

# APPROVED MINUTES

## VILLAGE OF ANTIOCH BOARD OF TRUSTEES Regular Meeting

Virtual Meeting – Call In (571)317-3122 Access Code: 928-516-141  
June 8, 2020

### I. CALL TO ORDER

Mayor Hanson called the June 8, 2020 regular meeting of the Board of Trustees to order at 7:00 pm.

### 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 virtually: Pierce, Macek, Yost, Dominiak, Poulos and Johnson. Physically present at the meeting location were Mayor Hanson, Clerk Romine and Amy Pisciotta. Also present virtually were Attorney Long and Administrator Keim.

### IV. MAYORAL REPORT

Mayor Hanson stated that all comments were to be submitted to the village clerk by 4pm. There were no comments submitted to the Village Clerk for this meeting.

### V. Consent Agenda

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

1. **Approval of the May 11, 2020 regular meeting minutes as presented.**
2. **Approval of a Resolution authorizing the ACHS Annual Homecoming Parade to be held on October 1, 2020 – Resolution No. 20-20**

Upon roll call, the vote was:

**YES: 6:** Pierce, Macek, Yost, Dominiak, Poulos and Johnson.

**NO: 0.**

**ABSENT: 0.**

**THE MOTION CARRIED.**

### VI. REGULAR BUSINESS

3. **Consideration of payment of accounts payable as prepared by staff** – Trustee Poulos moved, seconded by Trustee Yost, to approve payment of accounts payable in the amount of \$505,630.93 Upon roll call, the vote was:

**YES: 6:** Pierce, Macek, Yost, Dominiak, Poulos and Johnson.

**NO: 0.**

**ABSENT: 0.**

**THE MOTION CARRIED.**

4. **Consideration of a Resolution to make improvements to the Village right-of-way on Lake Avenue and Park Avenue in Oakwood Knolls Subdivision** – Administrator Keim discussed the history of the issue with the right-of-way located in Oakwood Knolls subdivision. Based on the petition received, there appear to be a large number of residents in the subdivision that would like to see improvements to the right-of-way. He had public works restore asphalt grindings in an attempt to improve drainage, and would like to restore and improve the right-of-way if the board agrees. There are a number of property owners adjacent to the right-of-way who object to improving the right-of-way for access to the lake. Staff recommends approval of the resolution, which would do what was depicted in the aerial image provided previously.

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Trustee Pierce moved, seconded by Trustee Yost, to bring this item to the floor for discussion.

Trustee Pierce thinks the Village has an obligation to provide access on Village-owned right-of-way, but said it's the Homeowner's Association (HOA) responsibility to maintain their property while following ordinances. He said if the HOA wants to improve their property, and complies with stormwater and village code, they have a right to do so.

Trustee Macek discussed setting a precedent, and thinks the village should not be assisting the HOA with their property.

Trustee Yost agrees that the diagram presented by staff seems to be a reasonable solution.

Trustee Dominiak asked if Park Avenue is Village or HOA property. Administrator Keim replied that both Park and Lake are shown as Village right-of-way. She said she supports putting down gravel so people have an opportunity to drive down there and unload, and asked about the costs associated with the improvement. Administrator Keim expected some public works resources will be used and possibly \$2,000 for gravel. Trustee Dominiak asked if we would be required to maintain that gravel each year, and who would be responsible for blocking the area off so there is no driving on grass or private property. Administrator Keim said he does not believe the village is obligated to maintain it, but that has been past practice. He added that there could be a requirement that the HOA is required to maintain their area. The Village would want to limit their involvement in maintaining the property, but it could be done. He said railroad ties were used in the past as a barrier, and possibly signage could be used as a barrier. Trustee Dominiak asked if we could vacate the road and give it to the association. Administrator Keim said Park could be vacated, but if it were it would be given to property owners on either side, and their property would increase by 15 feet. Each property owner would have an equal right to property to the center line. Attorney Long said vacating is at the discretion of the village board. It gets off the books, but doesn't promote peace and harmony among the property owners. Trustee Dominiak suggested the Village lay down gravel, but she is not in favor of ongoing maintenance. She also suggested that they look into something sturdier than RR ties as a barrier.

Trustee Poulos does not agree with providing maintenance more than once/year or if there were bad rains that created a need for village assistance.

Trustee Johnson agrees with the proposed plan, and agreed with no more than once/year for village maintenance.

