

APPROVED MINUTES
VILLAGE OF ANTIOCH
BOARD OF TRUSTEES, REGULAR MEETING
Municipal Building: 874 Main Street, Antioch, IL
August 1, 2016

I. CALL TO ORDER

Mayor Hanson called the August 1, 2016 regular meeting of the Board of Trustees to order at 7:31 PM in the Municipal Building: 874 Main Street, 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: Poulos, Jozwiak, Dominiak, Pierce and Johnson. Also present were Mayor Hanson, Attorney Long and Clerk Romine. Absent: Trustee Macek.

IV. Absent Trustees Wishing to Attend Remotely

None.

V. MAYORAL REPORT

1. Proclamation – National Night Out – Mayor Hanson announced the annual National Night Out is Tuesday, August 2, 2016 and a good opportunity to show support to the Antioch Police Department. Clerk Romine read aloud the proclamation. Trustee Poulos asked if there were any national security directives to look out for the police community. Chief Huffman replied that additional security measures are in place. Trustee Pierce announced that Chief Huffman and his band will be performing at the event.

2. Letter from Claude LeMere – Clerk Romine read aloud the letter from Claude LeMere commending building department staff on their recent assistance with a property maintenance issue.

3. Request from Tim Downey – Antioch Theater – Mr. Downey was not at the meeting to present his request, however, Mayor Hanson indicated that he is seeking confirmation that the ticket tax would be removed once the loan is satisfied. It was the consensus of those present to honor the resolution.

Citizens Wishing to Address the Board

Mr. Donald White, Antioch Township resident, addressed the board and distributed photos relating to the car wash adjacent to his property. He discussed the illumination at the car wash which affects his home. He cited Village Code 10-13-3A & B, and believes the car wash is in violation of those codes. He also cited Village Code 10-7A-4 relating to noise levels. Mayor Hanson said he will forward this to staff for their review. Mr. White said he has still not received a response from staff relating to his concerns. Chief Huffman replied that the decibel meter the police department has does not meet code requirements in order to cite a noise violation.

VI. CONSENT AGENDA

Trustee Dominiak moved, seconded by Trustee Johnson, to approve the following consent agenda items as presented.

1. Approval of the July 18, 2016 regular meeting minutes as presented.
2. Approval of a Resolution granting a special event liquor license to Antioch Rotary Scholarship Foundation for their Rotary Pork Chop BBQ & Auction on October 1, 2016; waiving all fees – *Resolution No. 16-46*.
3. Approval of a Resolution granting a special event liquor license to Antioch Firefighters Association for their Annual Street Dance on September 10, 2016; waiving all fees – *Resolution No. 16-47*

Upon roll call, the vote was:

YES: 5: Poulos, Jozwiak, Dominiak, Pierce and Johnson.

NO: 0.

ABSENT: 1: Macek.

THE MOTION CARRIED.

Mayor Hanson announced that St. Peters submitted a special event liquor license application today, which he will issue and place on the next agenda for ratification. Those present agreed.

VII. REGULAR BUSINESS

4. Consideration of payment of accounts payable as prepared by staff - Trustee Poulos moved, seconded by Trustee Jozwiak, to approve payment of accounts payable as prepared by staff in the amount of \$320,271.00. Upon roll call, the vote was:

YES: 5: Poulos, Jozwiak, Dominiak, Pierce and Johnson.

NO: 0.

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ABSENT: 1: Macek.

THE MOTION CARRIED.

5. Consideration of a Resolution Authorizing the Mayor to execute an Intergovernmental Agreement Fireworks Funding Agreement – Trustee Pierce moved, seconded by Trustee Poulos, to approve **Resolution No. 16-48** Authorizing the Mayor to execute an Intergovernmental Agreement Fireworks Funding Agreement. Upon roll call, the vote was:

YES: 5: Poulos, Jozwiak, Dominiak, Pierce and Johnson.

NO: 0.

ABSENT: 1: Macek.

THE MOTION CARRIED.

6. Consideration of an Ordinance granting a special use for a drive-thru for Subway store at Towne Square Retail Center (PZB 16-09) – Trustee Dominiak moved, seconded by Trustee Poulos, to Approve **Ordinance No. 16-08-20**, granting a Special Use ordinance for a drive-thru for a Subway Restaurant located at the northwest corner of Main Street and Route 183, waiving the second reading and subject to the following stipulations: (PZB 16-09 SU)

A. That the applicant work with staff on some additional landscaping along Main Street to screen the menu board.

B. Compliance with the requirements of the Antioch Fire Department.

C. That the stacking of vehicles within this drive-thru be limited to five (5) vehicles and that the applicant shall be prohibited from obstructing any vehicular access drive within the Towne Square Retail Center.

