

**VILLAGE OF ANTIOCH
BOARD OF TRUSTEES, REGULAR MEETING
Municipal Building: 874 Main Street, Antioch, IL
March 18, 2002**

CALL TO ORDER

The regular meeting of the Board of Trustees was called to order by Mayor Marvelas at 7:30 p.m. in the Municipal Building: 874 Main Street, Antioch, IL.

ROLL CALL

Roll call indicated the following Trustees were present: Pierce, Larson, Caulfield, Foresta, Porch and Hanson. Also present were Mayor Marvelas, Attorney Anderson and Clerk Rowe.

MINUTES

A motion was made by Trustee Larson, seconded by Trustee Pierce to approve the minutes from the January 21 meeting as presented. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

A motion was made by Trustee Pierce, seconded by Trustee Porch to approve the minutes from the February 4 meeting as presented. On roll call, the vote was:

YES: 5; Pierce, Larson, Caulfield, Porch and Hanson.

NO: 0.

PASS: 1; Foresta.

THE MOTION CARRIED.

A motion was made by Trustee Larson, seconded by Trustee Caulfield to approve the minutes from the February 11 meeting as presented. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

A motion was made by Trustee Pierce, seconded by Trustee Caulfield to approve the minutes from the February 18 meeting as presented. On roll call, the vote was:

YES: 5; Pierce, Larson, Caulfield, Porch and Hanson.

NO: 0.

PASS: 1; Foresta.

THE MOTION CARRIED.

A motion was made by Trustee Larson, seconded by Trustee Caulfield to approve the minutes from the March 11 meeting as presented. On roll call, the vote was:

YES: 4; Pierce, Larson, Caulfield and Foresta.

NO: 0.

PASS: 2; Porch and Hanson.

THE MOTION CARRIED.

LORI FOLBRICK

A motion was made by Trustee Larson, seconded by Trustee Porch to appoint Lori Folbrick as village treasurer at a pay rate of \$17.60 an hour, replacing Sherry Hoban. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

ELECTRICAL COMM.

A motion was made by Trustee Hanson, seconded by Trustee Pierce to re-establish the Electrical Commission and appoint Jim Keim and Julie Snow to the commission. This motion also includes the re-appointment of Wally Henning, Bill Carney, Rich Gelden and Gordie Volling to the commission. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

PROCLAMATION

A motion was made by Trustee Larson seconded by Trustee Pierce to approve the *Women's History Month Proclamation* as presented. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

MFT BONDS

Administrator Haley briefly discussed the sale of bonds for the street program. He authorized Harold Warren and Associates to prepare the documentation for \$1,750,000 in bonds to be paid by future motor fuel tax revenue. We currently receive about \$240,000 in motor fuel tax revenue and we will commit 70% (about \$170,000) to pay off the principal interest on these bonds.

STREET PROGRAM

Administrator Haley reviewed the five year street program. Year one would include the following streets; Maplewood (Bridgewood to Oakwood), Edgewood, Sunset, Timber, Naber, Osmond, Hennings Court, Hidden Creek-Birch Hollow (patching) Lake and Anita (engineering) and maintenance (crack sealing, patching, shoulderwork). Trustee Pierce stated for clarification purposes, motor fuel tax funds can only be used for road purposes. He also said that he appreciates the effort put into to compiling the plan, but he feels there are more roads in Antioch that are in need of repair besides his street. Administrator Haley explained that we have taken some action to get low-interest loans from the environmental protection agency to do sewer work. Sewer work will happen on a lot of the streets that are in proposed year two and three. We didn't want to repair roads and then have to re-do them to fix the sewers. The streets in year one are not in the sewer program. Trustee Foresta asked if we could include a signage program to help maintain a consistency in the village street signs. Trustee Foresta suggested that we have larger easier reading street sign, similar to what is in place in the county. Mr. Haley indicated that it is a good idea and that it will certainly be included in a long range plan. Trustee Foresta also asked staff to look into the correct spelling of the street he lives on.