Mayor Hanson discussed his family history in Oakwood Knolls subdivision, and the original roads and amended roadways as the subdivision was built. He thinks we need to stick with a maintenance plan, and said hopefully whatever barriers are used will be long term with very little maintenance. He added that he commends everyone in Oakwood Knolls that maintain common areas and pay voluntary HOA dues.

Trustee Pierce agrees that they should not be parking on the grass, and said if the HOA has enough room to create a parking lot area on a part of their property, they should do so. He commented on public areas the village is required to maintain in other subdivisions, and how this pales in comparison to those requirements.

Trustee Dominiak asked if the resolution should be more specific as to what the village will be required to do. Mayor Hanson agreed. Administrator Keim suggested the resolution be modified to say the improvement put forth as exhibit "A" to include the diagram in the packet, and put in provisions regarding barriers and maintenance. This item will be placed on a special meeting agenda before the next COW for consideration.

**5. Consideration of an Emergency Ordinance ratifying and extending the Mayoral declaration of Emergency relating to Coronavirus – Trustee Johnson moved, seconded by Trustee Yost, to approve**

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**Ordinance No. 20-06-18** ratifying and extending the Mayoral declaration of Emergency relating to coronavirus, waiving the second reading. Upon roll call, the vote was:

**YES: 4:** Macek, Yost, Dominiak and Johnson.

**NO: 2:** Pierce and Poulos.

**ABSENT: 0.**

**THE MOTION CARRIED.**

**6. Consideration of an Ordinance Restoring Board Approvals for Class “J” License –** Trustee Poulos moved, seconded by Trustee Johnson, to approve **Ordinance No. 20-06-19** to restore board approvals for Class “J” Licenses, waiving the second reading. Upon roll call, the vote was:

**YES: 6:** Pierce, Macek, Yost, Dominiak, Poulos and Johnson.

**NO: 0.**

**ABSENT: 0.**

**THE MOTION CARRIED.**

**7. Consideration of an Ordinance Adding Sales Ratio Requirements for the creation of Tavern and Restaurant Licenses–** Trustee Dominiak moved, seconded by Trustee Pierce, to approve **Ordinance No. 20-06-20** adding Sales Ratio Requirements for the creation of Tavern and Restaurant, waiving the second reading.

Trustee Dominiak asked Trustee Poulos if this ordinance addresses his suggestion that retail establishments are unable to get licenses. Trustee Poulos asked if there was ever a final answer allowing that restriction. Attorney Long said there is still an issue with Piggly Wiggly and their license, and expressed concern with the board pushing the limit on what is enforceable. He said if there are exceptions for people, they may be creating more issues. Attorney Long said a predominately retail establishment would not have more than 50% in food or drink sales, which this ordinance requires for a liquor license.

Upon roll call, the vote was:

**YES: 6:** Pierce, Macek, Yost, Dominiak, Poulos and Johnson.

**NO: 0.**

**ABSENT: 0.**

**THE MOTION CARRIED.**

**8. Consideration of a Resolution approving Gateway Sign License Agreement with Skipper Buds –** Trustee Poulos moved, seconded by Trustee Pierce, to approve **Resolution No. 20-22** approving Gateway Sign License Agreement with Skipper Buds.

Trustee Pierce clarified that this formalizes the agreement with skipper buds for a future sign. Director Garrigan confirmed that was true. He said the sign is not being ordered or fabricated at this time, but this agreement allows the village the opportunity to have the sign there in the future.

Upon roll call, the vote was:

**YES: 6:** Pierce, Macek, Yost, Dominiak, Poulos and Johnson.

**NO: 0.**

**ABSENT: 0.**

**THE MOTION CARRIED.**

**9. Consideration of a Resolution Approving the Closure of the Antioch Aquatic Center for the 2020 Season –** Trustee Pierce moved, seconded by Trustee Dominiak, to approve **Resolution No. 20-23** approving the closure of the Antioch Aquatic Center for the 2020 Season.

Trustee Pierce said he makes the motion with very deep regret because he knows people are desperate to find something for their kids to do, but doesn't see how we can subject staff and the public from

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potential infection if we are the only pool open in the area. Trustee Yost commented that even if we wanted to open, we couldn't get the permits necessary to open from Lake County and State Health agencies at this time.

Upon roll call, the vote was:

**YES: 5:** Pierce, Macek, Yost, Dominiak and Johnson.

**NO: 1:** Poulos.

**ABSENT: 0.**

**THE MOTION CARRIED.**

**10. Consideration of a Resolution Authorizing the Waiver of the August, 2020 Water and Sewer Rate Increase to Provide Relief to Residents of Antioch who may be impacted by the COVID-19 Virus –** Trustee Pierce moved, seconded by Trustee Yost, to approve **Resolution No. 20-24** Authorizing the Waiver of the August, 2020 Water and Sewer Rate Increase to Provide Relief to Residents of Antioch who may be impacted by the COVID-19 Virus.

