



Village of Lombard

Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org

Minutes

Economic & Community Development Committee

*Anthony Puccio, Chairperson
Reid Foltyniewicz, Alternate Chairperson
Dennis McNicholas, Garrick Nielsen, Matthew Pike, Brian
LaVaque, Paula Dillon, Laine Vant Hoff, Gregory Ladle and
Alan Bennett
Staff Liaison: William Heniff*

Monday, June 10, 2019

7:00 PM

Village Hall

Call to Order and Pledge of Allegiance

Trustee Puccio called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was recited.

Trustee Puccio introduced himself and said he is looking forward to leading the group.

Roll Call

Present 6 - Anthony Puccio, Dennis McNicholas, Matthew Pike, Laine Vant Hoff, Gregory Ladle, and Alan Bennett
Absent 3 - Brian LaVaque, Garrick Nielsen, and Paula Dillon

Also present: William Heniff, AICP, Director of Community Development; Jennifer Ganser, AICP, Assistant Director of Community Development

Public Participation

None

Approval of Minutes

Mr. McNicholas asked if the new restaurant from last month, Rosemary and Jeans, has one access point on Main Street and Mr. Heniff said yes. Mr. McNicholas asked if any easements were in process and Mr. Heniff said they were talking with the neighboring property owner and the Lombard Bible Church. Mr. Bennett asked if they will have only one (1) ADA parking space and Ms. Ganser said yes, that is what is

required.

On a motion by Mr. Pike, and seconded by Ms. Vant Hoff, the minutes of the April 8, 2019 meeting were approved by the members present.

Unfinished Business

None

New Business

[190231](#)

Coin-Operations and Amusement Tax - Amendments to Section 110.20 of the Village Code

Staff is bringing a potential text amendment forward for review by the Economic Community Development Commission (ECDC) as it pertains to coin operated amusement devices commonly but not exclusively associated with arcade establishments. Staff requests the ECDC review this as a business policy/regulation.

Coin-Operations and Amusement Tax - Amendments to Section 110.20 of the Village Code

Mr. Heniff introduced Nicole Aranas and Nick Partipilo. He summarized the memo saying many businesses have coin-operated machines. Mark Czarnowski, a potential new business owner, brought the fee structure to staff's attention. Staff reviewed Lombard's Code and other municipalities. Lombard is an outlier for charging \$200 for the first ten machines and \$75 thereafter. Staff believes it is appropriate to lower the fees. Mr. Partipilo said option A is the simplest answer and makes the most sense for existing businesses and any new businesses.

Mr. Czarnowski said he lives in Champaign and Elmhurst. He opened his first business in Joliet and while open changed to an admission-based model. He is considering opening a location in Lombard at Yorktown Mall, called The Game Show. He noted Code differences between Joliet and Lombard. He said most of his games are 20-40 years old. He was hoping to pay amusement tax only.

Trustee Puccio opened the discussion to the Committee. Mr. Pike asked who determines if a machine pays a coin-operated license or not. Ms. Aranas said the Village Attorney does. Machines are classified as coin-operated regardless of the way you play. Coin-operated machines don't pay the amusement tax. Ms. Vant Hoff asked if Enchanted Castle pays both and Ms. Aranas said yes, they pay a coin-operated license on all of their machines and pay

amusement tax on all the extra activities such as laser tag, mini golf, and go-karts. Mr. Ladle said Enchanted Castle charges fees and has a card for play. The amusement tax may make the most sense for less tracking. He said the coin-operated license could discourage business and the amusement tax works with the newer business model. Trustee Puccio asked how does Enchanted Castle pay fees. Ms. Aranas said they asked to pay the coin-operated license for most of their games and amusement tax on others. She said those with fewer machines would rather pay a flat fee than the 5% tax. Mr. Bennett said the coin-operated license fee is more manageable for staff to enforce. He moved for the ECDC to recommend approval of the staff proposal. Mr. McNicholas said he agrees with Mr. Bennett and said the additional bookkeeping isn't business friendly. He said he seconds the motion.

There was discussion on the motion. Mr. Pike asked if we can allow a business to choose. Mr. Ladle said the definition of coin-operated doesn't include this newer business model. Trustee Puccio said the Village Attorney still views the machines as coin-operated and noted the machines can be switched over from free play. Ms. Aranas agreed. Trustee Puccio asked why the claw games are exempt and Ms. Aranas said those games do not keep score and are considered a game of skill. Mr. Ladle said those games should be added to Code. Mr. Bennett said that is a small item in the budget and could amount to a lot of staff time. Ms. Vant Hoff said we should be business friendly with the fees. Trustee Puccio noted that sometimes the machines aren't owned by the business, they are rented. Mr. Pike said he believes a business should be able to choose and that would be business friendly. Mr. McNicholas said this could cause admission fees to increase. Mr. Ladle said that is paid by customers. Mr. Pike said he believes the fees should be lowered but believes this should be continued to be reviewed. Mr. McNicholas asked if the amusement tax deters customers.

On a motion by Mr. Bennett and a second by Mr. McNicholas, the ECDC unanimously recommended approval of the Option A, Proposal 1 to the Village Board regarding coin-operation licensing fees:

Aye: 5 - Dennis McNicholas, Matthew Pike, Laine Vant Hoff, Gregory Ladle, and Alan Bennett

Absent: 3 - Brian LaVaque, Garrick Nielsen, and Paula Dillon

After the motion, all noted they felt the topic should be reviewed more holistically. Mr. Bennett said perhaps staff should review the definition

and the places that pay amusement tax. Mr. Heniff said it sounds like there is a consensus to go to \$75 per machine, but for staff to review the general admission fee versus a per machine fee and the tax. Mr. Ladle said there two businesses with more than five games. Perhaps they could pay amusement tax and others could pay the licensing fee. Ms. Vant Hoff said that is clear cut. Trustee Puccio said that would have changes for Enchanted Castle and would require further review. Ms. Aranas noted a business can have both free play and a timed play. Mr. Heniff said there was an approved motion that will go the Village Board but there are also open items. He said the item can be continued.

On a motion by Mr. Bennett and a second by Mr. McNicholas, the ECDC unanimously agreed to reconsider the previous motion regarding coin-operation licensing fees:

Aye: Dennis McNicholas, Matthew Pike, Laine Vant Hoff, Gregory Ladle, and Alan Bennett

Absent: Brian LaVaque, Garrick Neilsen, Paula Dillon

On a motion by Mr. McNicholas and a second by Mr. Ladle, the ECDC unanimously agreed to table the vote to the July 8th ECDC meeting, and requested additional information from staff:

Aye: Dennis McNicholas, Matthew Pike, Laine Vant Hoff, Gregory Ladle, and Alan Bennett

Absent: Brian LaVaque, Garrick Neilsen, Paula Dillon

Other Business

Information Only

1. 101 S Main Street Property:

Mr. Heniff said an open house was held on May 29th and the project is scheduled before the Plan Commission on June 17th.

2. Community Development Update:

Mr. Heniff said the updated spreadsheet was attached for the ECDC's review

Adjournment

On a motion by Mr. Bennett and a second by Mr. Pike, the meeting adjourned at 7:53 p.m.