Mayor Maravelas commended Administrator Haley, Bob Silhan, Director of Planning, Zoning and Building, staff engineer Jim Keim and the public works department for all their excellent work in compiling the street program.

Following discussion, a motion was made by Trustee Hanson, seconded by Trustee Foresta to approve in principle the Five Year Street program as presented. On roll call, the vote was:

YES: 5; Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

PASS: 1; Pierce.

THE MOTION CARRIED.

SMITH ENGINEERING

Administrator Haley discussed hiring Smith Engineering for engineering services for the five-year street program. There was a brief discussion on getting proposals from other engineers. Mr. Haley stated that if the Board desires, we could invite several engineering firms to come in and give us their qualifications on this issue. However, what he is representing to the Board is that the engineer that we are working with from Smith Engineering is a retired head of the Illinois Department of Transportation Motor Fuel Tax Bureau. Trustee Foresta said that in the past, when hiring outside services, recommendations would come to the board with cost estimates. Jim Keim, staff engineer, said the state sets guidelines on what engineers can charge us for motor fuel tax work. In the road program, they can't go above 8%. The state will not allow us to authorize use of funds beyond eight percent for the engineering portion and another 6% for construction management and this type of work. Trustee Hanson said that we should put the trust into the people we have hired to make recommendations to the board.

A motion was made by Trustee Hanson, seconded by Trustee Caulfield to authorize the contract with Smith Engineering for initial engineering

services for year one of the five year street program at a cost not to exceed \$35,000. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

LAKE TRANQUILITY

Administrator Haley reviewed the letter received from Mr. Richard Maliszewski, Heron Harbor Homeowner's Association regarding the cost for weed and algae control. *"For the past two years, the Village of Antioch has graciously contributed 50% of the lake clean up cost. The other 50% was collected from the residents along the shore of the lake."* The cost from Scientific Weed Control is \$3950.00 for one season. Pedersen Park, a village park is located on lake tranquility.

A motion was made by Trustee Hanson, seconded by Trustee Larson to authorize the expenditure to cover 50% of the weed and algae control at Lake Tranquility for one season. On roll call, the vote was:

YES: 5; Pierce, Larson, Foresta, Porch and Hanson.

NO: 0.

ABSTAIN: 1; Caulfield.

THE MOTION CARRIED.

Trustee Caulfield stated that he is abstaining because he resides in Heron Harbor.

TAX ANTICIPATION

Administrator Haley stated that he expected to need authorization for tax anticipation warrants. However, we have been watching the budget closely and he feels that we will be able to go another month without doing that. Mr. Haley will update the Board if the situation changes.

AGREEMENTS

Administrator Haley said that there is some commercial construction near the Metra station and he would need a couple of agreements executed between the Village of Antioch and Metra; and between the Village of Antioch and the Landtrust Developer who is building and developing the parking. Mr. Haley referred to a color coded map which indicated parking lot phases and property owners. The village presently owns phase one and two as designated on the map. Phase three is owned by the developer of the property. As you know, Metra is in the process of acquiring land for a double track, so they need to expand the parking area. Metra will pay for all the parking lot improvements. After completing the project and the improvements, the developer will donate the property to the village which we will in turn transfer to Metra. Trustee Foresta asked if we will be able to collect parking fees for the entire area. Administrator Haley stated that was correct. Parking designated closest to the commercial development will be used by that development.

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Following a brief discussion, a motion was made by Trustee Hanson, seconded by Trustee Foresta to approve entering into an agreement with Metra and authorizes the Mayor and Village Clerk to sign the agreement between the Village of Antioch and Metra. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

There was a discussion regarding the appearance of the commercial development. Robert Silhan, Director of Planning, Zoning and Building indicated that the plan meets the village requirements. Mayor Marvelas asked if the developer is planning to install a berm with trees on the south. Administrator Haley said the developer has indicated that there will be a berm and some trees. Trustee Hanson would like to make sure that all ordinances are followed regarding the development.

