

APPROVED MINUTES

VILLAGE OF ANTIOCH
BOARD OF TRUSTEES, COMMITTEE OF THE WHOLE MEETING
Municipal Building: 874 Main Street, Antioch, IL
August 29, 2005

CALL TO ORDER

Mayor Larson called the August 29, 2005 committee of the whole meeting of the Board of Trustees to order at 7:30 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, Pierce, Porch and Turner. Also present were Mayor Larson, Attorney Magna and Clerk Rowe. Absent: Trustee Caulfield.

MAYOR

Other Business – Antioch Business District Fund - Mayor Larson said that about two weeks ago Trustee Hanson recommended that we include the Antioch Business District fund in one of the committees. Mayor Larson said that she would like to recommend that we add it to the Finance, Economic and Redevelopment Committee of the village board.

CLERK

Other Business – Next meeting date - Clerk Rowe said that due to the Labor Day Holiday, the next Village Board Meeting will be held at 7:30 p.m. on **Tuesday**, September 6, 2005.

Trustee Caulfield arrived at 7:35 p.m.

ADMINISTRATOR

Other Business – Cameron Drive - Administrator Haley briefly discussed a situation that occurred on Cameron Drive. Mr. Haley said there was an Open House function at the school that caused a traffic problem which included parking on both sides of Cameron Drive and blocking some of the resident's driveways. Mr. Haley said with the cars parking on both sides of the street, there wasn't enough room for the thru traffic. Administrator Haley said the homeowner's are concerned about parking along the street and he recommends the board consider a few options such as "No Parking" on either side of the street; post Cameron Drive as a "School Zone" or "Permit Parking" only. Administrator Haley said that he will be taking advice from the police chief and village attorney regarding the safety in that area.

Mayor Larson

Mayor Larson said that it's important that we make the school aware of the problem and to inform their parents that Cameron Drive is not going to be used for parking. Administrator Haley said that he had very good discussions with the school superintendent and that he will contact him this week to get him involved in the solution to this situation.

Comment – Trustee Pierce

When asked if we could charge the schools to cover police expenses if we were to put additional patrols in the area, Attorney Magna said there is no charging for governmental functions, if nothing extra has been requested. There is no ability to charge for these services. Attorney Magna suggested the board consider some of the concepts that Administrator Haley mentioned as well as additional alternatives that we could discuss at the appropriate time.

Comment – Trustee McCarty

Trustee McCarty said that although this is a new school season, it is not a new circumstance for that area. He doesn't know what would be new to cause this amount of overflow that caused cars to park on Cameron Drive.

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LEGISLATIVE AND HUMAN RESOURCES

No report.

PLANNING, ZONING AND BUILDING, SENIOR SERVICES

GLP – 2 Final Plat and Engineering; PZB 05-09; positive recommendation from P& Z Board – Trustee Turner asked Village Engineer Keith Fujihara to give a brief report regarding the grading. Engineer Fujihara reported that he was not on staff when the agreement made, but GLP agreed to complete the whole retention basin at the beginning of the project and at the Planning and Zoning Board meeting they proposed to do this in three phases, as they were doing the construction. Mr. Fujihara recommends that GLP build the retention basin in three phases. He said that if the retention basin is constructed at once, if we have a heavy rainfall, dirt may run off into the lake and completing the basin in three phases would minimize this situation. Engineer Fujihara also reported that the road work is about complete with the only thing left being the traffic signals. He said the temporary signals are up now and this may take approximately three weeks to get the permanent signals installed. Mr. Fujihara also reported that the sanitary sewer is complete with the pump station being tested today with the only outstanding issue being the ground restoration with seeding. He said the ground restoration may take a while due to the current water restrictions. Mayor Larson asked if the sanitary sewer is hooked on. Engineer Fujihara reported that it is not yet hooked on since they were waiting for the pump station test to be completed. He said the sewer should be hooked on within a week.

Comment – Trustee McCarty

Trustee McCarty asked about the phasing of the grading. Tim Barrett from GLP reviewed a drawing that showed the three phases he proposed to complete the retention basin to minimize the impact of erosion. Mr. Barrett explained they would dig the detention area in phases, compact the clay and that there wouldn't be any building until the entire detention basin is complete. There was a brief discussion regarding the Board members misunderstanding the detention process and Mayor Larson said that Mr. Barrett's explanation is in compliance with what we had initially asked for.

Comment – Trustee Porch

Trustee Porch asked how long it would take to complete the detention basin. Mr. