

Village of Winthrop Harbor
President and Board of Trustees
Regular Board Meeting

January 21, 2020 - 7:00 PM

Municipal Building – 830 Sheridan Road – Winthrop Harbor, IL

AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. INVOCATION & PLEDGE**
- 4. APPROVAL OF PREVIOUS MEETING MINUTES**
 - i. January 7, 2020 Regular Board Meeting Minutes
- 5. OLD BUSINESS**
- 6. VILLAGE ADMINISTRATOR'S REPORT**
- 7. MAYOR'S REPORT**
 - i. An Ordinance Amending §§ 30.13,30.20 and 32.04 of the Municipal Code of Winthrop Harbor Adding Rules for Remote Meeting Attendance by the Mayor, Trustees and Also Members of the Planning and Zoning Board
 - ii. A Resolution Appointing an Alternate Representative to the Zion-Benton Enterprise Zone
 - iii. Kyle Wenzel's Request for a Liquor License for Harbor Brewing Company's Lakefront Craft Biergarten
- 8. CLERK'S CORRESPONDENCE**
- 9. NEW BUSINESS – COMMITTEE REPORTS**
 - A. *Finance*
 - i. Accounts Payable Warrant 2019-16 in the Amount of \$132,275.97
 - ii. December 2019 Treasurer's Report
 - B. *Public Works*
 - i. An Ordinance to Extend a Water and Sewer Recapture Ordinance for Chuck Nelson for an Additional 5 (five) Years.
 - ii. Acceptance of Grant from IDCEO for Bridge Construction at 3rd and Holdridge
 - iii. Request Approval to Amend the Snow Removal Contract with Johnson Landscaping to Add Village Hall Complex
- 10. PUBLIC HEARINGS**
- 11. UNFINISHED BUSINESS**
- 12. CLOSED SESSION for any lawful purpose including but not limited to:**
 - i. Appointment, employment, discipline, performance or dismissal of specific employees;
 - ii. Collective Bargaining matters or consideration of salary schedules for one or more classes of employees;
 - iii. Selection of person to fill a public office or discipline, performance or removal of the occupant of a public office where authorized to appoint or remove the official;
 - iv. Purchase or lease of real property or setting of a price for sale or lease of municipal property;
 - v. Review of closed session minutes
 - vi. Litigation, pending or probable
- 13. OPEN SESSION**
- 14. ADJOURNMENT**

1/17/2020 "No vote may be taken on any item which has not been listed on the Agenda for the meeting. Any matter not specifically listed on this Agenda, or brought up under "Unfinished Business" may be discussed by Board members at this meeting, but a vote on the matter shall be postponed until the next Board Meeting".

Village of Winthrop Harbor
President and Board of Trustees Meeting
January 7, 2020
Village Hall Council Chambers

MINUTES

The meeting was called to order by Mayor Bruno at 7:00 PM

The following Elected Officials were present:

Mayor: Dr. Michael Bruno

Trustees: Buddy Hargett, John Levin, Robert Marabella, Dana McCarthy, Hartmut "Fritz" Weiss, Alanna Whitmore

Also present:

Robert Long, Attorney
Greg Jackson, Village Administrator
Julie Rittenhouse, Village Clerk
Joel Brumlik, Police Chief

The Invocation was led by Pastor Doug Carlson from Grace Missionary Church, followed by the Pledge of Allegiance.

APPROVAL OF MINUTES

1 - A motion was made by Trustee Weiss and seconded by Trustee Levin to approve the **December 3, 2019 Regular Meeting Minutes** as presented. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

OLD BUSINESS

None Reported

VILLAGE ADMINISTRATOR'S REPORT

Village Administrator, Greg Jackson, told the Board that the budget cycle continues and they are making an effort to reduce spending. Based on the current budget report, we have succeeded in making sure we are below budget. However, we are looking at revenue short falls and the

Regular Board Meeting Minutes 01/07/20

significant one is the Landfill tipping fees. Greg will be meeting with SWALCO later this week to discuss a lot of things related to the landfill. All Capital Improvement Requests are in. We were at 2.2 million and brought it down to about 1 million in our requests. Debt Tolerance Analysis will hopefully be done by the end of January. The RFP for our website has been released and we've had 3 responses so far. We are looking into an IT Consortium to improve services with IT. Entities that are interested in being part of the consortium are, Wadsworth, Beach Park, Round Lake, Zion Park District and Zion Library District. The Senior Advisory Committee will have their first meeting on Thursday about senior programs and senior outreach. Human Resources is working on no tolerance language for the employee manual and the CBA's as it relates to cannabis. Greg sent the new laws for 2020 to the Board that took effect on January 1st. Things to take a look at are the bathroom provisions and minimum wage. We are working on the distributions of the old TIF Fund. Regarding cannabis, we have a company who is engaged with an LOI or in the process of doing a LOI, we hope to have more information by the end of the week. Harbor Brewing has been approved by the State of Illinois for the Lake Front craft beer garden at the Marina. They will be coming to us for a liquor license and to discuss their plan. We will be meeting with the owner tomorrow. The narrowing of Sheridan Road traffic study was done by Baxter and Woodman. In 2021 IDOT has plans to do work on Sheridan Road. IDOT said it meets the criteria and wants to meet with CMAP to see how they can work it into their plan. There is a \$25 million grant for funding for Parks and Rec for park equipment. Greg will be working on the grant which is due on the 21st.

