

APPROVED MINUTES
VILLAGE OF ANTIOCH
BOARD OF TRUSTEES, REGULAR MEETING
Municipal Building: 874 Main Street, Antioch, IL
March 11, 2019

I. CALL TO ORDER

Mayor Hanson called the March 11, 2019 regular meeting of the Board of Trustees to order at 7:01 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: Jozwiak, Pierce, Poulos, Dominiak, Johnson and Macek. Also present were Mayor Hanson, Attorney Long, Administrator Keim and Clerk Romine.

IV. Absent Trustees Wishing to Attend Remotely

There were no Trustees wishing to attend remotely.

V. MAYORAL REPORT

1. Antioch Queen Portrait Presentation – Mayor Hanson thanked the queens for representing the community over the past year. The queens introduced themselves and thanked Antioch for the opportunity to become a better version of themselves and ability to serve the community. They presented their official portrait to Mayor Hanson and the Board of Trustees.

2. ACHS Cheerleading Team 3rd Place IHSA State Finals – Ms. Amber Babin, head coach, provided a summary of the season which included injuries, routine changes and their victories throughout the season. Mr. Tim Babin, assistant coach, thanked the athletes, parents and discussed the podium finish for the team. He read aloud a letter from the IHSA Director to the Athletic Director for ACHS which acknowledged the team's professional attitude at the competition. Trustees commended the team on their hard work and victory.

Citizens Wishing to Address the Board

Fire District Chief, Jon Cokefair, addressed the board regarding recent letters sent out to businesses for annual fire inspections. He said that in order to inspect more than 600 businesses in the district, they had to be prioritized. The first priority went to those containing chemicals and materials. He reviewed the letter sent by the fire district which directed recipients to the fire district website and to contact Chief Cokefair or Inspector Schmanski with any questions. He apologized for not making the Village Board aware of the letters before they went out, but stands by the fee schedule in order to ensure the safety of area businesses and residents. He explained that the fire district adopted the same code the village uses and meets with village staff regularly to make sure they are all on the same page when it comes to building inspections. He encouraged the board to contact him with any questions they may have at any time as well as residents. Trustee Macek commented on the timing of the letter and comments made by local business owners to village trustees. He asked how many other fire departments charge every business. Chief Cokefair commented that the fire district has a smaller tax rate than other departments and they have to supplement the services with fees for the inspections. Mayor Hanson suggested that trustees email Chief Cokefair with their questions, and possibly bring him back to a committee of the whole meeting for discussion if needed.

VI. NON-ACTION ITEMS FOR DISCUSSION

None.

VII. CONSENT AGENDA

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

1. Approval of the February 11, 2019 regular meeting minutes as presented.
2. Approval of a Resolution Approving the 2019 Tag Day Schedule – *Resolution No. 19-14*
3. Approval of a Resolution Authorizing the Annual 4th of July Parade to be held on Thursday, July 4, 2019 – *Resolution No. 19-15*

Upon roll call, the vote was:

YES: 6: Jozwiak, Pierce, Poulos, Dominiak, Johnson and Macek.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

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VIII. REGULAR BUSINESS

4. Consideration of payment of accounts payable as prepared by staff – Trustee Poulos moved, seconded by Trustee Macek, to approve the payment of accounts payable as prepared by staff in the amount of \$350,147.15. Upon roll call, the vote was:

YES: 6: Jozwiak, Pierce, Poulos, Dominiak, Johnson and Macek.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

5. Consideration of a Resolution authorizing the Village Administrator to enter into an Intergovernmental Agreement with the Lake County Metropolitan Enforcement Group – Commander Norm Johnson introduced Mr. Chris Sullivan of the Lake County Metropolitan Enforcement Group (MEG) who presented a summary of Antioch's involvement in the agency.

Trustee Jozwiak moved, seconded by Trustee Dominiak, to approve **Resolution No. 19-16** authorizing the Village Administrator to enter into an Intergovernmental Agreement with the Lake County Metropolitan Enforcement Group.