LAND TRUST

A motion was made by Trustee Hanson, seconded by Trustee Foresta to approve the agreement between the Village of Antioch and the Landtrust Developer and authorizes the Mayor and the Village Clerk to sign the agreement. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

02-03-09

Attorney Anderson read aloud the following ordinance:

An ordinance of the Village of Antioch, Lake County, Illinois, authorizing and providing for an Installment Purchase Agreement for the purpose of paying the release of certain claims against said Village, and authorizing and providing for the issue of \$1,600,000 Debt Certificates, Series 2002, evidencing the rights to payment under such Agreement, prescribing the details of the Agreement and Certificates, and providing for the security for and means of payment under the Agreement of the Certificates.

A motion was made by Trustee Pierce, seconded by Trustee Larson to waive the second reading and to approve and publish in pamphlet form, an ordinance, **02-03-09**, entitled, **An ordinance of the Village of Antioch, Lake County, Illinois, authorizing and providing for an Installment Purchase Agreement for the purpose of paying the release of certain claims against said Village, and authorizing and providing for the issue of \$1,600,000 Debt Certificates, Series 2002, evidencing the rights to payment under such Agreement, prescribing the details of the Agreement and Certificates, and providing for the security for and means of payment under the Agreement of the Certificates.** On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

CITIZENS

Ms. K.C. Dieck, Main Street Custard, discussed the possibility of her placing a coffee concession cart at the Metra station. Glenda Sorensen, Director of Community Development, has approached several local businesses about a month ago to see if there was an interest in placing a coffee business at the station. To date, she has not been contacted by those she met with. Following a brief discussion regarding lease agreements versus licensing, it was the consensus of the Board to place this request into committee for further review.

Mr. James Freedman, Rembrandt Drive resident, approached the Board as to whether or not the former village administrator was bonded and how it may effect the Dolly Spiering Memorial Fund. Mr. Freedman also asked if the current administration is bonded and referred to several newspaper articles concerning utility tax ordinances.

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CITIZENS CONT.

Mr. Ken Karacek, Heather Court resident, asked if the street program would include plans for a sidewalk extension down to Tiffany Road from Lake Street. Jim Keim, staff engineer indicated that a sidewalk is included in the street program. Mr. Karacek also asked if the village would consider having designated car pool parking in the Metra lot area.

SCHOOL IMPACT FEES

Trustee Pierce reviewed the letter dated February 4, 2002 from Antioch School Districts #117, #34 and #33 regarding the proposed increase for developer fees. Robert Silhan, Director of Planning, Zoning and Building said the proposed fees are as high as other communities. The fees are reviewed every two years. Mr. Steve Turner, District #34 School Board President, stated the school board reviews the impact fees every two years. This year Dr. Don Skidmore, researched the fees and Antioch has the highest fees in the county. Trustee Larson questioned the formula used to determine the fees and was concerned if the fees were legally challenged. Trustee Larson asked Attorney Anderson if we authorized the fee increases and there is legal challenge to it, do we have to provide legal council for this? Attorney Anderson said that anyone challenging the fees would probably sue both the village and the school districts because the school districts are the recipients and the village authorizes it. So the answer is yes, we would be required to defend. Ultimately it would be our

ordinance that may be challenged so we would probably have to defend it in any case. Trustee Foresta said that he believed in previous ordinances there was a hold harmless agreement indemnification incorporated where any legal fees that we would be incurred would be paid by the schools. There was a brief discussion regarding the fees for three bedroom apartments and condo/townhome uses. Mr. Turner indicated that he couldn't speak for Mr. Skidmore who uses the Naperville report to determined the fees. Trustee Pierce stated that he would like to table action being taken until the April 15, 2002 meeting.

PZB02-03

The following Planning and Zoning Board's letter of recommendation dated March 15, 2002 regarding the proposed re-subdivision of developed land; C.&E. Development, Carney Court, PZB02-03 was reviewed:

The Combined Planning and Zoning Board reviewed the proposed plat at their regular meeting of March 14, 2002, following posting of the agenda as required by State Law.