MAYOR'S REPORT

Adoption of Code of Behavior and Conduct for Village Elected and Appointed Officials

2 - A motion was made by Trustee Weiss and Seconded by Trustee Whitmore to **approve the Adoption of Code of Behavior and Conduct for Village Elected and Appointed Officials** as submitted. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

Approval of Contract Consolidation of Copier Equipment and Services – Impact Networking, LLC

3 - A motion was made by Trustee Marabella and seconded by Trustee Weiss to **Approve the Contract Consolidation of Copier Equipment and Services with Impact Networking, LLC** as submitted. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

ORDINANCE 2020-O-1 An Ordinance Amending BYOB Regulations Making the Pilot Program Permanent and Expanding it to Additional Businesses

4 - A motion was made by Trustee Marabella and Seconded Weiss by Trustee to Set Aside the Rules of the President and Board of Trustees and Waive the First and Second Reading of **ORDINANCE 2020-O-1** and approve as submitted. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

CLERK'S CORRESPONDENCE

None Reported

NEW BUSINESS

Accounts Payable Warrant

5 - A motion was made by Trustee Weiss and seconded by Trustee Marabella to approve **Accounts Payable Warrant W2019-15** in the amount of **\$119,101.05**. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

November 2019 Treasurer's Report

6 - A motion was made by Trustee Weiss and seconded by Trustee Marabella to approve **November 2019 Treasurer's Report** as presented. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

RESOLUTION 2020-R-1 A Resolution Appointing the Chief Elected Official to the Zone Management Board for the Zion Benton Enterprise Zone

7 - A motion was made by Trustee Hargett and seconded by Trustee Marabella to approve **Resolution 2020-R-1** as presented. Mayor Bruno declared the motion carried on the following roll call vote.

Regular Board Meeting Minutes 01/07/20

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

PUBLIC HEARINGS

Marquis Barnes – perspective cigar lounge business (BYOB) – He asked the board if there was any way they could change the hours of operation, just for Friday and Saturday, to stay open until 1:00am. He was told that the Village Administrator, Greg Jackson, and Trustee Hargett will be meeting to discuss liquor licenses and they will talk about business hours at that time.

UNFINISHED BUSINESS

Trustee Whitmore – Recreation Department

- Spring baseball/softball open for registration
- Winter Zumba starts on January 16th. Every Thursday at 5:30pm through March 5th.
- Kids Fit Class starts next Tuesday. Every Tuesday through March 17th
- Teen Night will be on January 10th for 5th-8th graders
- Gym Night will be January 17th for K-4th grade

Trustee McCarthy – Police Department

- Thanked the Police Department for all of their hard work over the last month

Trustee Hargett – Community Development Department

- There was a grassroots social media effort to recognize businesses in the area. People nominated and then voted on the best. There were 5 businesses in town that were recognized. They were, best bar or tavern, Harbor Brewing, best daycare provider, Kirsten’s Home Day Care, best insurance agent, Michelle Funk, best pet grooming, Bark and Call and best pizza, Roma’s. Congrats to all of them.

Trustee Weiss – Finance Department

- Proposed a retreat for the Trustees to go over finance, infrastructure, operations and personnel. Department Heads would make their presentation to the Board explaining what they do and how they operate so we can get a better understanding of each and every one of the Department Heads operations and how they perform. It would help us understand the departments that we (the Trustees) oversee.

Trustee Marabella – Public Works Department

- Public Works is in the process of hiring a new employee. We will be interviewing.
- There has been very little salt use which is good
- Because of the good weather we’ve been able to patch roads

Mayor Bruno

- Thanked everyone for coming out tonight

ADJOURNMENT

8 - A motion was made by Trustee Weiss and seconded by Trustee Whitmore to adjourn the meeting. Mayor Bruno declared the meeting adjourned at 7:31p.m. on the following roll call vote:

Regular Board Meeting Minutes 01/07/20

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

APPROVED:

DR. MICHAEL BRUNO, MAYOR

ATTEST:

JULIE RITTENHOUSE, VILLAGE CLERK

Note: This is not a verbatim record.

ORDINANCE 2020-O-

**AN ORDINANCE AMENDING §§ 30.13, 30.20 AND 32.04
OF THE MUNICIPAL CODE OF WINTHROP HARBOR
ADDING RULES FOR REMOTE MEETING ATTENDANCE
BY THE MAYOR, TRUSTEES AND ALSO
MEMBERS OF THE PLANNING AND ZONING BOARD**

WHEREAS, the Illinois Open Meetings Act allows elected officials to attend meetings by remote audio or video link under specified conditions (5 ILCS 120/7), and

WHEREAS, the corporate authorities are required to adopt internal rules and regulations consistent with those specified conditions by the said statute when the Board wishes to allow remote attendance, and

WHEREAS, the corporate authorities have reviewed the draft rules set forth below and find that the same meet the requisites of the said statute, allow for remote attendance in appropriate settings and still favoring personal attendance at meetings, and that the same should be adopted,

NOW THEREFORE, BE IT ORDAINED by the Village of Winthrop Harbor, Lake County, Illinois, as follows:

SECTION ONE: Section 30.13 of the Winthrop Harbor Municipal Code is hereby repealed and replaced with the following Section:

§ 30.13 ORDER OF BUSINESS.