Trustee Jozwiak asked if we were getting what we are paying for and said there is confusion on regular reporting. Mr. Chris Sullivan responded that quarterly reports are prepared which are sent to the Chief of participating agencies. Their annual report will be presented on Friday for approval by their board and will be available to the Chief once it's approved. His communication on behalf of MEG is to the Chief of police. Within those reports, there may contain sensitive information that could not be released to the public. Mr. Sullivan said an IGA was signed in October and Officer Shaw started January 4. In a short period of time he had 12 investigations and 8 felony arrests, one of which was recognized at the state level. He provided specific examples of arrests done by the Antioch representative on MEG, and believes Antioch is getting a good return on their investment. Trustee Pierce will work with the chief to get those reports to the board on a regular basis. Mayor Hanson commented that they are here to protect us.

Upon roll call, the vote was:

YES: 6: Jozwiak, Pierce, Poulos, Dominiak, Johnson and Macek.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

6. Consideration of a request for a variance to construct a garage that would be larger than the existing single-family home located at 627 Main Street – Director Garrigan presented the request for the construction of a garage larger than the single-family home on the site. Staff provided an extensive analysis at the Planning and Zoning Board (PZB) meeting, and the PZB disagreed with staff's analysis and voted 3-1 to approve the variance with the stipulations that the applicant demolish the existing garage and add landscaping to the south side of the garage. Director Garrigan showed pictures of homes near the property in question in order to show the character of the area.

Trustee Jozwiak asked if there were any other variances similar to this allowing the construction of a garage larger than a home. Director Garrigan said not to his recollection. Trustee Pierce asked for the property size. Mr. Becker replied that it is a little over an acre. Mr. Becker said the property has a privacy fence and wooded buffer. Trustee Pierce asked if the townhomes were constructed with a variance. Administrator Keim replied that it was a Planned Unit Development (PUD), but there may have been a variance at some point.

Director Garrigan commented on his discussions with Mr. Becker and stating if he purchased this property he would need a variance. Trustee Poulos asked if there were any oppositions from the neighbors at the PZB meeting. He expressed concern that property owners may have been notified, but not necessarily the people living in the homes if they were rentals.

Trustee Dominiak commented that there was not a full board present at the PZB where this was considered, and one of the members recused herself from the discussion. She also mentioned the recently approved comp plan which doesn't allow for this type of building. Director Garrigan said the long-term plan is to redevelop Joanna Court, and the form-based code would encourage a coach house as more in line with the comp plan than the applicant's current plans. Trustee Dominiak commented that she sees this as a storage facility more than a garage. Her concern is that the ordinance states you cannot have a garage larger than a house, and granting a variance would not comply with current code requirements. Mr. Becker commented that ordinances are in place for a reason, but must be applied with common sense. He believes his proposal is a better fit for the property than a coach house or an addition to the current home on the site.

Trustee Macek expressed concern with added noise from potential work being done in a larger garage, and commented that similar buildings in other areas are unattractive. Mayor Hanson

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expressed concern with setting a precedent on Main Street with other storage facilities. He believes it would be better suited in unincorporated Antioch township than the downtown area. Mr. Becker provided pictures of other garages that may be similar. Trustee Pierce expressed concern with future uses of the garage on the property.

Mr. Tom Hoban, Main Street resident, appreciates wanting to have a large garage, but agreed with trustee concerns of potential future uses of the property, changing the comprehensive plan, and the negative visual impact the building would have on neighboring properties such as his.

Trustees discussed their options for the approval or denial of the request.

Ms. Brittany Carstensen, Abbey Lane resident, expressed concern with comments made at the PZB meeting and requested that the board consider who is present on the Planning and Zoning Board and representing her in the community.

Trustee Pierce moved, seconded by Trustee Johnson to send this item back to PZB for further consideration. Trustee Dominiak said she's not sure that will help and thinks the board will be having the same conversation when it comes back to them regardless of the PZB vote. Even with a redesign of the height, the structure would still be too large and require a variance. Director Garrigan said that is correct, it is based on the footprint. Trustee Pierce said it may give the applicant a few more options rather than just shutting the door on his request. Upon further discussion, the motion and second were withdrawn.

Trustee Pierce moved, seconded by Trustee Jozwiak, to deny the request for a variance to construct a garage that would be larger than the existing single-family home located at 627 Main Street. Upon roll call, the vote was:

YES: 6: Jozwiak, Pierce, Poulos, Dominiak, Johnson and Macek.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

Trustee Pierce moved, seconded by Trustee Dominiak, to waive the one-year requirement period and allow the petitioner to resubmit to the Planning and Zoning board without further publication and fees.

Upon roll call, the vote was:

YES: 6: Jozwiak, Pierce, Poulos, Dominiak, Johnson and Macek.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

7. Consideration of a request for a variance and site plan review for an outdoor recreational vehicle storage facility located at 0 Drom Ct – Director Garrigan reviewed the request which was denied by the Planning and Zoning Board by a unanimous vote of 5-0. He said the basis for the variance is a waiver of the village screening requirement. The applicant is proposing a fence to secure the property, but will not provide screening as required by code. Director Garrigan stated that the applicant did not show hardship and staff recommended denial of the variance to waive screening requirements. Director Garrigan further presented the site plan, and said the PZB agreed with staff's recommendation for denial of the variance and site plan.

Ms. Linda Kidwell, applicant and owner of Anita Self Storage, said she is willing to landscape the property. She said the neighbor to the north and east are okay with a chain link fence. Trustee Poulos asked why an entrance couldn't be done on Anita. Ms. Kidwell replied that there are utilities, and that would be very expensive. He commented that Drom Court is not made for those types of vehicles or traffic. Trustee Poulos' biggest concern is to find a way to get there without going down Drom Ct. Trustee Pierce expressed concern with fire safety vehicles accessing the property. Trustee Pierce said to him it just doesn't fit the area. Attorney Long said if she builds it according to code with the screening requirements, she would not need a variance or board approval, but would still need approval for a site plan.

Trustee Dominiak moved, seconded by Trustee Pierce, to accept the Planning and Zoning Board recommendation and deny a waiver of outdoor screening requirements and deny the site plan for a storage facility.

Trustee Johnson commented that the applicant does make good points, and he usually concurs with staff, so is torn on the issue. Trustee Dominiak asked if there were any other storage facilities since the ordinance was passed that were not required to put in screening. Director Garrigan said not to his recollection, and any existing facilities with such screening would be legally non-conforming and a new storage facility would have the exact same requirements as the applicant. Trustee Dominiak commented on the current status of the site and the potential violation of the code. Director Garrigan

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responded that there is currently a code enforcement case against the applicant related to maintenance of the site and junk cars.

Upon roll call on the motion to deny the waiver of screening requirements and site plan, the vote was:

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

NO: 1: Johnson.

ABSENT: 0.

THE MOTION CARRIED.

Ms. Kidwell said she doesn't understand why her site plan approval was denied. Attorney Long provided an overview of the discussion at this meeting regarding fire safety because there is only one access to the back area, a possible second access road, the utilization of Drom Court and unhappy neighbors, as well as the screening ordinance.

Trustee Pierce moved, seconded by Trustee Macek to waive the fees and submittal requirements for the applicant for 2 Planning and Zoning Board cycles to allow the applicant to resubmit a site plan which conforms with Village ordinances. Upon roll call, the vote was:

YES: 3: Pierce, Johnson and Macek.

NO: 4: Jozwiak, Poulos, Dominiak and Mayor Hanson.

ABSENT: 0.

THE MOTION WAS DENIED.

8. Consideration of a Resolution approving the purchase of land from the Wisniewski Family and Ratifying a Draft Contract Therefor – Trustee Pierce moved, seconded by Trustee Dominiak, to approve **Resolution No. 19-17** approving the purchase of land from the Wisniewski Family and ratifying a draft contract therefor. Upon roll call, the vote was:

YES: 6: Jozwiak, Pierce, Poulos, Dominiak, Johnson and Macek.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

9. Consideration of an Ordinance Repealing and Replacing Chapter 2-8 of the Municipal Code of Antioch relating to Emergency Management Protocols – Trustee Dominiak moved, seconded by Trustee Pierce, to approve **Ordinance No. 19-03-08** repealing and replacing Chapter 2-8 of the Municipal Code of Antioch relating to Emergency Management Protocols, waiving the second reading. Upon roll call, the vote was:

YES: 6: Jozwiak, Pierce, Poulos, Dominiak, Johnson and Macek.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

10. Consideration of an Ordinance approving a business district plan and designating the Antioch Business District of the Village of Antioch, Illinois – Trustee Dominiak moved, seconded by Trustee Jozwiak, to approve **Ordinance No. 19-03-09** approving a business district plan and designating the Antioch Business District of the Village of Antioch, Illinois, waiving the second reading. Upon roll call, the vote was:

YES: 6: Jozwiak, Pierce, Poulos, Dominiak, Johnson and Macek.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

11. Consideration of an Ordinance imposing a business district retailers' occupation tax and a business district service occupation tax in the Antioch Business District of the Village of Antioch, Lake County, Illinois - Trustee Dominiak moved, seconded by Trustee Jozwiak, to approve **Ordinance No. 19-03-10** imposing a business district retailers' occupation tax and a business district service occupation tax in the Antioch Business District of the Village of Antioch, Lake County Illinois, waiving the second reading.

