

APPROVED MINUTES
VILLAGE OF ANTIOCH
BOARD OF TRUSTEES, REGULAR MEETING
Municipal Building: 874 Main Street, Antioch, IL
September 17, 2012

I. CALL TO ORDER

Mayor Hanson called the September 17, 2012 regular meeting of the Board of Trustees to order at 7:30 PM in the Municipal Building: 874 Main Street, Antioch, IL.

II. PLEDGE OF ALLEGIANCE

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

III. ROLL CALL

Roll call indicated the following Trustees were present: Pierce, Sakas, Poulos, Crosby, Dominiak and Jozwiak. Also present were Mayor Hanson, Attorney Long, Administrator Keim and Clerk Folbrick.

IV. Absent Trustees Wishing to Attend Remotely

There were no trustees wishing to attend remotely.

V. MAYORAL REPORT

Proclamation – No Text On Board Pledge Day – Clerk Folbrick read aloud the proclamation encouraging all drivers to take the pledge to never text and drive again.

Citizens Wishing to Address the Board

Mr. Doug Eckberg, Zelinger Lane resident, discussed his increase in water and sewer bill for the last billing cycle because of an increased usage from watering trees. He discussed the sewer rates being higher when the water does not go into the sewer. Administrator Keim explained the combined water and sewer rating system, and that bills are based on water meter usage per the ordinance. He explained the opportunity to purchase a separate meter for sprinkling systems. Trustees discussed the possibility of a budget program where an average is charged throughout the year. Administrator Keim said he will look into those programs to see the feasibility. He explained that the largest expense of the sewer system is debt service, and that number remains constant. Those present agreed to place this item on a future agenda to review reduced meter costs to residents.

VI. CONSENT AGENDA

Trustee Crosby moved, seconded by Trustee Dominiak to approve the following consent agenda items as presented:

1. Approval of the August 20, 2012 regular meeting minutes as presented.
2. Approval of a Resolution Authorizing a Special Event Liquor License to the Village of Antioch for the Fall Wine Walk – **Resolution No. 12-72**
3. Approval of a Resolution Authorizing a Special Event Liquor License to the Village of Antioch for the 99 Year Street Dance – **Resolution No. 12-73**
4. Approval of a Resolution authorizing a Raffle License for St. Ignatius – **Resolution No. 12-74**
5. Approval of a Resolution authorizing a Raffle License for the Village of Antioch – **Resolution No. 12-75**

Upon roll call, the vote was:

YES: 6: Pierce, Sakas, Poulos, Crosby, Dominiak and Jozwiak.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

VII. REGULAR BUSINESS

6. Approval of an Ordinance Approving an Annexation Agreement and Amending the Zoning Map of the Village of Antioch for certain property located West of Illinois Route 83 between Margate Terrace and Park Avenue – Trustee Pierce said that annexation is an ultimate power and should be considered separately from consent agenda items. Those present agreed to place future annexation ordinances under regular business for approval.

Trustee Crosby moved, seconded by Trustee Pierce, to approve **Ordinance No. 12-09-16**, approving an annexation agreement and amending the zoning map of the Village of Antioch for certain property located West of Illinois Route 83 between Margate Terrace and Park Avenue. Upon roll call, the vote was:

YES: 6: Pierce, Sakas, Poulos, Crosby, Dominiak and Jozwiak.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

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7. Consideration of payment of accounts payable as prepared by staff – Trustee Poulos moved, seconded by Trustee Sakas to approve payment of accounts payable as prepared by staff and in the amount of \$593,836.11. Trustee Poulos indicated that approximately half of the total expenses are for the previously approved capital project for Sprenger Park. Upon roll call, the vote was:
YES: 6: Pierce, Sakas, Poulos, Crosby, Dominiak and Jozwiak.
NO: 0.
ABSENT: 0.
THE MOTION CARRIED.

8. Consideration of an Ordinance Licensing OR Prohibiting Video Gaming – Trustee Dominiak moved, seconded by Trustee Sakas, to accept the first reading of an ordinance prohibiting video gaming waiving second reading. Mayor Hanson invited those in attendance to provide their comments or questions to the Village Board.