The order of business at meetings of the Board of Trustees shall be as follows:

- (A) Roll call.
- (B) Invocation and Pledge of Allegiance.
- (C) Absent Officials Wishing to Attend Remotely.
- (D) Approval of Minutes of Previous Meeting or Meetings.
- (E) Mayor's Report.
- (F) Village Administrator's Report.
- (G) Clerk's Correspondence
- (H) Old Business.
- (I) Liaisons' Reports on New Business.
- (J) Public Comment.
- (K) Other business.
- (L) Closed Session for any purpose allowed by law under the Illinois Open Meetings Act, 5 ILCS 120/1, *et. seq.*, including but not limited to personnel, collective bargaining, purchase, sale or lease of land and litigation.
- (M) Adjournment.

SECTION TWO: Chapter 30 of the Winthrop Harbor Municipal Code is hereby amended by the addition of section 30.20 which shall hereafter read as follows:

§ 30.20 Remote Attendance At Board Of Trustees Meeting.

Policy Considerations:

It is the policy of the Corporate Authorities of Winthrop Harbor that the presence of the elected officials at all public meetings is highly desirable. The public's ability to view actions being taken by elected officials and to make meaningful input into the decision-making process will be materially impaired by the lack of direct access to elected officials in the public forum provided by meetings of the Board of Trustees. Accordingly, the provisions for remote attendance at meetings set forth in this section are intended to provide for the public's good, not necessarily for the convenience or ease of the elected officials. As such, this policy should be used sparingly and in strict conformance with the provisions described herein.

1. Definitions

For purposes of this policy, the following terms shall have the following meanings:

- (a) "Attend by electronic means" means attending by audio or video conference.
- (b) "Meeting" means any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communications, of a majority of a quorum of the members of the Board of Trustees held for the purposes of discussing public business.
- (c) "Public building" means any building or portion thereof owned or leased by any public body.

2. Electronic Participation

(a) If a quorum of the members of the Board of Trustees is physically present as required by 5 ILCS 120/7, a majority of those members present may allow the Mayor or a Trustee to attend the meeting by means of video or audio conference if such a person is prevented from physically attending because of the following exclusive reasons and no others:

- (a) personal illness or disability; or
- (b) employment purposes; or
- (c) business of the public body; or
- (d) a family or other emergency.

3. Notification Requirements

(a) If the Mayor or a Trustee wishes to attend a meeting by audio or video conference, then the member must notify the Clerk before the meeting unless such advance notice is impractical.

4. Consideration of Request for Electronic Participation

(a) Consideration of a request for electronic participation shall occur under the agenda item titled "Absent Officials Wishing to Attend Remotely".

(b) Any Trustee physically present may state an objection to allowing remote attendance. In the absence of any such objection, the remote attendance shall be deemed to be allowed without objection.

(c) Upon the making of an objection, those Trustees physically present shall consider whether any such request meets the requirements of Paragraph 2, and vote regarding whether the requestor may be allowed to participate electronically or whether the objection should be upheld.

(d) An objection shall be upheld only where there is an affirmative majority vote of the Trustees physically present.

(e) Any official requesting to attend the meeting by electronic means may participate in the debate on such question but may not vote on the approval of their own request.

(f) If more than one official requests to attend the meeting by electronic means, such requests will be considered in the order in which notification was received by the Clerk as required in Paragraph 3.

(g) Any official whose request to attend the meeting by electronic means is approved may not vote on the approval of any other member's request considered during that meeting, but may participate in any debate on the question.

(h) Any official whose request for attendance by electronic means is denied may continue to listen to and/or view the meeting via electronic means, but may only participate to the same extent in which a member of the public physically present at the meeting could participate.

5. Closed Sessions

(a) Any official's request to attend by electronic means only the closed session of any such meeting shall be considered and voted upon in open session and otherwise in accordance with the Open Meetings Act.

SECTION THREE: Section 30.24 of the Winthrop Harbor Municipal Code is hereby amended by the addition of subsection (f), which shall hereafter read as follows:

§30.24(f) Remote Attendance At Planning and Zoning Board Meeting.

Policy Considerations:

It is the policy of the Village of Winthrop Harbor that the presence of the appointed officials at all public meetings is highly desirable. The public's ability to view actions being taken by appointed officials and to make meaningful input into the decision-making process will be materially impaired by the lack of direct access to appointed officials in the public forum provided by meetings of the Planning and Zoning Board. Accordingly, the provisions for remote attendance at meetings set forth in this section are intended to provide for the public's good, not necessarily for the convenience or ease of the appointed officials. As such, this policy should be used sparingly and in strict conformance with the provisions described herein.

