

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 25, 2023

I. CALL TO ORDER

Mayor Gartner called the October 25, 2023 regular meeting of the Board of Trustees to order at 6:33pm 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: Burman, Bluthardt, McNeill, Pierce, Macek and Pedersen. Also present were Mayor Gartner, Attorney Vasselli, Administrator Keim and Clerk Romine.

IV. Absent Trustees Wishing to Attend Remotely

There were no Trustees attending remotely.

V. Mayoral Report – None.

Citizens Wishing to Address the Board

Joey Haley, Antioch resident, discussed the concrete streets in the Woods of Antioch. He said he will be the Vice President for the Association beginning January 1, 2024. He wanted to thank Administrator Keim, Director Heimbrodt, and the Village engineer for their time in discussing this topic. He discussed the state of the roads in his subdivision, and the challenges facing their repair. He asked for the opportunity to speak when this comes before the Board again.

VI. Consent Agenda

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

1. Approval of the October 11, 2023 Regular Meeting Minutes as presented.

Upon roll call, the vote was:

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

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

VII. Regular Business

2. Consideration and approval of payment of accounts payable as prepared by staff in the amount of \$394,440.64 – Trustee Burman moved, seconded by Trustee Pedersen to approve payment of accounts payable in the amount of \$394,440.64. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

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3. Consideration and approval of an Ordinance deleting and adding one Class “C” Retail Package sales liquor license and one Class “A” and Class “C” tobacco license for KP Antioch Inc d/b/a Antioch Food and Liquor to be located at 354 North Avenue to reflect a change in corporate ownership – Trustee Bluthardt moved, seconded by Trustee McNeill, to approve **Ordinance No. 23-09-26** deleting and adding one Class “C” Retail Package sales liquor license and one Class “A” and Class “C” tobacco license for KP Antioch Inc d/b/a Antioch Food and Liquor to be located at 354 North Avenue to reflect a change in corporate ownership, waiving the second reading. Upon roll call, the vote was:
YES: 5: Burman, Bluthardt, McNeill, Macek and Pedersen.
NO: 1: Pierce.
ABSENT: 0.
THE MOTION CARRIED.

4. Consideration and approval of an ordinance adding one more Class “B” and Class “C” Tobacco License for R&D#12 Inc to be located at 320 E IL Route 173 – Trustee McNeill moved, seconded by Trustee Macek, to approve **Ordinance No. 23-09-27** adding one more Class “B” and Class “C” Tobacco License for R&D#12 Inc to be located at 320 E IL Route 173, waiving the second reading.

Trustee Pedersen commented on the proximity to the high school, the age limit for entry, and that the applicant did say he was going to sell THC products, so she is not in favor.

Trustee Macek agreed that products are being sold that need to be addressed, discussed the potential for window displays, and said this is way too close to the high school.

Trustee Pierce agrees that the product line is inappropriate, and it’s too close to the school.

Upon roll call, the vote was:

YES: 0.
NO: 6: Burman, Bluthardt, McNeill, Pierce, Macek and Pedersen.
ABSENT: 0.
THE MOTION FAILED.

5. Consideration and approval of an Ordinance amending Section 4-2B-10 of the Antioch Village Code regarding classifications of liquor licenses within the Village of Antioch, Illinois (gas station on-premise consumption) – Trustee Pierce moved, seconded by Trustee Pedersen to deny Ordinance No. 23-09-27 amending Section 4-2B-10 of the Antioch Village Code regarding classifications of liquor licenses within the Village of Antioch, Illinois (gas station on-premise consumption), without prejudice.

Mr. Sam Dharni, requested a pouring liquor license in order to have gaming due to the gas volume in Illinois being reduced and affecting their business. He said he does not have any interest in the gas station across the border. He provided information related to sales volume before the IL tax changes, and current sales volume. He discussed increased revenue to the Village which will be realized with the addition of video gaming.

Mr. Sonny Judge, gas station owner, related a similar issue, stating gas sales are approximately 40-50% down, and discussed a recent state mandate requiring an update to fuel lines/tanks, which will affect them further. He discussed a potential expansion of his store, and would be interested in improving the corner if video gaming could help his business. He said they aren’t only losing gallons, but other inside sales as well. Mr. Judge said he is willing to share gaming revenue in order to reinvest into the community.

Trustee Burman feels bad for the gas station owners, and expressed frustration with the State of Illinois. She discussed state mandates on gas stations, but said if the Village permits this, it is not going to help anyone in the long run, and the Village cannot provide a short-term solution for state decisions.

Trustee Bluthardt said he is still undecided.

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Trustee McNeill said she has done much research, and spent time gathering information. She looked at the gaming revenue data, and said it doesn't seem that additional machines have taken revenue away from others, but also discussed gaming at other gas stations. She said she is not convinced that restaurants will lose based on data, and is still undecided on this matter.

Trustee Pierce said he cannot agree with the expansion of gambling, but wants to work with business owners. He understands the suffering difficultly, but asked the applicants to show the board what they're going to do, and don't just ask for gaming to help increase revenue.

Trustee Macek discussed morals, and said when you pass a law, you need to look at the spirit of the law. He discussed future expenses the gas stations will need to incur, as well as the lost revenue from gas taxes. He said the spirit of the law when approved was to help business. Trustee Macek said machines don't belong in sandwich shops, but gas stations are a necessity. Mr. Dharni commented on the \$500k he spent on renovations, and the Mr. Judge related that the mandated updates will cost him approximately \$300-500k.