Mr. Al Anderson, Limerick Lounge, asked for an explanation on the previous motions. Mayor Hanson explained that the prior approval was for a first reading of the ordinance. Attorney Long explained the second reading provides an opportunity for changes to the ordinance before adoption. Mr. Anderson read aloud his statement from the bar owners requesting that video gaming be allowed in the Village of Antioch.

Mr. Ken Sterbenz, Antioch Bowling Lanes, stated that gaming would be helpful to increase his business' profit. He indicated that bowling alleys in surrounding areas currently have video gaming, which will increase competitiveness. He believes that a ban on video gaming should include a ban on gambling anywhere in the Village, including events.

Mr. Philip Webb, ASAP Gaming, applauded the board for listening to both sides. He said the main two issues brought up in other communities are supporting local businesses, and telling people how to spend their discretionary income. He listed many communities that have changed their stance on video gaming and voted to allow it after further consideration. He asked the board to consider allowing video gaming.

Ms. MJ McConnell, White Pine Drive resident, said that she supports the community and local business, but asked board members to vote against video gaming. She said it will not benefit the community at large, or families, and the risks pose threats for long term pain down the road. She expressed concern with opening the door to problem gamblers, and said the Village has an opportunity to lead residents. She believes a vote in favor of video gaming should include clear definitions of how video gaming will benefit the community.

Mr. Jerry Johnson, The Lodge of Antioch, discussed his regular lunch crowd that said they go over the border to use the gaming machines. He also stated that business is the heartbeat of the community, and the board should try and help local businesses compete with other communities. He said anything which helps the village is a benefit that would outweigh any cons presented.

Ms. Ann Hitchell, Kimberly Drive Resident, discussed potential revenues being limited, and the possibility of the Village needing to hire an additional person as a result of allowing gaming.

Mr. Peter Grant, township resident, discussed the loyalty and dedication of local business owners, and said he supports all small businesses and their success.

Trustee Dominiak agreed with the need to help local business, and indicated that the position on the county board is that they are not going to reconsider gaming. She said the residents have overwhelmingly related to her their interest in prohibiting video gaming.

Upon roll call of the motion accepting the first reading of an Ordinance prohibiting video gaming, waiving the second reading, the vote was:

YES: 3: Sakas, Poulos, and Dominiak.
NO: 4: Pierce, Crosby, Jozwiak and Mayor Hanson.
ABSENT: 0.
THE MOTION FAILED.

Trustee Jozwiak moved, seconded by Trustee Pierce to approve an Ordinance Licensing Video Gaming.

Trustee Pierce said the general consensus he heard from residents is that they don't feel affected by the decision. He discussed the constitution, and allowing people to have choices in their life. He said it is not his place to tell others how to live their lives as long as it doesn't harm others. He does not believe that the revenue generated will be great, but does believe people should have a choice.

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Trustee Poulos discussed his opinion regarding video gaming. He doesn't believe it will be a large profit to the business, and after the initial fad the use will lessen. He indicated that gambling could affect the family of those gambling, and doesn't believe it is a positive for the community as a whole.

Trustee Crosby understands concerns that have been voiced over the issue, and thinks that people that want to gamble will find a way to do so. He said he would never deliberately do anything to put someone in harms way, however most of the organizations that have applied for the licenses are bars and taverns, which do not allow children. He further stated that the machines will be in a separate area. He said it is not up to the Village to legislate and tell people how to run their lives.

Trustee Jozwiak agreed with Trustees Pierce and Crosby that the village should not regulate video gaming.

Trustee Sakas said it seems contradictory to vote to allow video gaming when a large percentage will be sent to the state of Illinois, which most have discussed negatively. He indicated that the gambling lobby is well funded, and there will be an expansion to gambling. Trustee Crosby said the money going to the state is directed toward capital infrastructure.

Trustee Dominiak said the state has given municipalities a gift in providing the option to local government to prohibit gaming. She discussed how gambling destroys families, and she will not be a part of that. Trustee Poulos discussed the gambling lobby and the veto by the governor because the bill did not prohibit the lobby to fund campaigning.

Trustee Crosby indicated that the ordinance includes a provision to prohibit video gaming in the future.

