

APPROVED MINUTES

VILLAGE OF ANTIOCH
BOARD OF TRUSTEES – REGULAR MEETING
Village of Antioch, Lake County, Illinois
Municipal Building: 874 Main Street, Antioch, IL 60002
October 26, 2022

I. CALL TO ORDER

Mayor Gartner called the October 26, 2022 regular meeting of the Board of Trustees to order at 6:30 pm at the Antioch Municipal Building located at 874 Main Street, Antioch, IL and via Zoom.

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: Pierce*, Macek, Pedersen, Bluthardt, Burman and Dominiak. Also present were Mayor Gartner, Administrator Keim, Attorney Vasselli and Clerk Romine.

**indicates attendance via Zoom*

IV. Absent Trustees Wishing to Attend Remotely

Trustee Pierce was attending via Zoom.

V. Mayoral Report

Mayor Gartner thanked everyone for their hard work on the trick-or-treat and Harvest fest events, specifically the volunteers. He offered condolences to the Haley family for the passing of their sister Betty.

1. Promotion of Jacob Marsh to Sergeant – Chief Guttschow provided an overview of Jacob Marsh's employment and achievements in working for the Antioch Police Department. Clerk Romine administered the Oath of Office to Sergeant Marsh.

Citizens Wishing to Address the Board

Mr. John Draper, Antioch resident, discussed the parking on his street, and said it is not working out. He discussed the signage, and traffic issues.

Lucille Kessler, Antioch resident, doesn't believe in the ticket tax in the theater or for any private business.

Mike O'Mara, Antioch resident, doesn't agree with the ticket tax, and doesn't think a private sale between two parties should involve the Village. He discussed the initial fundraising of the theater, and said the Village should not be a third party to this transaction.

Linda Monty said she does not believe the ticket tax should be approved, even if there have been changes made to the proposed agreement.

VI. Consent Agenda

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

- 1. Approval of the October 12, 2022 Regular Meeting Minutes as presented.**
- 2. Approval of a Resolution authorizing a special event liquor license for the Teamster Horsemen Chapter 25 North for their 25 Guns of Christmas Event on December 10, 2022; waiving all fees - Resolution No. 22-80**

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Upon roll call, the vote was:

YES: 6: Pierce, Macek, Pedersen, Bluthardt, Burman and Dominiak.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

VII. Regular Business

3. Presentation on Water System Analysis by HR Green – Administrator Keim discussed the initiation of a water system analysis to help gain an understanding of the water system and how it operates.

Mr. Tim Hartnett, HR Green, presented the results of the recent analysis of the Village of Antioch water system. He said overall, we are exceeding the firm supply, and can provide over 3,500 gallons/minute for over 3 hours due to storage. He said the system has plenty of storage to provide for the current demands. He discussed the decommissioning of well #5 which has been placed on emergency status. They are working with equipment manufacturers to obtain costs and an analysis of rebuilding the well. It could remain in emergency mode as well. Planning should begin, and budgets put together to be prepared and have a plan in place if development increases.

Trustee Pierce was pleased to see this, and thinks it's important to plan. He discussed well #5 and asked if it's possible to remove the iron out of all the wells. Mr. Hartnett said they could look into that option, and look at routine maintenance and upkeep. Administrator Keim added that iron levels at the other wells was within standards.

Trustee Macek asked if this affects the ISO rating. Mr. Hartnett said it was provided to the Village in the past, and can be shared with fire districts.

Trustee Pedersen thinks this is great information.

Trustee Dominiak thinks the board needs to look into Lake Michigan Water as well, and would like more information about time limits on the Village's allocation. Mr. Hartnett responded with some actions that have been taken in regards to Lake Michigan water, and commented that there seems to be more allocation available now than previously.

4. Consideration and approval of payment of accounts payable as prepared by staff in the amount of \$536,076.21 – Trustee Dominiak moved, seconded by Trustee Pedersen, to approve payment of accounts payable in the amount of \$536,076.21.

Trustee Pierce asked for an explanation on the \$11,000 payment for truck fees during a strike, and a \$250,000 payment for a capital improvement project. Administrator Keim responded the \$250,000 to Lake County was the match to the grant for the park, which was stipulated in the approved Intergovernmental Agreement. The \$11,000 payment to Orvine was for additional funds that needed to be spent when there was a strike which affected their pricing. It was originally \$18,000 and negotiated to \$11,000.

Upon roll call, the vote was:

YES: 6: Pierce, Macek, Pedersen, Bluthardt, Burman and Dominiak.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

5. Consideration and approval of an Ordinance approving a ticket sales tax rebate agreement – Mayor Gartner asked Attorney Vasselli to review the options available to the Board. Attorney Vasselli discussed section 14.4 of the agreement, which includes a right of first refusal in one option, a right of first offer in another option, and neither in the final option. He provided an explanation of each option for the board's

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consideration and changes made to the right of first refusal, which include a reduction in the timeframe of section 14.4 from 30 days to 14, and a sunset provision.