The applicant, C. & E. Development was represented by Attorney John Kakacek. The existing M-1 parcel is 4.114 Acres and is improved with four building. The owners request re-subdividing the site into three lots in order to be able to sell part of the property. The occupant of the proposed Lot 3 is the Deli Source, which is interested in a land purchase. Easements for ingress and egress and utilities are shown on the proposed plat and indicated in the recordable easement language made a part of the applicants' submittal.

Village Planner Bob Silhan and Village Engineer Jim Keim had no objections to the plat request. Mr. Silhan pointed out that letters from the Illinois Department of Natural Resources and the Lake County Soil & Water Conservation District were received, both indicating that a review is not required because of the side already being developed.

Following brief discussion, Tom Baba moved, Carol Keller seconded that PZB02-03, the plat of re-subdivision for C. & E. Development be approved. Upon roll call vote: YES: 6; Ipsen, McCarty, F.Johnson, LaReese, Keller and Baba. NO: 0. THE MOTION CARRIED.

VB MOTION

A motion was made by Trustee Pierce, seconded by Trustee Porch to approve the recommendation of the Planning and Zoning Board as stated in their letter dated March 15, 2002 regarding the proposed re-subdivision of developed land; C. & E. Development, Carney Court; PZB02-03 and authorizes the village attorney to draft the appropriate ordinances. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

HERMANN & HERMANN

A motion was made by Trustee Caulfield, seconded by Trustee Foresta to authorize payment of \$42,498.81 to Hermann & Hermann for legal services regarding Deercrest. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

PAYNE & DOLAN

A motion was made by Trustee Caulfield, seconded by Trustee Foresta to authorize payment of \$61,904.95 to Payne & Dolan for the 2001 Street Program, which included Winsor Drive and Chestnut Street. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

AUTHORIZE PAYMENT

A motion was made by Trustee Caulfield, seconded by Trustee Pierce to authorize payment of accounts payable as prepared by the village treasurer **except check number 33466**. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

MANUAL CHECKS

A motion was made by Trustee Caulfield, seconded by Trustee Foresta to approve the manual checks written to date for the general, payroll and water and sewer accounts. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

IDOT RESOLUTIONS

A motion was made by Trustee Hanson, seconded by Trustee Pierce to authorize the Village Clerk to sign the IDOT Resolution for Improvement by Municipality Under th Illinois Highway Code for Anita Avenue from Greenbriar to North Avenue. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

A motion was made by Trustee Hanson, seconded by Trustee Caulfield to authorize the Village Clerk to sign the IDOT Obligation Retirement Resolution for the years 1998 through 2000. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

MUTUAL AID

A motion was made by Trustee Hanson, seconded by Trustee Pierce to approve the Resolution Number 02-03-01 for Non-Emergency Mutual Aid for Public Works as presented. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

POPPY DAYS

A motion was made by Trustee Larson, seconded by Trustee Hanson to approve the tag day request from the American Legion Auxiliary Unit 748 Poppy Days on May 17 and May 18, 2002. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

RAFFLE LICENSE

A motion was made by Trustee Larson, seconded by Trustee Pierce to issued a raffle license to the Antioch Upper Grade School PTO to sell raffles on April 13, 2002, waiving fee. On roll call, the vote was:

YES: 5; Pierce, Larson, Caulfield, Porch and Hanson.

NO: 1. Foresta.

THE MOTION CARRIED.

WALK-A-THON

A motion was made by Trustee Larson, seconded by Trustee Hanson to approve the request from the Antioch Junior Woman's Club to conduct a cancer walk-a-thon on May 4, 2002 from 9:00 a.m. to 11:00 a.m. using the walking trail in Antioch and surrounding the Woods of Antioch. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

PARK IMPROVEMENT

A motion was made by Trustee Larson, seconded by Trustee Porch to approve the 2002 - 2004 Park Improvement Plan as previously presented. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

ATTORNEY

The Village Attorney reviewed the following resolution and ordinances:

ANNUAL ZONING MAP

A motion was made by Trustee Larson, seconded by Trustee Foresta to approved resolution number 02-03-02 entitled the Annual Zoning Map Update. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