Mayor Hanson discussed his view on video gaming. He said he does not gamble, and said he has received mixed opinions on the subject from residents. He discussed infrastructure projects in town he would like to be a part of, and hopes this will help provide that opportunity. He added that there is an opportunity to prohibit video gaming in the future if problems arise. He does not believe we can regulate what people do on their own.

Upon roll call of the motion to approve **Ordinance No. 12-09-17** Licensing Video Gaming, the vote was:

YES: 4: Pierce, Crosby, Jozwiak and Mayor Hanson.

NO: 3: Sakas, Poulos and Dominiak.

ABSENT: 0.

THE MOTION CARRIED.

9. Consideration of a Resolution Authorizing the expenditure of Motor Fuel Tax (MFT) Funds for the 2012 Road Program – Administrator Keim discussed the procedure to utilize MFT funds from the State, including the approval of a resolution, estimate of engineering costs, and estimate of project costs. The streets included in the 2012 road program include Hillside, Harden, Ida, Bartlett, Sequoit and McMillen.

Trustee Dominiak expressed concern with the use of Harden and Hillside as a cut through from Route 59, and thinks the condition could worsen if the road is improved. She asked that the Board consider limiting it as a thoroughfare, or limiting the speed. Administrator Keim discussed the option of placing a cul-de-sac at the end of the road.

Trustee Crosby asked that we petition the State to include no left turns west onto Route 173 and at Grimm Road. He agreed that certain streets should have no through traffic and police enforcement.

Trustee Pierce discussed the severity of the accidents at the intersection of Harden and Route 173. Chief Nixon replied he has seen various levels of severity at that location, but accidents are mostly significant.

Trustee Jozwiak supported the cul-de-sac at the end of roadway at Hillside. Administrator Keim said the project has already been bid, and a cul-de-sac would increase the bid. He could attempt to substitute a road, but it may be challenging getting approval. He indicated that the cul-de-sac would include state involvement. It can be considered for a future project. Administrator Keim will ask IDOT if they can substitute a road, and check with the bidder to see if it is amenable, and will communicate with board members separately.

Trustee Dominiak asked that Pickard Avenue be considered as a substitute. Trustee Crosby discussed Hillside and Route 173 and asked Administrator Keim to discuss with the police chief the possibility of what could be done there.

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Administrator Keim recommended that the Board approve the current resolution and he will look into alternatives and communicate back to the Village Board.

Trustee Pierce discussed placing road safety on a future committee of the whole meeting for discussion.

Trustee Jozwiak moved, seconded by Trustee Sakas, to approve a Resolution Authorizing the Expenditure of MFT Funds for the 2012 Road Program. Upon roll call, the vote was:

YES: 6: Pierce, Sakas, Poulos, Crosby, Dominiak and Jozwiak.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

10. Consideration of a Resolution Awarding Bids for the 2012 Road Program to Payne & Dolan in the amount of \$384,434.52 – Trustee Crosby moved, seconded by Trustee Jozwiak, to approve **Resolution No. 12-76**, awarding bids for the 2012 Road Program to Payne & Dolan in the amount of \$384,434.52. Upon roll call, the vote was:

YES: 6: Pierce, Sakas, Poulos, Crosby, Dominiak and Jozwiak.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

11. Consideration of an Ordinance Adopting by Reference of the Lake County Watershed Development Ordinance – Trustee Sakas moved, seconded by Trustee Jozwiak, to approve **Ordinance No. 12-09-18**, Adopting by reference the Lake County Watershed Development Ordinance waiving second reading. Upon roll call, the vote was:

YES: 6: Pierce, Sakas, Poulos, Crosby, Dominiak and Jozwiak.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

12. Consideration of an Ordinance Amending 1-6A-3 relating to Command Structure – Trustee Crosby moved, seconded by Trustee Jozwiak, to approve **Ordinance No. 12-09-19**, Amending Section 1-6A-3 Relating to Command Structure waiving the second reading.