Trustee Macek commented that we just paid for a \$90,000 pump, he discussed the Pittman property, and said it doesn't make sense to give rebates to millionaires that don't need it. He said it doesn't make sense that we're giving money back when we don't have a 5-year plan on infrastructure repairs and maintenance. He said this proposed plan doesn't make sense and he cannot support it.

Trustee Johnson commented that people are looking for the board to do something and this will help some people out.

Mayor Hanson said we are not giving money back or writing a check, but are just suspending the annual increase for one year. He said the enterprise fund has a good reserve, and responded to Trustee Macek's comment that we do have a plan for improvements. Mayor Hanson added that rates were not increased for 20 years, and to remove the annual increase for one year will not have as big an impact as the initial rate increase after 20 years.

Upon roll call, the vote was:

**YES: 5:** Pierce, Yost, Dominiak, Poulos and Johnson.

**NO: 1:** Macek.

**ABSENT: 0.**

**THE MOTION CARRIED.**

**11. Consideration of the Approval of the Operating and Capital Budget for Fiscal Year May 1, 2020 to April 30, 2021 –** Mayor Hanson said this was discussed previously, and the board could make amendments as staff gets more data and information. Trustee Poulos moved, seconded by Trustee Yost, to approve the Operating and Capital Budget for Fiscal Year May 1, 2020 to April 30, 2021.

Trustee Pierce commented on the recent financial statement from Director McCarthy which showed that we are 70% behind on our property tax receipts because of the delays, video gaming is down 2%, sales tax is down 5%, and fees are down from camps and park events. He said this financial report shows our income is not what we want it to be and he has concerns over our revenue. He thinks approving the budget at this time may be inappropriate.

Trustee Macek said he is definitely not prepared to approve the budget, and doesn't see body cameras, so he will not vote until he sees them. Director McCarthy replied that body cameras are included in the budget.

Director McCarthy said it's the same budget as previously presented, however, the report provided today was just the monthly update. The numbers only have one month of data, and we have yet to see what will happen with income and sales taxes collected in April. She said it will likely be September before any confident predication can be made. Director McCarthy commented that there is no harm in not approving the budget since the village is statutorily required to pass an appropriation ordinance. She did mention that there

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are a couple of things that should be decided upon; for example employee raises that should have been done in May.

Trustee Yost said seeing the revenue numbers was concerning and it makes it difficult to pass the budget.

Director McCarthy said decisions will be left to department heads, and they have already prioritized what can be cut, and can be done based on what revenues will bring. Once revenues stabilize and we have a good idea of what the true impact will be the budget will be adjusted. Director McCarthy said nobody knows how to budget for this, but her projections follow the state and other municipal models.

Trustee Dominiak expected that the budget would have included the decrease in revenues, but she would like to see more data, and like to see it tweaked to reflect the revenue losses that are being realized. Director McCarthy said there still won't be sufficient data in July to approve the budget. Trustee Dominiak said she is not comfortable passing as it is today without further analysis.

Trustee Poulos has no problem with delaying or approving the budget, but discussed classifications of revenue. He explained that property taxes are deferred and people will still have to pay, so we will receive that revenue eventually. Fees are mostly impacted by the loss of parks department programs and events, but there are also many expenses that will be saved to offset some of that lost revenue. Trustee Poulos said the numbers aren't quite as terrible as they look considering that we will receive the property taxes at some point. Some items will be deferred in the budget until a determination is made on what revenue projections are.

Trustee Johnson agreed and said Trustee Poulos makes great points. He is prepared to approve the budget, but is okay with waiting if that's the board's desire. He added that the problem with waiting is that things may change unexpectedly, and the approval could be delayed for a longer period than expected. He also added that the budget can be amended on a monthly basis as we go along.

Mayor Hanson thanked the staff for working hard to make sure we are on top of this, and to have great fund balances to keep operations going. He said the appropriation is still the driving force and must be approved next month.