Director Garrigan said there was a question about taxable goods, and this does not include services. Attorney Long said the service occupation tax is not the same as taxing services and would provide a tax on goods provided through a service.

Upon roll call, the vote was:

YES: 6: Jozwiak, Pierce, Poulos, Dominiak, Johnson and Macek.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

12. Consideration of an Ordinance for the Village of Antioch, Illinois Special Service Area

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Number One approving Updated Administrative Report and amended special tax roll for levy year 2018 and abating special service area taxes – Trustee Jozwiak moved, seconded by Trustee Dominiak, to approve **Ordinance No. 19-03-11** for the Village of Antioch, Illinois Special Service Area Number One approving updated Administrative Report and amended special tax roll for levy year 2018 and abating special service area taxes waiving the second reading. Upon roll call, the vote was:
YES: 6: Jozwiak, Pierce, Poulos, Dominiak, Johnson and Macek.
NO: 0.
ABSENT: 0.
THE MOTION CARRIED.

13. Consideration of an Ordinance for the Village of Antioch, Illinois Special Service Area Number Two approving Updated Administrative Report and amended special tax roll for levy year 2018 and abating special service area taxes – Trustee Jozwiak moved, seconded by Trustee Dominiak, to approve **Ordinance No. 19-03-12** for the Village of Antioch, Illinois Special Service Area Number Two approving updated Administrative Report and amended special tax roll for levy year 2018 and abating special service area taxes waiving the second reading. Upon roll call, the vote was:
YES: 6: Jozwiak, Pierce, Poulos, Dominiak, Johnson and Macek.
NO: 0.
ABSENT: 0.
THE MOTION CARRIED.

14. Consideration of an Ordinance formally adopting the Zoning Map Effective March, 2019 for the Village of Antioch – Trustee Dominiak moved, seconded by Trustee Jozwiak, to approve **Ordinance No. 19-03-13** formally adopting the zoning map effective March, 2019 for the Village of Antioch waiving the second reading. Upon roll call, the vote was:
YES: 6: Jozwiak, Pierce, Poulos, Dominiak, Johnson and Macek.
NO: 0.
ABSENT: 0.
THE MOTION CARRIED.

IX. ADMINISTRATOR'S REPORT

1. Discussion regarding Bitner Property – Administrator Keim provided an update that the Bitner buildings are still standing. In order to get the burn permit issued by EPA, the DNR must approve the burn, and they have flagged it for possible historical preservation. Historical preservation would cost approximately \$20-30,000 to document the buildings and what has occurred there over the years. The buildings were originally going to be demolished by bulldozer, which would not require a permit, but that option would deny the fire department a training opportunity. He asked the board if they would support a change in the way the buildings are taken down. He proposed staff proceed with bulldozing and not the burn option for the buildings. Those present agreed to move forward with the demolition of the buildings using a bulldozer.

He added that he received the permit from IDOT to close Grimm today, and hopes to have it deployed in the soonest possible date.

X. VILLAGE CLERK'S REPORT

Clerk Romine announced that voter registration has closed at the Village Clerk's office. Early voting is currently available at the Lake County Clerk's office in Waukegan from 9-5 and will begin at the Antioch Township office from March 18-April 1.

XI. TRUSTEE REPORTS

No report.

XII. EXECUTIVE SESSION – Personnel, Pending/Probable Litigation, Sale or Lease of Village Property, Executive Session Minutes, Collective Bargaining – Pending Litigation – The Mayor and Board of Trustees did not go into executive session.

XIII. ADJOURNMENT

There being no further discussion, Trustee Dominiak moved, seconded by Trustee Pierce to adjourn the regular meeting of the Board of Trustees at 9:09p.m.

Respectfully submitted,

Lori K. Romine
Village Clerk