2. Definitions

For purposes of this policy, the following terms shall have the following meanings:

- (a) "Attend by electronic means" means attending by audio or video conference.
- (b) "Meeting" means any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communications, of a majority of a quorum of the members of the Planning and Zoning Board held for the purposes of discussing public business.
- (c) "Public building" means any building or portion thereof owned or leased by any public body.

2. Electronic Participation

(a) If a quorum of the members of the Planning and Zoning Board is physically present as required by 5 ILCS 120/7, a majority of those members present may allow a member to attend the meeting by means of video or audio conference if the member is prevented from physically attending because of the following exclusive reasons and no others:

- (a) personal illness or disability; or
- (b) employment purposes; or
- (c) business of the public body; or
- (d) a family or other emergency.

3. Notification Requirements

(a) If a member wishes to attend a meeting by audio or video conference, then the member must notify the Recording Secretary before the meeting unless such advance notice is impractical.

4. Consideration of Request for Electronic Participation

- (a) Consideration of a member’s request for electronic participation shall occur under the agenda item titled “Absent Members Wishing to Attend Remotely”.
- (b) Any member physically present may state an objection to allowing remote attendance. In the absence of any such objection, the remote attendance shall be deemed to be allowed without objection.
- (c) Upon the making of an objection, those members physically present shall consider whether any such request meets the requirements of Paragraph 2, and vote regarding whether such member may be allowed to participate electronically or whether the objection should be upheld.
- (d) An objection shall be upheld only where there is an affirmative majority vote of the members physically present.
- (e) Any member requesting to attend the meeting by electronic means may participate in the debate on such question but may not vote on the approval of their own request.
- (f) If more than one member requests to attend the meeting by electronic means, such requests will be considered in the order in which notification was received by the Recording Secretary as required in Paragraph 3.
- (g) Any member whose request to attend the meeting by electronic means is approved may not vote on the approval of any other member’s request considered during that meeting, but may participate in any debate on the question.
- (h) Any member whose request for attendance by electronic means is denied may continue to listen to and/or view the meeting via electronic means, but may only participate to the same extent in which a member of the public physically present at the meeting could participate.

SECTION FOUR: This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WINTHROP HARBOR, ILLINOIS, ON THIS ____ DAY OF _____, 2020.

ATTEST:

DR. MICHAEL BRUNO, MAYOR

JULIE RITTENHOUSE, VILLAGE CLERK

RESOLUTION 2020 - R - _____

**A RESOLUTION APPOINTING AN ALTERNATE REPRESENTATIVE
TO THE ZION-BENTON ENTERPRISE ZONE**

WHEREAS, the State of Illinois has formally approved the establishment of the Zion-Benton Enterprise Zone, and

WHEREAS, the Enterprise Zone provides defined incentives to businesses to locate and build within the designated area, and

WHEREAS, a significant amount of property located within this Village is included within the Enterprise Zone, and

WHEREAS, the terms and conditions of this approval require that a governing board of the Enterprise Zone be established, and

WHEREAS, the Village Board previously appointed the Mayor to serve as the Village's representative and member of the Enterprise Zone Board, and

WHEREAS, the Village Board further finds that the Mayor should also be provided with the appropriate authority to designate a deputy to serve when conflicts in scheduling arise,

NOW THEREFORE, BE IT RESOLVED by the Village of Winthrop Harbor, Lake County, Illinois, as follows:

SECTION ONE: The duly elected Mayor is granted authority to designate an alternate representative of the Village on the Enterprise Zone, to serve in such capacity when the Mayor is unavailable.

SECTION TWO: This resolution shall take effect immediately upon passage.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WINTHROP HARBOR, ILLINOIS, ON THIS ____ DAY OF _____, 2020.

ATTEST:

DR. MICHAEL BRUNO, MAYOR

JULIE RITTENHOUSE
VILLAGE CLERK

Harbor Brewing Company's Lakefront Craft Biergarten

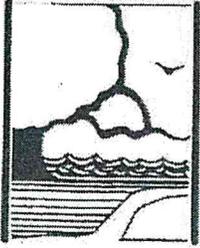
Harbor Brewing Company has received permission from ILDNR to build a taproom in the North Point Marina administration building. The taproom will consist of a bar and tables located inside the "Great Room". The Biergarten, located north of the Taproom entrance, will encompass the administration building. The Biergarten will include the eastward facing wrap around patio that faces the lake. During the summer we will host events with North Point Marina such as sand volleyball leagues and pool events. Our goal is to create a German Biergarten atmosphere with outdoor seating, fire pits, yard games, and outdoor events. Our goal is to provide a destination that features Lake County's local breweries, spirits, and wines. We want to be seen as a Lake/Kenosha County outdoor weekend destination hosting special events with the beautiful marina & forest preserve as our backdrop.

Special events being considered:

- Bands
- Movie nights
- Volleyball league
- Winter igloos
- Trivia
- Bike events/paddle-board/kayak
- Food truck events
- Beer Fest's
- Craft fair/Farmers market
- Ice fishing tournament
- Fishing tournament/kayak fishing
- Hiking
- Boating events
- Ice hockey tournaments
- Pool parties

This will be a seasonal location with plans to open for special events during the winter months.