Trustee Pedersen expressed concern with setting a precedent, and other requests for video gaming that may follow. She said she feels terrible for the business owners, but the board is in a hard position. She opined that this will change the face of Antioch forever. She said she feels awful, and it's a painful decision, but she cannot support this request; the Village needs to draw the line somewhere.

Trustee Burman discussed distance requirements for liquor licenses.

Trustee Bluthardt asked how the machines would be monitored and where they would be placed. Mr. Dharni said there is a separate door that would require key card access. Mr. Judge said eventually they will have to hire more people to monitor. Nobody will be allowed to drink on-premise for purchased package alcohol. Trustee Bluthardt asked if anyone with this class of license would be allowed to pour alcohol. Attorney Vasselli responded that they could.

Trustee Pierce said the spirit of the law when this was approved excluded gas stations unless they were considered a truck stop. He said the state issued the most recent mandate, and they will have to offer to help at some point. He said it's not a moral issue, but goes to the character of the town. He commented that the Village changed the ordinance to allow the sale of more alcohol at gas stations, provided façade grants to those businesses, and provided expanded hours for retail sales of alcohol at gas stations. Trustee Pierce stated he doesn't profit from this decision in any way and is trying to do what is best for the Village.

Trustee Pierce rescinded his motion to deny the ordinance, and Trustee Pedersen rescinded her second. There was no objection to the rescission of the motion.

Trustee Macek moved, seconded by Trustee Bluthardt, to approve **Ordinance No. 23-09-27** amending Section 4-2B-10 of the Antioch Village Code regarding classifications of liquor licenses within the Village of Antioch, Illinois (gas station on-premise consumption), waiving the second reading. Upon roll call, the vote was:

YES: 2: McNeill and Macek.

NO: 4: Burman, Bluthardt, Pierce and Pedersen.

ABSENT: 0.

THE MOTION FAILED.

6. Consideration and approval of an Ordinance Approving and adopting amendments to the Employee Handbook for the Village of Antioch - Trustee Bluthardt moved, seconded by Trustee Burman to approve **Ordinance No. 23-10-30** approving and adopting amendments to the Employee Handbook for the Village of Antioch, waiving the second reading.

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Mayor Gartner commented on the timing of this amendment, and recommended that future changes be done in January so employees can plan accordingly. He asked to change the policy for 2023 and discuss future amendments after this year.

Administrator Keim said the current policy, as it is written, would allow the Village Administrator to approve a rollover amount, but not a payout.

Trustee Bluthardt said his biggest issue isn't the payout for police, but is in trying to get employees to use their vacation days. He doesn't want anyone to lose any time they incurred, and is in favor of a one-time payout. Administrator Keim recommended the Board approve the way it is written and revisit the policy in early 2024.

Trustee McNeill said she did want to give compensation to employees due to short staffing, but after further analysis, suggested a hybrid be worked out with a cap on the amount to be paid out.

Trustee Pierce thinks for tonight's purpose it can be approved, but would like to revisit by a date certain.

Trustee Macek clarified that the Administrator has the ability to approve a larger rollover. He said he doesn't like that policy, and thinks there should be someone else involved in that approval.

Trustee Pedersen agrees on the approval and would like to revisit in January as well.

Upon roll call, the vote was:

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

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

VIII. Administrator's Report

Administrator Keim reported on train horns, and said the county has agreed to undertake this improvement, which will help enable the quiet zone be re-enacted. Other improvements along the line are still in process. Trustee Bluthardt commented on the needed improvements. Administrator Keim discussed the score needed to recertify the quiet zone. Mayor Gartner commented on the recertification process and the bids that were received and rejected to conduct the improvements. Administrator Keim discussed work across the street at the open space project and the progress so far. He said steel pile driving will begin soon and may create noise and vibration. The school has been notified. He commented on the unsuitable soil at the site, the changes in soil, and the expense involved in soil borings. He added that cost estimates may be realized over the next couple of months after the final utilities are moved.

Administrator Keim reported on the clarifier project, and stated that the grout layer was poured, and hopefully the tank will be online shortly.

Trustee Macek discussed the road program, and commented on the length of time between when it was torn out and when it is paved. Administrator Keim said he believes paving operations will begin within the week.

IX. Village Clerk's Report

Clerk Romine discussed the upcoming leaf vacuuming program and trick-or-treat hours.

X. Department Reports: Communications, Parks, Public Works

Director Quilty relayed that the Halloween decorating contest has been well received. The winners will receive gift cards. She discussed the upcoming Harvest Fest and Treat the Streets program downtown and at the bandshell. She discussed the future improvements reviewed at the Park Board for the master plan, and the Festival of Trees event at the sawmill.

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Director Heimbrod commented on the loss of another employee to a neighboring community, and asked the Board to contact public works with issues regarding the road program. He discussed the crack ceiling improvements which should extend the years of service for the roads. He also discussed the annual parkway tree planting in Tiffany Farms.

XI. Trustee Reports –

None.

XII. ADJOURNMENT

There being no further discussion, the Village Board of Trustees regular meeting adjourned at 8:07 pm.

Respectfully submitted,

Lori K. Romine, RMC/CMC
Village Clerk