D. The electronic kiosk intended for ordering and paying for food and drinks shall be dark unless actually in use, and shall not be used for advertising purposes unless a customer is actually using the device.

E. Failure to comply with conditions C and/or D shall provide the Village Board with the discretion to revoke this Special Use after due notice to the applicant and full consideration by the Village Board.

F. This Special Use shall lapse in the event the specified tenant for the involved space, ie. Subway of Antioch (or any duly approved successor) shall cease operations at this location.

G. This Special Use shall not be transferrable to any other location within the legally described premises, and shall not be transferrable as a matter of right to any other operator of a restaurant in the specifically designated space. Rather, the Village Board reserves full right and discretion to approve or disapprove any such proposed transfer to ensure that an expansion of a potentially problematic use does not occur to the detriment of the neighboring property owners.

Trustee Dominiak asked if there was a provision to revisit the special use if there were an issue with the stacking. Attorney Long cited paragraph C section 3C and E. He added a lapse in the event Subway closed to make sure it was not transferable without board approval as well.

Upon roll call, the vote was:

YES: 5: Poulos, Jozwiak, Dominiak, Pierce and Johnson.

NO: 0.

ABSENT: 1: Macek.

THE MOTION CARRIED.

7. Consideration of an Ordinance amending two sections of the Municipal code of Antioch to clarify the definition of unlawful drug paraphernalia – Trustee Jozwiak moved, seconded by Trustee Dominiak, to approve **Ordinance No. 16-08-21** amending two section of the Municipal Code of Antioch to clarify the definition of unlawful drug paraphernalia, waiving the second reading.

Mayor Hanson reviewed the item, and his discussions with the Police Department relating to the issue. Chief Huffman explained that the definition is different in two separate sections of the code. He said they are asking for an amendment to make sure they both match, and to add the words “commonly used” in order to assist with enforcement. He said they will begin with education and reach out to the shops before enforcement.

Upon roll call, the vote was:

YES: 5: Poulos, Jozwiak, Dominiak, Pierce and Johnson.

NO: 0.

ABSENT: 1: Macek.

THE MOTION CARRIED.

Attorney Long added that there were complaints from one of the shops in town selling e-cigarettes and equipment to 14-year olds. Enforcement on this issue is pending, and a hearing will be scheduled.

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8. Consideration of a Resolution granting final approval for subdivision improvement for IDI, Phase 1A Improvements – Trustee Dominiak moved, seconded by Trustee Jozwiak, to approve **Resolution No. 16-49** granting final approval for subdivision improvement for IDI, Phase 1A Improvements.

Assistant Administrator McCarthy explained the resolution is to accept the public improvements and easement as recommended by HR Green. This will allow a reduction in the letter of credit. Trustee Pierce expressed concern with the number of outstanding items listed in the report from HR Green.

Trustee Dominiak moved, seconded by Trustee Jozwiak, to table this item to the next meeting. Upon roll call, the vote was:

YES: 5: Poulos, Jozwiak, Dominiak, Pierce and Johnson.

NO: 0.

ABSENT: 1: Macek.

THE MOTION CARRIED.

VIII. ADMINISTRATOR'S REPORT

Assistant Administrator McCarthy announced that public works is now connected with the fiber-optic cables for the new phone system. She hopes to have everything installed within 40 days.

IX. VILLAGE CLERK'S REPORT

No report.

X. TRUSTEE REPORTS

Trustee Dominiak discussed the sign ordinance and updating the business owners. She said Director Garrigan has setup a meeting for businesses in the downtown area next Monday at 7pm in the Maplethorpe room to present the sign ordinance to business owners and receive feedback. Revisions will be brought back to the September Committee of the Whole meeting based on that discussion. She said this is the first meeting specific to the downtown, and a follow-up will be provided to other business owners in the community that are not in the downtown area. Staff will post the meeting in the event other trustees wish to attend.

Trustee Pierce commented on the Lion's Club Chicken BBQ. He asked that staff think of ways Trustees could interact with staff and become more familiar with who they are.

Trustee Johnson announced the Thursday concert with the classic car show and the final movie in the park next Wednesday.

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

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

XII. ADJOURNMENT

There being no further discussion, Trustee Pierce moved, seconded by Trustee Jozwiak to adjourn the regular meeting of the Board of Trustees at 8:13 p.m.

Respectfully submitted,

Lori K. Romine
Village Clerk