

## APPROVED MINUTES

**VILLAGE OF ANTIOCH  
BOARD OF TRUSTEES, PUBLIC HEARING  
TGS Enterprises, LLC – Annexation and Annexation Agreement Proposal  
Municipal Building: 874 Main Street, Antioch, IL  
July 5, 2005**

### **CALL TO ORDER**

Mayor Larson called the July 5, 2005 public hearing regarding TGS Enterprises, LLC concerning Annexation and Annexation Agreement Proposal before the Board of Trustees to order at 7:00 PM in the Municipal Building: 874 Main Street, Antioch, IL.

### **ROLL CALL**

Following the Pledge of Allegiance, roll call indicated the following Trustees were present: Hanson, McCarty, Caulfield, Pierce, Porch and Turner. Also present were Mayor Larson, Attorney DiMartini and Clerk Rowe. Absent: Attorney Magna.

### **PUBLISHED PUBLIC NOTICE & OATH**

After reading the published public notice aloud, Clerk Rowe administered the oath to those who wished to offer testimony.

**Trustee Turner left the Board Room at 7:02 p.m. and returned at 7:04 p.m.**

### **TGS ENTERPRISES, LLC**

The request for annexation is for the property commonly known as 24816 W. Route 173 in Antioch, IL. The premises are now classified under Lake County's Zoning Ordinance as County R-1; the petitioners are requesting that upon annexation to the Village of Antioch, the site be classified as Antioch B-3. Mr. Chris Ondrala representative for TGS Enterprises, LLC distributed a copy of the letter from District #34 dated June 29, 2005 which indicates the Board of Education is willing to continue discussions regarding the possible sale of the easement property if there is a clear benefit to the school district. An eventual agreement would also depend upon a favorable determination on the amount detention/retention storage they will receive and the purchase price of the land. The letter also listed six items that the school board would like to discuss the incorporation of the language in the agreement. Mr. Ondrala indicated that he has no objection to the conditions listed in the letter, except for item 3 – right of first refusal, which they hesitate to include in the agreement with the school board.

### **Comment – Trustee Pierce**

Trustee Pierce asked about shared access through the school. Mr. Ondrala said that it was his understanding that this was not a shared access, but actually purchasing the property for wherever the entrance would be to make that a singular entrance toward the banquet facility.

### **Comment – Trustee Caulfield**

Trustee Caulfield discussed the fee waiver as listed on page 3 or 4. Mayor Larson said that she was not aware of this either and she will have staff get clarification.

### **ATTORNEY DIMARTINI**

Attorney DiMartini discussed a few issues that should be added to the agreement. He reviewed the paragraph titled Water and Sanitary Sewer Services on page 2 of 4 of the Annexation Agreement where he suggested adding language such as "providing available capacity" and "whenever tap-on connections fees are paid." Mr. Ondrala said that he had no objections to those changes. Regarding condemnation Attorney DiMartini said that we don't know what the village would be contractually obligated to take from a citizen of Antioch to put these easements through so that might be an issue that board can look at. Trustee Turner suggested we add language "deemed reasonable by the village". Mr. Ondrala said that they just want to be assured that there will be reasonable action taken by the village, if necessary.

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### **Comment – Trustee Pierce**

Trustee Pierce said that he agreed with Trustee Caulfield's concern about the fee waiver issue and we should look at it closely. He also said that we should make sure we include language to protect property owners regarding recapture.

### **CLOSE PUBLIC HEARING**

Mayor Larson asked if anyone present in the audience had any questions or comments. No one spoke for or against the proposal.

Trustee Porch moved, seconded by Trustee Turner to close the public hearing regarding the TGS Enterprises, LLC Annexation and Annexation Agreement Proposal at 7:20 p.m. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Pierce, Porch and Turner.

**NO: 0.**

**THE MOTION CARRIED.**

Respectfully submitted,

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Candi L. Rowe RMC, CMC  
Village Clerk