

**VILLAGE OF CARPENTERSVILLE
BOARD OF TRUSTEES
SPECIAL AND EMERGENCY BOARD MEETING
October 31, 2021**

Board Meeting Location – Village Board Room, Village Hall, 1200 L.W. Besinger Drive, Carpentersville, IL 60110

The special and emergency meeting of the Village Board of Trustees was called to order at 7:30 p.m. Those present for roll call were Village President Skillman, and Trustees Garcia, O’Sullivan, Malone, Sandoval, and Frost. Those absent were Trustee Vela. Also present were Village Manager Johnson, Attorney Stewart, and Community Development Director Mason.

SELECTION OF RECORDING SECRETARY

Trustee O’Sullivan motioned to select Community Development Director Benjamin Mason as Recording Secretary for tonight’s Board Meeting, seconded by Trustee Garcia. Voice vote was unanimous: Aye – 6 (Garcia, Malone, O’Sullivan, Sandoval, Frost, and Skillman), Nay – 0, Absent – 1 (Vela).

The Pledge of Allegiance was led by President Skillman.

A motion was made by Trustee O’Sullivan, seconded by Trustee Garcia, to move Item IV Public Comment after the staff presentation in Item V New Business. Roll Call Vote was unanimous: Aye – 6 (Garcia, Malone, O’Sullivan, Sandoval, Frost, and Skillman), Nay – 0, Absent – 1 (Vela).

NEW BUSINESS –

- A. Motion to Adopt an Ordinance Amending the Municipal Code for the Village of Carpentersville by the Addition of Chapter 3.29 Imposing a Video Gaming Amusement Tax

Attorney Stewart presented background information on a proposed video gaming amusement tax, commonly referred to as a “penny per push” tax. He explained that a penny would be charged as part of an amusement tax, payable to the municipality, every time a video gaming player pushes a button to wager on a game. He explained that the proposed ordinance would make the video gaming terminal operator – not the local establishment – responsible for paying the correct amount based on the number of times the machines are played. Attorney Stewart stated that the Illinois General Assembly passed House Bill 3136 on Friday, October 29, 2021 which required any municipality wishing to implement a penny per push tax, to meet on October 31, 2021 to consider adoption of such an ordinance. Attorney Stewart provided some data on the current distribution of video gaming revenue, actual video gaming dollars received by the municipality from the 142 terminals currently in operation in the Village, and analysis as to the legal validity and standing of the penny per push tax in the state.

Trustee Malone asked how the number of video gaming machines in the Village compares to neighboring municipalities, to which Attorney Stewart stated there are more gaming machines in Carpentersville than Algonquin or Lake in the Hills, and the City of McHenry would likely be the most similar.

Trustee O’Sullivan confirmed with Attorney Stewart that the draft ordinance as proposed in Carpentersville would not have a direct impact on the local business establishments but rather the responsibility to collect and remit the penny per push tax would be imposed on the video gaming terminal operator. Attorney Stewart stated there is not a direct financial impact attributable to the local establishments by the proposed ordinance.

Manager Johnson stated that preliminary projections, based upon historical data, indicate approximately \$400,000 in revenue from the proposed amusement tax would be remitted to the Village on an annual basis by the video gaming terminal operators. To demonstrate the amount of revenue this is similar to, Manager Johnson used the example that in order to generate \$400,000 in new tax dollars from residential property, it would be the equivalent the owner of a \$250,000 residential home paying an additional \$49 a year in property taxes.

Public Comment – Mike Sarillo, 145 N. Kennedy Drive, Carpentersville stated that as a business owner, he believed the penny per push tax would negatively impact local businesses and that video gaming is critical to their business revenues.

Recording Secretary Mason recognized two letters received by the Village Clerk’s office in opposition to the proposed penny per push tax; one was received by Terri & John Bartman on behalf of Skeeter’s Saloon, 1691 Elgin Road, Carpentersville and the other by Travis Akin on behalf of the Support Main Street Illinois Coalition.

Trustee Frost asked if Mr. Akin was present at the meeting, to which Recording Secretary Mason stated no he was not in attendance.

Motion to approve Item A by Trustee Frost, seconded by Trustee O’Sullivan.

Vote on Motion:

- 6 – ayes (Garcia, Malone, Sandoval, O’Sullivan, Frost, and Skillman)
- 0 – nay
- 1 – absent (Vela)

Motion passed.

ADJOURNMENT

As there was no further business, Trustee Frost motioned to adjourn the meeting, seconded by Trustee O’Sullivan. Voice Vote was unanimous: Aye – 6 (Garcia, Malone, O’Sullivan, Sandoval, Frost, and Skillman), Nay – 0, Absent – 1 (Vela)

The meeting adjourned at 7:52 p.m.

Respectfully submitted,

Kelly Mastera _____
Kelly Mastera, Village Clerk