Administrator Keim understands the hesitation, and doesn't mind if it's approved tonight, but the only jeopardy is that projects will be delayed further. He recommends following the deferral list for the first quarter at least and added that any large dollar amounts need to go before the board anyway. He said there may be an issue with a potential bond issue, and we would be at risk with our bond rating if there was no budget approved. Administrator Keim said staff is currently spending on only essentials or contractual expenses. Not having a budget makes it more difficult for staff with the uncertainty, but he said they can manage for another month. He suggested the board consider passing a provisional budget, or monthly budget if they do not want to approve the full budget, and commented that basically the capital expenses that will suffer and are in jeopardy of being deferred/removed.

Trustee Poulos added that it's easier to have a budget and not spend something than to make a budget based on projections and add big ticket items afterwards.

Upon roll call, the vote was:

**YES: 0.**

**NO: 6:** Pierce, Macek, Yost, Dominiak, Poulos and Johnson.

**ABSENT: 0.**

**THE MOTION FAILED.**

**12. Village of Antioch Marketing Campaign** – Director Garrigan reviewed the memo from staff about marketing efforts including videos, and highlighted some future marketing efforts in an attempt to assist the small business community. He said staff has had some good feedback on the videos.

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Trustee Dominiak thanked Mayor Hanson for adding this to the agenda, and thought it was important for the board to be aware of these efforts and provide their input, and ultimately their approval. She asked what the projected budget was for doing these videos, and is concerned with how we are spending our dollars. Administrator Keim said there was no budget for this. Trustee Dominiak said the board needs to have some input into what is in the budget.

Trustee Poulos asked if there could be one video in general for the village to show what we've done to help as far as outdoor seating capacity, and provide an overall feeling of what we've done. Director Garrigan said that could be done if there are future videos and if the board supports that endeavor. He added that outdoor eating was very well received over the last week.

Trustee Dominiak proposed that the board consider approving a budget for this, and provide direction to staff on how to move forward; particularly since there's not a budget at this time.

Trustee Macek commented that some businesses are feeling left out because only some businesses are highlighted. He said there have been comments like "what about me and my free publicity". Trustee Dominiak suggested sending a letter to all businesses to let them know if they want to participate, or we could create some type of system to give people an opportunity to be included in these videos.

Mayor Hanson said Michael should be directing this and he needs to create a system for which businesses will be highlighted. He'd like to help the businesses out and do it fairly, and thinks staff should hash out the details. He said staff needs to come up with a budget and plan, and suggested the board let Michael work with Mary and Dan to put something together.

## **VII. Administrator's Report**

No Report.

## **IX. Village Clerk's Report**

Clerk Romine read aloud a letter from Harry Brown regarding the exceptional service provided by the Antioch Police Department during the protest over the weekend.

## **VII. Administrator's Report**

Trustee Pierce commended the Antioch Police and Public Works Department for making sure the protests over the weekend were safe. He said the police department received a \$1,500 donation from Country Financial for the K-9 unit, which may be more, and thanked them for their donation.

Trustee Yost asked Administrator Keim about the holes in Centennial Park and if there was any update on when those would be repaired. Administrator Keim doesn't have a schedule to repair those yet, but said the holes are covered with board and barricades.

Trustee Dominiak echoed Trustee Pierce's comments on how well police and public works managed the protest events. She mentioned the recent creation of a group called "We the People of Antioch Marching Patriots" and their plan for a protest parade on the 4<sup>th</sup> of July. Chief Guttschow commented that he has had inquiries about that. He explained the circumstances and that the recent protest was not an endorsement or approval by the village. He also spoke of the potential ramifications for someone who may hold an unsanctioned event, and how they take on some burden and responsibility.

Mayor Hanson said the event was very well attended and organized and commended the young man who organized it for making the effort.

**VIII. EXECUTIVE SESSION – Personnel and Pending Litigation, Lease of Village Property, Collective Bargaining – property** - Trustee Pierce moved, seconded by Trustee Yost, to enter executive session at 8:49pm for property acquisition and pending litigation, with no action to be taken upon return.

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Upon roll call, the vote was:

**YES: 6:** Pierce, Macek, Yost, Dominiak, Poulos and Johnson.

**NO: 0.**

**ABSENT: 0.**

**THE MOTION CARRIED.**

*All zoom meeting attendees were removed from the executive session meeting.*

Trustee Pierce moved, seconded by Trustee Yost, to exit executive session at 9:09pm with no action taken. Upon roll call, the vote was:

**YES:**

**NO:**

**ABSENT:**

**THE MOTION CARRIED.**

### **IX. ADJOURNMENT**

There being no further discussion, the Village Board of Trustees Special meeting adjourned at 9:09 pm.

Respectfully submitted,

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Lori K. Romine, RMC/CMC  
Village Clerk