02-03-10

A motion was made by Trustee Foresta, seconded by Trustee Porch to approve and publish in pamphlet form an ordinance, **02-03-10**, entitled, **AN ORDINANCE AMENDING CERTAIN PROVISIONS OF CHAPTER 51 OF THE ANTIOCH MUNICIPAL CODE AND ESTABLISHING CHARGES AND RATES FOR THE USE AND SERVICE OF THE COMBINED WATERWORKS AND SEWERAGE SYSTEM OF THE VILLAGE OF ANTIOCH, LAKE COUNTY, ILLINOIS.** On roll call the vote was:
YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.
NO: 0.
THE MOTION CARRIED.

02-02-07

A motion was made by Trustee Foresta, seconded by Trustee Larson to approve the minor text amendment to Ordinance Number 02-02-07, entitled, AN ORDINANCE AMENDING CHAPTER 115 OF THE MUNICIPAL CODE OF THE VILLAGE OF ANTIOCH TO IMPOSE A MUNICIPAL ELECTRICITY TAX. The text amendment removes the dollar sign(\$) from the rates as listed in Section 115.061 on pages two and three of the ordinance and Section 115.062 - Collection where the provider of the service is not liable for the tax if the user doesn't pay it. On roll call, the vote was:
YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.
NO: 0.
THE MOTION CARRIED.

FRIDAY FEST

Trustee Caulfield said that Glenda Sorensen, Director of Community Development contacted him regarding expenditures for Friday Fest and the concerts in the parks. Trustee Caulfield said that he is not aware of a budget for the bands and feels that it is important for the board to discuss it. Glenda Sorensen, Director of Community Development, stated that of the eleven bands, three have contracts and cost a little more. The contracts need to be finalized.

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FRIDAY FEST CONT.

Mayor Maravelas asked what the budget was for last year, compared to this year. Ms. Sorensen said that last year it cost just short of \$30,000 and that she is looking for \$20,000 this year. Administrator Haley said that we do have the money to sign the contracts that Ms. Sorensen is referring to, however, the question is if this board is committed to a \$20,000 expenditure for the summer festivities. Glenda Sorensen also said that a Farmer's Market and toy exchange will be added to the festivities and she hopes to bring back a lot to the expenditure through donations. Trustee Pierce asked is she has contacted the Chamber of Commerce for a donation? Trustee Hanson stated that we have to figure out ways to have fund raisers and that we can't let the band shell sit idle.

A motion was made by Trustee Hanson, seconded by Trustee Pierce to approve the \$20,000 budget from the TIF and Hotel/Motel for the 2002 concert series.

Attorney Anderson stated that since this expenditure was not listed on the agenda, we can't authorize it tonight. The motion and second was withdrawn.

TRUSTEE HANSON

Trustee Hanson thanked Mayor Maravelas for his efforts and meeting with Senator Adeline Geo-Karis regarding the use of her 2002 discretionary funds. A portion of those funds will go to the Antioch Police Department to be used toward the purchase six portable breathalysers at a cost of \$500.00 each and for three automatic external defibulators at a cost of \$1500.00 each.

EXECUTIVE SESSION

A motion was made by Trustee Larson, seconded by Trustee Foresta for the Mayor and Board of Trustees to go into executive session at 10:30 p.m. to discuss pending litigation. On roll call, the vote was:
YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.
NO: 0.
THE MOTION CARRIED.

RETURN

A motion was made by Trustee Larson, seconded by Trustee Porch for the Mayor and Board of Trustees to return from executive session to the open meeting at 11:30 p.m. with **no action to be taken**. On roll call, the vote was:

YES: 6; Pierce, Larson, Caulfield, Foresta, Porch and Hanson.

NO: 0.

THE MOTION CARRIED.

ADJOURN

A motion was made by Trustee Larson, seconded by Trustee Porch to adjourn the special meeting at 11:31 p.m.

Respectfully submitted,

Candi L. Rowe, Village Clerk

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