Harbor Brewing Company's experience hosting pop-up beer gardens at North Point Marina has been successful and we are confident it will be a great addition to our beautiful village!



ILLINOIS
DEPARTMENT OF
NATURAL
RESOURCES

MEMORANDUM

to: Director Callahan, Renee Snow, Bob Appleman
from: Pam Gray, ^{PS} Division of Concession & Leases
date: November 18, 2019
subject: North Point Marina

In the attached letter, our concessionaire Westrec Management is requesting approval from the Department to amend their lease to allow them to enter into a sublet agreement with Harbor Brewing Company of Winthrop Harbor.

Harbor Brewing Company would occupy space in the Administration Building's Great Room and deck/patio areas for a brewery tasting room serving locally produced craft beers and wine.

I am in favor of amending the lease to allow Westrec to enter into a sublet agreement with Harbor Brewing Company.

PLEASE REVIEW, INITIAL, DATE AND FORWARD TO NEXT OFFICE:

<u>ORCP:</u>	Approved:	Initial <u>LA</u>	Date <u>11.18.19</u>
<u>LEGAL OFFICE:</u>	Approved:	Initial <u>PS</u>	Date <u>11/20/2019</u>
<u>DIRECTOR:</u>	Approved:	Initial <u>CS</u>	Date <u>11-2-19</u>

cc: Mike Stevens

Tracy Shafer

APPROVED FOR EXECUTION

Date: 11/19/19

Legal Counsel: [Signature]

Westrec Marina NPM, LLC Commercial Sublease Agreement

This Sublease Agreement is made between the Tenant, Westrec Marina NPM, LLC and the Subtenant Harbor Brewing Company, LLC on this date 12 December 2019.

The Tenant hereby agrees to sublease, and the Subtenant agrees to rent the following Premises for the purposes of a Brewery Tap Room and Beer Garden:

Street Address: North Point Marina, 701 North Point Drive, Winthrop Harbor, IL 60096

Premises Description: North Point Marina Administration Building room 109 (Great Room), exterior patio and deck space to include south side lawn. Common space areas to include 1st floor men's and women's bathrooms and utility mop closet with deep sink.

The Tenant and Landlord, Illinois Department of Natural Resources entered into a lease agreement for the Premises described above which began on the 1st day of March 2017 (herein referred to as the "Master Lease"). A copy of the Master Lease is attached to the Sublease Agreement.

1. TERM:

This sublease term shall begin on 12 December 2019 and end on 31 December 2024.

The option to renew shall be as follows:

The Subtenant shall have the option to renew this sublease for two extended terms of 60 months each. If the Subtenant chooses to extend the sublease, he/she must give written notice to the Tenant 60 days before the current sublease term expires. If the sublease is renewed, it shall bear the same terms, conditions and provisions contained in this commercial sublease agreement.

2. RENT:

The Subtenant agrees to pay the Tenant an amount of 12.5% of monthly gross sales revenue generated from the Brewery Tap Room and Beer Garden, excluding merchandise sales. Rent payments are due on or before the 15th day of each month for the previous months sales.

If rent due is not paid on or before the 15th day of the month, Tenant agrees to pay a late fee of an additional 2% of gross sales plus an additional late fee of \$50 per day until the rent is paid in full.

3. SECURITY DEPOSIT:

The Subtenant shall deposit an amount of \$5,000 to be held by the Tenant as security deposit. The Tenant shall have the right to make deductions from this security deposit for any payments due and to make good on any default of this Commercial Sublease Agreement by the Subtenant.

In lieu of a \$5,000 security deposit, Subtenant agrees to make necessary Capital Improvements of Brewery Tap Room and Beer Garden to include but not limited to remodeling of Great Room, plumbing, electrical and exterior landscaping/lighting upgrades.

Upon the termination of this Sublease Agreement, the Tenant shall refund any remaining amount of this security deposit to the Subtenant.

4. MASTER LEASE:

The Subtenant is subject to all terms and conditions of the Master Lease, except for the terms in the Master Lease which are directly contradicted by this Sublease Agreement. In such an event, the terms of this Sublease Agreement shall control over the Master Lease.

Furthermore, the Subtenant agrees to fully and timely perform all the Tenant's duties and obligations under the Master Lease. The Subtenant also agrees to hold the Tenant harmless from all liability, judgments, costs, damages, claims or demands arising out of the Subtenant's failure to comply with the Master Lease.

The Tenant hereby represents to the Subtenant that there is no existing default of the Master Lease by any party.

5. CONDITION OF PREMISES:

The Subtenant has inspected the Premises and has accepted the Premises and all existing improvements in their present condition, on an "as-is" basis. Upon the commencement of this sublease term, the Tenant shall not be required to make any repairs or improvements for the benefit of the Subtenant, but this does not relieve the Tenant of any obligations to the Landlord under the Master Lease.

6. USE OF PREMISES:

The Subtenant shall only use and occupy the Premises for the following purpose(s):

Brewery Tap Room and Beer Garden to include use for private rentals and special events.

The Premises may not be used for any other purpose without written permission from the Tenant and the Tenant hereby represents that the Premises may be lawfully used for the purpose(s) described above.

