developed. He also discussed the community involvement of Raymond, and appreciates all they do.

Trustee McNeill is very excited about the project and thinks it will be great for the community. She looked into auto dealerships and it seems appropriate as an economic incentive, but asked how to justify it to other businesses. Mr. Scarpelli commented on the generation of sales tax by the dealership and their status as a good corporate citizen, stating they have a solid reputation and wide customer base.

Trustee Pierce commented on the history of Raymond Chevrolet and their contribution to the community. He discussed the \$10 million investment, and doesn't see how the Board could not support this.

Trustee Macek said he supports this.

Trustee Pedersen said he is from a wonderful family, and the Village and community is lucky to have them.

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

3. Discussion regarding a request for a liquor license from Old Chicago Red Hots – Mr. Jay Nayani presented his request for a liquor license at his restaurant located in town. He discussed his business history in town and is thankful for his work in the community. He requested a liquor license in order to improve the business since it has been down.

Trustee Bluthardt asked what kind of liquor license he would be seeking. Mr. Nayani said they are requesting a beer and wine license which would allow gaming.

Trustee Pierce asked if the underlying goal is to get the license for beer and wine and add in gambling. Mr. Nayani responded yes. Trustee Pierce asked what the difference would be between this and a gas station license. Clerk Romine clarified that a class B liquor license requires 40% of sales from food and 1,800 square feet.

Trustee Macek commented on other sandwich shops that don't have liquor, and the previous request that was denied to a sandwich shop in Antioch. He discussed other businesses that meet the criteria that don't have a liquor license.

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

4. Request from the Antioch Chamber of Commerce related to the 2024 Taste of Summer Carnival – Barbara Porch from the Antioch Chamber, along with six members from the Chamber Board of Directors who were present, requested permission to host a carnival for the 2024 Taste of Summer with a new vendor.

Trustee Burman said being proactive and going with another company is a good thing. While the situation was horrible, it cannot stop us from moving forward.

Trustee Bluthardt asked if we have approved the operator of the carnival rides in the past. He asked if it was just the date under consideration, and if there are any other dates which would preclude

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this event from happening. Administrator Keim said he wanted the board to advise if they were okay with a carnival and the dates. It's the weekend before the 4th of July, and would be challenging on staff, but they could find a way to make it work. He added that it will be a challenge for Chief to staff for those days due to the amount of people in town. Administrator Keim said the primary issue for the Board to consider is whether they will allow a carnival.

Trustee McNeill commented on the materials presented, and appreciates that the Chamber looked at the safety of the proposed new vendor.

Trustee Pierce asked if we were still holding onto the carnival ride from last year. Chief Guttschow said it is still taking up space at Public Works and the investigation has not concluded. Trustee Pierce discussed recent incidents where young children were hurt, and doesn't feel comfortable supporting another carnival at this time. He proposed taking one year off while investigations are underway.

Trustee Macek said he would not support a carnival when the safety of ride operators is in question, and he thinks it's too soon.

Trustee Pedersen thinks it's too soon as well, and said the investigation is not complete. She doesn't think this is the right move at this point.

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

5. Discussion regarding an ordinance amending Sections 4-2B-6 and 4-14-4 of the Antioch Village Code to require liquor license applicants and tobacco license applicants within the Village of Antioch, Illinois to refrain from selling products containing Delta-8 THC and Kratom – Mayor Gartner discussed the proposed ordinance to regulate privileged licenses.

Attorney Vasselli commented on the non-home rule status of the Village, and discussed the hemp industry. He said if this is approved, anyone who seeks a liquor or tobacco license be prohibited from selling Delta 8 THC, Kratom and K2. He stated that the privilege of selling certain products would come under strict regulation to protect the health, safety and welfare of the Village. He added that this does not include CBD products. Attorney Vasselli discussed the scope of regulation, which he said will likely be amended in the future. Chief Guttschow discussed legislation at the State level, and said they cannot keep up with various products. He discussed K2, which is a synthetic product, the Delta 8 which is a product of hemp, and which qualifies for sale on the market due to the percentage of THC within the product.

Trustee Bluthardt asked if the State was working on any regulations at this time. Attorney Vasselli said there are 2 proposals; one to ban and one to regulate.

Trustee McNeill asked if existing businesses are grandfathered. Attorney Vasselli responded that a 30-day clause would be placed in the ordinance for existing businesses to comply.

Trustee Pierce asked about the regulation of the products. Chief Guttschow replied that he couldn't find regulation on Delta 8, but Kratom is allowed to a certain age. He added that sellers are not under the same requirements as a dispensary such as verifying ID, therefore the likelihood of sales to minors is far greater in these environments.

Those present discussed possession vs. sale, and the potential for sale to minors.

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Trustee Pierce said if someone is selling this product to a minor, it's predation of a child who doesn't need the product. He said we need to do this for the safety of the kids.

Trustee Macek discussed a similar synthetic product banned years ago, and thinks this is bad news.

Trustee Pedersen wants CBD products checked out as well. Chief Gutschow said the ability to abuse CBD doesn't exist. It provides more of a holistic value, but not the same potential to be abused like the other products under discussion. Trustee Pedersen said we will have to amend this ordinance as new products come out.

Trustee Bluthardt asked if there is a notification that can be done to tobacco and liquor licensees that this ordinance will go into effect.

This item will be placed on the next agenda for consideration, and notices will be provided to licensees prior to that meeting.

6. Discussion regarding resolutions dedicating revenue received from Video Gaming and Marijuana – Administrator Keim said gaming revenues are approaching \$500k, but he doesn't have an idea on cannabis revenues at this time. He said he doesn't like to restrict funds to specific items, and feels doing so will restrict the ability to fund future initiatives, and therefore his recommendation is to not restrict revenues derived from these sources.

Trustee Pierce discussed the proposed resolutions he prepared because he's heard repeatedly that residents hope the Village will be doing something good with these revenue streams. He commented that money seems to be absorbed by needs, and these revenues could be saved for specific uses.

Trustee Burman agrees, and thinks items have been forgotten in the past. She said the new revenue streams provide a good opportunity to maintain the town and make sure the police have what they need.

Trustee Bluthardt is in favor of putting half of cannabis revenue for new parks, and half to police for programs or other needs. He does not support restricting gaming revenues since it's an existing revenue stream.

Trustee McNeill thanked Trustee Pierce for bringing this forward, but would like to talk with the finance director before money is pigeonholed.

Mayor Gartner agrees, and recommended funds where the revenue could be placed. Trustee Pierce said the county is putting aside \$100k for gambling counseling.

Trustee Macek said when the vote was taken on cannabis, it was decided that money would be placed toward police services.

Trustee Pedersen thinks some, but not all, should be earmarked for certain uses. She said parks need to be addressed and a certain amount needs to be placed in the budget for parks.

Trustee Pierce thinks this is our chance to put money aside for certain projects.

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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 9:40 pm.

Respectfully submitted,

Lori K. Romine, RMC/CMC
Village Clerk