Attorney Long discussed longevity pay to officers when they retire while still working for the Village. This condition is currently in place for sergeants, but not for the police chief, deputy chief or commanders. The proposed ordinance amendment provides the same benefit and incentive to them as the patrol officers. Trustee Pierce asked why this issue is being brought forward at this time. Administrator Keim brought it to the board because it will codify the current practice. They further discussed costs involved with the ordinance. Upon roll call, the vote was:

YES: 6: Pierce, Sakas, Poulos, Crosby, Dominiak and Jozwiak.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

13. Consideration of a Resolution Granting Authority to the Administrator to Negotiate and Execute Certain Contracts for Electricity – Administrator Keim discussed his research with electric utilities, and current contacts with the Village that are soon to expire. He explained that because of the timing of price changes, he may not have an opportunity to request approval from the Village Board. The largest users of electric utilities in the Village include the Wastewater Treatment Plant, and Wells 8, 9 & 10. He is estimating a \$10,000 savings per year after negotiating the rates.

Trustee Jozwiak moved, seconded by Trustee Dominiak, to approve **Resolution No. 12-77**, Granting Authority to the Village Administrator to Negotiate and Execute Certain Contracts for Electricity. Upon roll call, the vote was:

YES: 6: Pierce, Sakas, Poulos, Crosby, Dominiak and Jozwiak.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

VIII. ADMINISTRATOR'S REPORT

Lake Michigan Water Report – Administrator Keim reported that there has been a shift in the current Lake Michigan Water planning group in which the Village of Antioch participates, and 5 of 8 communities may seek water from the Central Lake County JAWA (CLC JAWA). Antioch and Fox Lake have not been included in the CLC JAWA. Administrator Keim has contacted the CLC JAWA to see if any opportunities exist at this time to include the Village of Antioch. The last Lake Michigan Water Planning meeting Administrator Keim attended focused on the expenditure of funds to provide an educational effort. He asked that the motion be specific to be germane to all of the participant's efforts, and the motion failed. There is a provision to withdraw from the Lake Michigan Water Planning Group,

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or we could stay in and see what options are available to stay in with the other 5 communities. He does not know the viability of the project at this time.

Trustee Jozwiak discussed Fox Lake and Antioch involvement, and it appears as though the other communities dropping out may force our hand. Trustee Pierce asked how much has been spent on the project so far. Administrator Keim stated that \$50,000 was put in two years ago, and some of that money remains. There was a \$25,000 expense for an allocation application, and \$10,000 was put into a feasibility study. The Village will still maintain allocation whether or not they are in the group. Another option is to move forward as an individual community as well.

Trustees discussed notifying both boards we will no longer participate in the JAWA, and directed staff to investigate alternative methods. Those present agreed to place this item on the next agenda for consideration and request the return of funds.

Trustee Crosby said he doesn't see forward movement with the current group, and thinks any remaining funds should be used for an engineering study to see what it would take for a private pipeline to Antioch. Administrator Keim said he will look at the most economical way to use that allocation.

IX. VILLAGE CLERK'S REPORT

Clerk Folbrick announced that petition packets for the April 9, 2013 Consolidated Election are now available in the Village Clerks office Monday through Friday during regular office hours.

Clerk Folbrick reminded board members to please complete their online Open Meetings Act training as required by the Open Meetings Act.

X. TRUSTEE REPORTS

Trustee Crosby reminded residents of the 99 year street dance and fireworks sponsored by the Antioch Firefighters Association from 5-11 Saturday on Toft Avenue.

Trustee Dominiak asked for an update of the demolition at Williams Park. Administrator Keim said he has not secured a permit for construction from the State at this point, but has no indication of its delay.

Trustee Dominiak spoke about the auction of the chairs through the Chamber of Commerce, and announced that the Senior Center chair raised the most money. She further indicated that she contacted State Representative Joann Osmond after the discussion at the Committee of the Whole meeting regarding the temporary lights at the Route 173 exit ramps, and she asked that the Village send a letter with the request that the lights stay at the intersection.

XI. EXECUTIVE SESSION – Personnel, Pending/Probable Litigation, Sale or Lease of Village Property, Executive Session Minutes

The Mayor and Board of Trustees did not go into executive session.

XII. ACTION ON EXECUTIVE SESSION ITEMS

There was no action.

XII. ADJOURNMENT

There being no further discussion, Trustee Crosby moved, seconded by Trustee Jozwiak to adjourn the regular meeting of the Board of Trustees at 9:34 p.m.

Respectfully submitted,

Lori K. Folbrick
Village Clerk