7. ASSIGNMENT AND SUBLET:

The Subtenant shall not assign this sublease or sublet any part of the Premises without the Tenant's written consent. The Tenant agrees not to withhold such consent unreasonably.

8. LEGAL FEES:

If any party takes legal action to enforce any of the terms of this Sublease Agreement, the losing party shall pay the attorney fees for the prevailing party in addition in all other relief.

9. ADDITIONAL TERMS AND CONDITIONS:

Rent will include all utilities including gas, sewer, water, electric and trash services. Not included are Cable TV, Internet or Phone Service.

Tenant agrees to keep utilities on and active at all times. Including heat, air-conditioning, water, sewer and electricity.

Tenant agrees to be responsible for landscaping / lawn services around the taproom and beer garden.

Subtenant is responsible for all Capital Improvement construction costs associated with opening a Brewery Taproom and Beer Garden. Detailed drawings and plans of construction must be approved by Tenant.

Subtenant will be allowed to serve beverages as authorized by Federal, State and Local liquor licenses on the Marina Property to include but not limited to Taproom, Beer Garden, Pool Area, Volleyball Courts and special events spaces.

Subtenant may provide additional seating for the outdoor beer garden as well as add fire pits, lighting and electrical service where needed.

Subtenant may host special events, including but not limited to, bands, sporting events, food and food trucks, craft events.

Subtenant will be authorized 4 parking spaces for employees in the employee parking lot north of the Administration Building. Additional parking for customers will be designated in parking lots across the street southwest of the Administration Building.

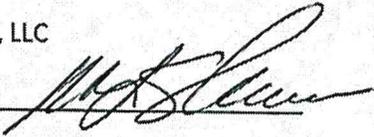
Subtenant will secure all necessary Federal, State and Local licensing and insurance needed for serving alcoholic beverages.

Operating Plan – Subtenant agrees to provide in writing a Plan of Operation to include days and times of operation and a safety and security plan. Any change to operation must be submitted in writing within 15 days of changes taking affect.

Subtenant agrees to maintain cleanliness and general upkeep of leased space.

Any violations to the terms of this sublease agreement will be documented in writing with an initial warning notice. Continued violations to the sublease agreement may be cause for lease termination.

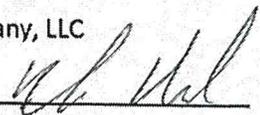
Tenant Name: Westrec Marina NPM, LLC

Tenant Signature: Mark L. Stevens 

Tenant Title: Marina Manager

Date: 12/12/2019

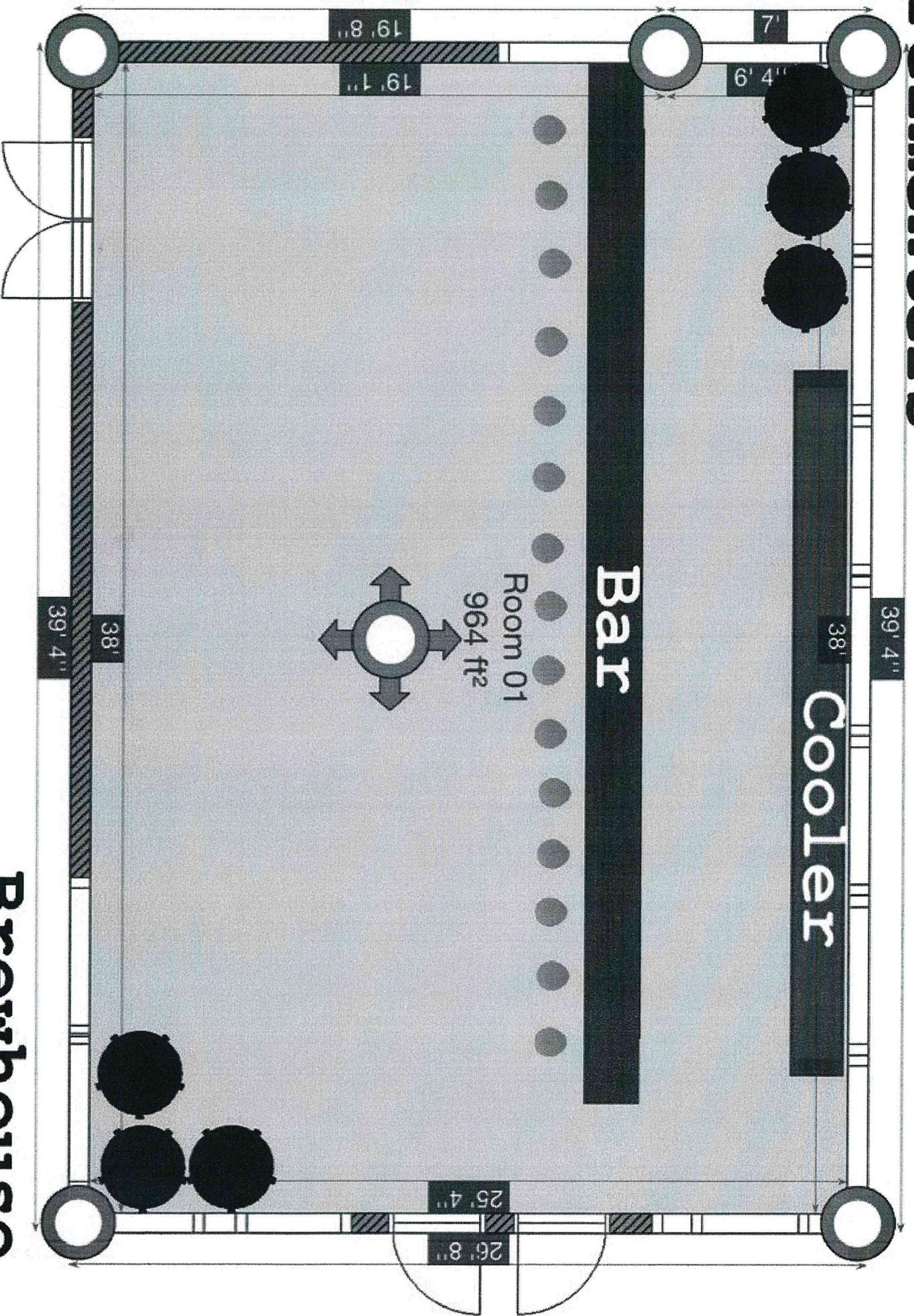
Subtenant Name: Harbor Brewing Company, LLC