Trustee Dominiak moved, seconded by Trustee Pedersen, to approve **Ordinance No. 22-09-53** approving a ticket sales tax rebate agreement, with option B to approve with the right of first refusal, and waiving the second reading.

Trustee Pierce asked if the attorney could explain post closure and how that works. Attorney Vasselli explained the sunset provision, which removes the right of first refusal after a 10-year period. Mayor Gartner added that the Village can always waive the right of first refusal. Trustee Pierce asked when the tax would be removed. Attorney Vasselli responded that the tax will continue until December 31, 2032, but added that is subject to amendment. Trustee Pierce clarified that this tax is only imposed on those attending the theater, and not to all Antioch residents.

Administrator Keim explained the reason for the ticket tax rebate, which is not a loan or a grant, but a pass-through cost. If \$2,000 is collected, we return \$2,000. This is an opportunity for the theater to be slightly more profitable without increased expenses to the movie production companies and studios.

Trustee Macek asked about iterations of the agreements provided to the board, and asked if there is another word that could be used when referencing the agreement other than tax. He expressed concern with setting a precedent, and future requests that may come in looking for financial assistance through a tax.

Attorney Vasselli responded to Trustee Pierce regarding the Village's obligation to pay the rebate, stating that the Village's obligation to rebate is discharged when the loan is discharged.

Trustee Macek asked if the insurance clause could be made automatic. Attorney Vasselli said if this is approved, he will immediately issue a demand that there is insurance and those parameters naming the Village of Antioch as additionally insured.

Trustee Pedersen wants the theater, and said she has seen boarded up theaters in other communities, and would hate to see that happen in Antioch. If the Village can help, she thinks the Village has an obligation to do so. She asked Administrator Keim if it is possible to add a tax to other businesses if requested. Administrator Keim said only to the extent that state statute allows to non-home rule communities taxing authority.

Trustee Bluthardt said the board has agreed that incentives are important to the downtown, and agreed that they would like to see the theater stay in business. He said the ticket tax is in place, and the only matter for consideration tonight is the rebate agreement on that tax, and whether or not we will amend it to the new owner, and include language regarding a right of first refusal. He thinks we need to move forward in order to help keep the theater.

Trustee Burman said a theater is important, as well as a vibrant downtown, but feels as though there is pressure placed on the Village to save the theater. She further commented that the Village cannot always step in when a business is in trouble.

Trustee Dominiak discussed the history of this request and the history of the theater. She reviewed investments made by the current owner Mr. Tim Downy, including building repairs, digital upgrades and other improvements that made the theater what it is today.

Upon roll call, the vote was:

YES: 5: Pierce, Macek, Pedersen, Bluthardt and Dominiak.

NO: 1: Burman.

ABSENT: 0.

THE MOTION CARRIED.

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VIII. Administrator's Report

Mayor Gartner commended the police department, school, and other police units responding to the incident at the school last week.

Administrator Keim advised the board that there is an application pending with Lake County on behalf of Oakridge apartments for a tax-exempt status on their property taxes. Representatives from all taxing districts met to discuss the objection to this request, and it will all be filed under one motion as coordinated through the school districts.

Mayor Gartner invited Chief Guttschow to present the results of the recent new hire testing for the Police Department. Chief Guttschow stated that 5 new recruits have been identified by the Police & Fire Commission and given offers of employment with the Village of Antioch. He discussed the competitive nature of recruitment from a small pool of candidates, and commented that the new recruits have been budgeted. Chief Guttschow discussed the impact of the current staffing at the department, and improvement the hiring of these new recruits would have on that.

Chief Guttschow also reported on the status of the parking lot at the police station. He reviewed the original plan, which included a fence with masonry pillars, but was changed to a brick wall upon discussion of the Board. He explained that they have encountered design challenges, and the cost has increased due to some unforeseen factors. He expressed concern with how the wall will look in proximity to Orchard Street, and added that the wall may diminish the security of the fence, which is the original intent. He asked that the board reconsider the final design of the fence, to possibly include pillars or just the fence with landscaping.

Trustee Pierce discussed the condition of the sidewalks in town, and the safety of our residents. He would like the Village to budget a plan to have all sidewalks reviewed in the next budget season.

Trustee Macek said most police departments are designed with the proposed type of fencing, and the security risks with landscaping providing an opportunity to hide. He added that the pillar may be an easy place to climb over, and suggested just to install the fence.

Trustee Pedersen said safety is most important, so just the fence is fine with her.

Trustee Bluthardt said either is fine with him, and if it is a safety concern, the pillars may not be a good option.

Trustee Burman said safety is the whole point of this, and a change should be made to the design that will be the safest for the officers.

Trustee Dominiak likes the look of the pillars, but does recommend landscaping either way.

IX. Village Clerk's Report

Clerk Romine reminded residents of the leaf vacuuming program beginning next week.

X. Trustee Reports

None.

XI. ADJOURNMENT

There being no further discussion, the Village Board of Trustees regular meeting adjourned at 7:54pm.

Respectfully submitted,

Lori K. Romine, RMC/CMC
Village Clerk