

VILLAGE OF LINDENHURST
2301 E Sand Lake Road

Regular Village Board Meeting Minutes
September 8, 2025
7:00pm

I. Call to Order

- A. Trustee Dunham called the Regular Village Board Meeting to order at 7:00pm.

II. Roll Call

- A. Present were Trustees Pat Dickson, Pat Dunham, Patty Chybowski, Dawn Suchy, Heath Rosten, and Ron Grace.
- B. Absent was Mayor Marturano.
- C. Also in attendance were Village Administrator Clay Johnson, Attorney Kurt Asprooth in for Village Attorney Julie Tappendorf, Police Chief Melinda Linas, Operations Director Kevin Klahs, Superintendent of Public Works Charles Hernandez, Assistant to the Village Administrator Karleen Long, and Village Clerk Melissa Forsberg.

III. Appoint Mayor Pro Tem

- A. Trustee Suchy made a motion, seconded by Trustee Grace to appoint Trustee Dunham as Mayor Pro Tem for the Regular Village Board Meeting of September 8, 2025.
1. Voice Vote
Aye - 6
Nay - 0
Motion carried.

IV. Pledge of Allegiance

V. Approval of Minutes

- A. Minutes from the Regular Village Board Meeting of August 25, 2025 were presented for approval.
- B. Trustee Chybowski made a motion, seconded by Trustee Dickson, to approve the minutes from the Regular Village Board Meeting of August 25, 2025 as presented.
1. Voice Vote
Aye - 6
Nay - 0
Abstain - 0
Motion carried.

VI. Treasurer's Report

- A. Trustee Suchy read the Treasurer's Report for August 2025. The total for all accounts on August 31, 2025 was \$17,311,070.63.
- B. Trustee Suchy made a motion, seconded by Trustee Dickson, to approve the Treasurer's Report for August 2025 as read.
 - 1. Roll Call
 - Aye – 6 Trustees Dickson, Dunham, Chybowski, Suchy, Rosten, Grace
 - Nay – 0
 - Motion carried.

VII. Bills Presented for Payment

- A. Trustee Suchy made a motion, seconded by Trustee Dickson, to approve the first set of bills for the month of September presented for payment in the amount of \$483,892.80 for invoices due on or before September 8, 2025.
 - 1. Roll Call
 - Aye – 6 Trustees Dickson, Dunham, Chybowski, Suchy, Rosten, Grace
 - Nay – 0
 - Motion carried.

VIII. Board & Staff Reports

- A. Trustee Dunham announced the following:
 - 1. Veteran's Day ceremony will be held November 11, 2025 at 11:00am.
 - 2. Remind the Lakes High School Homecoming Parade is September 10, 2025, with line-up being at 5:00pm.
- B. Village Administrator Clay Johnson spoke about the 2024-2025 Annual Operational Report, which is now available for review on the Village website.

IX. Public Comment on Agenda Items

- A. None.

X. New Business

- A. Ordinance 25-8-2327: Amending Section 111.20 of the Village Code to Increase the Number of Class A-V Liquor Licenses by One - Tikka Taproom
 - 1. The new Owner of Chance's, Jaineel Chavda, recently purchased Tikka Taproom. Listing himself as the Owner, Mr. Chavda submitted an application for a new liquor license for Tikka Taproom. The total number of A-V licenses would not increase as the previous owner surrendered the existing license.
 - 2. Trustee Suchy made a motion, seconded by Trustee Chybowski to approve the increase of Class A-V liquor licenses by one for the new ownership of Tikka Taproom.

- a. Roll Call
 - Aye - 5 Trustees Dickson, Dunham, Chybowski, Suchy, Grace
 - Nay - 1 Trustee Rosten
 - Motion carried.

- B. Discussion and Direction: Sales Tax Rebate Agreement with Zeigler Nissan
 - 1. Background Information
 - a. The Village Board approved an economic incentive agreement with Zeigler Nissan Gurnee, LLC in May 2016. This agreement was created as a means to assist in the move from Gurnee, IL to Lindenhurst, IL. The project consisted of:
 - (1) parcel assemblage
 - (2) annexation
 - (3) coordination with IDOT
 - (4) Drafting an economic development package to incentivize the move.
 - b. The three main components of the agreement were:
 - (1) The Village would receive 100% of the first \$287,205 received from sales. These funds were held in escrow for the first five years. At the five year mark, these funds were removed from escrow and returned to the dealership. This amount was estimated to be the amount Zeigler would pay out in connection fees for water and sewer services. It acted as a rebate program.
 - (2) After the initial payout to the Village, Zeigler and the Village agreed to share in receipted sales tax 50/50. This tax share was to remain for 15 years from the date of the initial rebate. A caveat was included in the event gross receipts in a given year were \$50M or more, the tax share would be adjusted to 65%-Zeigler/35%-Village.
 - (3) The Village provided Zeigler with an \$125,000 "Economic Incentive Payment" in addition to the sales tax sharing.
 - c. The agreement included protections for the Village should Zeigler sell, shutdown, or not fulfill their obligations as outlined in the agreement. In particular, a clause was included which stated the Agreement would become null and void should the Taxpayer transfer its interest without the consent of the Corporate Authorities.
 - d. The Village was not made aware of the sale until a business application was received in April 2025 from Journey Nissan.
 - e. Journey Nissan has been informed there could be a violation to the Agreement. Village Administrator Johnson has since had conversations with Mr. Jason Prado, the Owner of Journey Nissan. Also, Mr. Prado has attended an in-person meeting with Mr. Johnson and Mayor Marturano. Mr. Prado has plans for the following:
 - (1) improve dealership sales
 - (2) focus on service
 - (3) improvements to the interior of the dealership
 - (4) more involvement in the community
 - f. Zeigler is in violation of the Agreement. The question moving forward is how the Village wishes to proceed.
 - g. Options include, but are not limited to:
 - (1) Status Quo Option - Retain the Agreement As-Is

- (2) FY 2026 Budget Option - Modify the Agreement to a Single Year's Payment
 - (3) Recapture Option - Modify the Agreement to Clawback Specific Amounts Beyond the 50/50 Sales Tax Sharing
 - (4) Terminate the Agreement in Full
- h. After much discussion amongst the Village Board, it was the consensus to move forward with a variation to Option (3) listed above. This would also be contingent on Journey Nissan agreeing to adjust all marketing materials indicating the dealership is located in Lindenhurst, IL.

XI. Public Comment

- A. A member of the community expressed his opinion of the options discussed regarding Journey Nissan.

XII. Executive Session

- A. None.

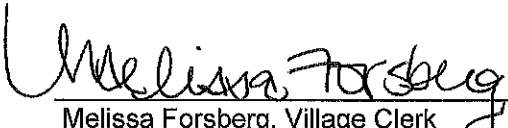
XIII. Adjournment

- A. Trustee Chybowski made a motion, seconded by Trustee Suchy to adjourn the meeting.
- 1. Voice Vote
 - Aye - 6
 - Nay - 0Motion carried.
 - 2. The meeting was adjourned at 7:43pm.

Date approved 9-22-2025



Dominic Marturano, Mayor



Melissa Forsberg, Village Clerk