Subtenant Signature: Kyle Wenzel 

Subtenant Title: Owner

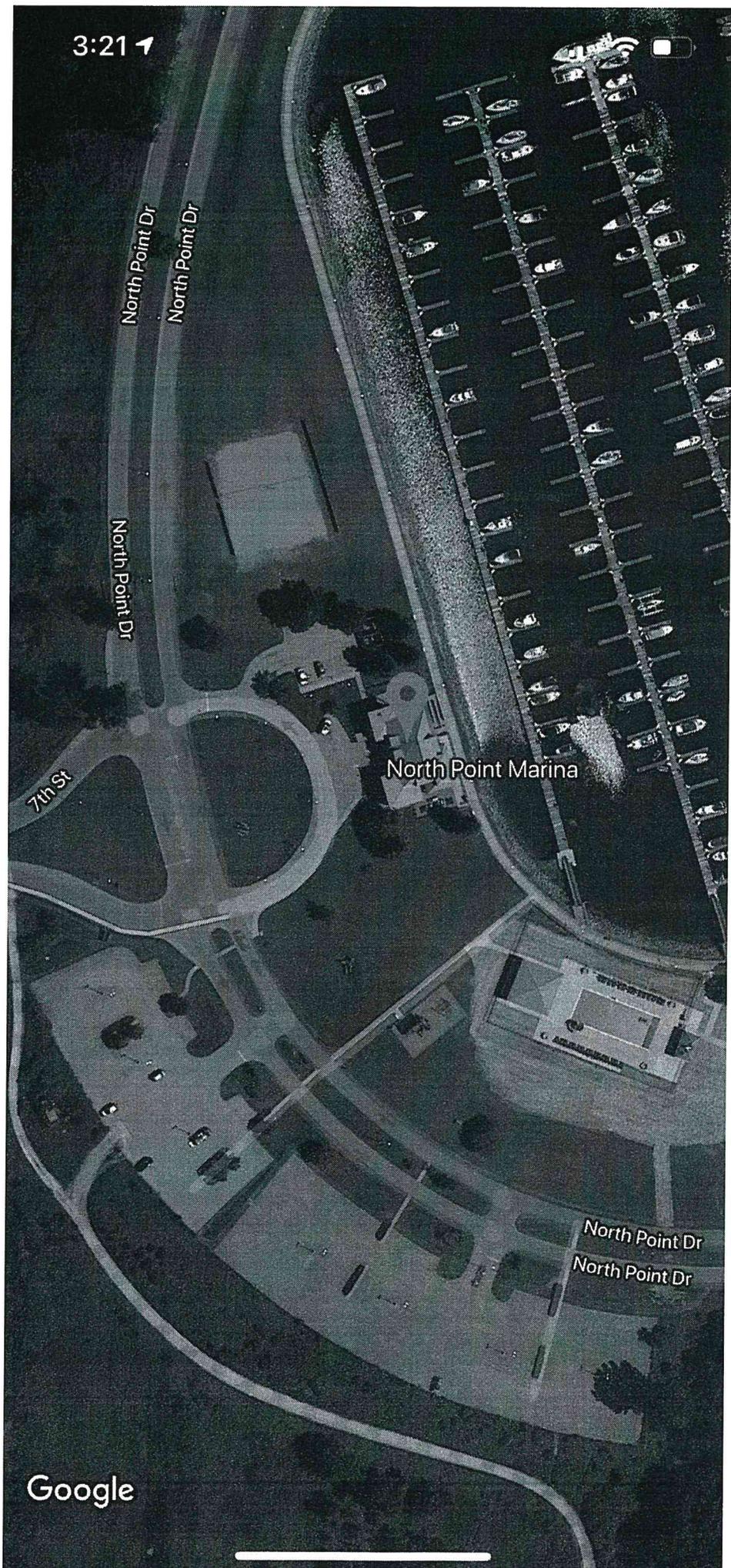
Date: 12-12-19

Fermenters



Brewhouse

3:21



North Point Marina

Google

ORDINANCE 2020-O-

WHEREAS, an Ordinance regulating the construction and use of the water main and sewer main in and upon the 1500 and 1600 block of 3rd Street, was passed November 18, 1997 (Ordinance 1997-O-34), (Ext. Ordinance 2002-O-48), (Ext. Ordinance 2015-O-5) and

