

CALL TO ORDER

Clerk Walsh took the roll call. It indicated as follows:

Board Attendance

PRESENT: Trustees Grieco, Juarez, Krinski, Lambert, Schwenk, Ugaste, Mayor Meier

ABSENT: None

Village Attendance

PRESENT: Attorney Cahill, Village Administrator Guenther, Assistant Village Administrator Monroe, Finance Director Miller, Fire Chief Lark, Police Chief Seeley, Building Department Director Sellas, Community Development Director Orenchuk

ABSENT: Public Works and Engineering Director Boeche

MINUTES APPROVAL

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RESULT:	Passed [Yes 6, No 0, Abstained 0]
MOVER:	Trustee Juarez
SECONDER:	Trustee Ugaste
AYES:	Trustee Grieco, Trustee Juarez, Trustee Krinski, Trustee Lambert, Trustee Schwenk, Trustee Ugaste
NAYS:	None
ABSTAIN:	None

PUBLIC COMMENTARY

None

NEW BUSINESS

NEW BUSINESS

Free Speech Zone

Administrator Guenther made a presentation on the Free Speech Zone issue. This has come up several times over the years, the first time in 1987. We are addressing this issue again due to residents asking about religious displays during the holiday season, specifically Menorahs and crèches. The Board was asked if they wanted to create a Free Speech Zone policy.

In 1987 a court case was brought against the Village's crèche stating the Village could not display the crèche as it was a religious symbol. The courts went back and forth for years

on this topic. In 2017 a court case involving O'Hare Airport and their displays of holiday religious symbols being on a "public forum". Based on a resident's request to consider something similar in the Village, the Village attorney at the time created a memo regarding this. Since the grassy area just outside the Village Hall had not been designated as a "public forum", the request for religious symbols was denied. The Village has not created a Village property as a "public forum" due to it being an "all or nothing" scenario (Mr. Guenther referenced a situation where Girl Scouts were selling cookies on municipal property and members of the Ku Klux Klan demanded to use the same space for their display). They were denied and the court case that followed had the municipality losing.

In 2017, a survey was sent out to the residents. 55% of those responding did not want religious displays on public land, 72% did not want tax dollars spent on the purchase and maintenance of religious displays.

In 2022, an ordinance was enacted stating Village approval is needed before any displays on Village property, flag poles, etc.

Do we want a Free Speech Zone? This can be anything not deemed obscene by the Village. We already have an assembly policy and this would not interfere with that. Trustee Schwenk asked what this policy would *not* be—i.e., the example he gave was protests. Mr. Guenther said that would not be interfered with. Trustee Juarez asked if this space would have to be accessible to parking—the answer was yes, it would have to be. A possible location for this space was shown, and it was the green space at Courtland and Hawthorne, which has available parking along Hawthorne. Mr. Juarez wanted to know if the regular maintenance of the property would still be handled by the Village (yes it would be). Trustee Lambert pointed out that this would not all be cost-free and that this project appears to be more of a "want" than a "need". Trustee Krinski spoke about what could Village could ban—could we ban the swastika (which is viewed as a hate symbol)? Attorney Cahill said that is where things get complicated; Trustee Ugaste doesn't like the idea of having staff have to make these kinds of decisions—what is OK and what isn't. Trustee Grieco said there is enough controversy in the world, and she would not want to have to see whatever signs or displays might be placed at this grassy spot (she used to live in this area), also having kids have to walk by it daily would not be her choice. Trustee Schwenk is worried about the slippery slope that this could become; putting more work on staff with permits and researching what is OK and what is not.

Mayor Meier took a straw poll and the result was no to the issue.

NEW BUSINESS

ATM with Video Gaming

Administrator Guenther discussed this topic which has come up numerous times over the years.

In 2012 the Board approved gaming machines in certain establishments with the Village. At the same time they banned ATMs in those establishments. There is an addictiveness associated with gambling; problem drinkers are 23 times more likely to have a gambling problem than others. Numerous studies point to an increase in crimes as a result to gambling including domestic battery, DUI, fraud, and robbery.

Mr. Guenther went over the pros and cons, and the establishments seem to want the ATMs.

Trustee Juarez was a flat no and ATMs are generally walkable to the places with the gaming machines. Trustee Krinski said he has known gamblers (and they are always waiting for the big payoff). He is against the machines. Trustee Ugaste feels the Village doesn't "need" this and we are not the morality police though many businesses are in support of this. Trustee Schwenk doesn't want to legislate morality but we don't have to make it easier. In looking at the slide showing the responses various businesses gave for adding ATMs, it appeared to be primarily to support their business off of gaming.

There were 4 no's from the Board.

ADJOURNMENT

Committee of the Whole Meeting adjourned at 6:42 PM.