WHEREAS, pursuant to Section One of the said Ordinance a License was granted unto Chuck Nelson, the Developer, for a period of five years from the date of passage of said Ordinance, and

WHEREAS, it is the desire of the Village of Winthrop Harbor to extend the time an additional five years, and

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WINTHROP HARBOR, ILLINOIS, that;

SECTION ONE: The License granted to the Licensee be and is hereby extended for a period of five years.

SECTION TWO: All Ordinances or parts of Ordinances in conflict herewith are expressly repealed.

SECTION THREE: This Ordinance shall be in full force and effect from its passage, approval and publication in pamphlet form.

PASSED: This 21st day of January AD, 2020.

APPROVED:

DR. MICHAEL BRUNO, MAYOR

ATTEST:

JULIE RITTENHOUSE, VILLAGE CLERK

AYES:

NAYS:

ABSENT:

FIRST READING:

SECOND READING:

ORDINANCE PASSED:

Rittenhouse, Julie

From: CHARLES NELSON <chaswell55@comcast.net>
Sent: Friday, January 3, 2020 5:57 PM
To: Rittenhouse, Julie
Subject: Re: Recapture

Follow Up Flag: FollowUp
Flag Status: Flagged

Hello Julie,

I am writing to request a 5 year extension of a recapture fee paid by me for the purpose of a water main extension for property I once occupied at 1602 3rd Street in accordance with than ordinance 1997-0-34.

Respectfully,
Charles Nelson

On January 3, 2020 at 1:12 PM "Rittenhouse, Julie" <JRittenhouse@whpd.org> wrote:

Hello,

Please send me a short note (email is fine) stating your request for a 5 year extension on your water recapture. If you get this to me by Friday the 17th I can add it to the Agenda for the 1/21/20 Board Meeting.

Once it's been approved and signed, I will email a copy to you, if that is ok. If you prefer a hard copy mailed to you, please provide your address.

Thank you and have a good weekend.

Julie



Illinois
Department of Commerce
& Economic Opportunity

JB Pritzker, Governor

January 13, 2020

Michael Bruno
Village President
Village of Winthrop Harbor
830 SHERIDAN RD
Winthrop Harbor, IL 60096-1632

Dear Dr. Bruno,

The Department of Commerce and Economic Opportunity (the Department) would like to welcome you to our community of grantees and congratulate you on your grant award (20-203054).

The Department administers a wide range of economic and workforce development programs, services and initiatives designed to create and retain high quality jobs and build strong communities. The Department leads the Illinois economic development process in partnership with businesses, local governments, workers and families.

We are committed to helping you achieve the goals and objectives agreed to and stated in your grant agreement. To assure your success and to provide accountability for the funds entrusted to the Department, we will provide oversight of grant-related deliverables and expenditures. We will make every effort to provide you with the information and assistance you need to meet your goals and to maintain compliance with your grant responsibilities.

It is our hope that you will contact us when you have questions or concerns about complying with the requirements or terms and conditions of the grant agreement. To facilitate ongoing communication and to provide you with an efficient means to submit your reports, grantees are encouraged to use email to submit your reports, documentation and other correspondence.

Once again, we congratulate you on your grant award and look forward to working with your organization.

Sincerely,

A handwritten signature in black ink, appearing to read "Erin B. Guthrie".

Erin B. Guthrie
Acting Director

REQUEST FOR BOARD ACTION



Date Referred to the Board: January 14, 2020

Originating Department: Public Works

Subject Matter:

Request approval to amend the snow removal contract with Johnson Landscaping to add Village Hall Complex

Summary and Background:

For at least 20 years the Fire Department personnel have handled the snow removal around village hall on the sidewalks despite other duties and call they are responsible for.

It is my opinion; the time has come to have this task completed by a third party vendor supervised by Public Works. We have a contract already in place with this vendor to complete snow and ice removal from the sidewalks and platforms at the Metra Station and the sidewalk on the north side of 7th Street from the Metra Station west to Park Avenue.

Financial Background:

The cost to complete this would be \$90 per event. Using the five (5) year average of annual snow/ice events, 19.8, this would only be \$1,800 per year. Fund 13-4200 would be used to fund this project annually.

Community/Neighborhood Impact:

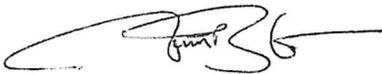
N/A

Documents Attached:

Johnson Landscaping amended contract

Staff Recommendation:

Staff recommends approving the amended contract as presented.

Department Head Signature:  Date: 1/14/19

Village Administrator Signature:  Date: 1/16/19

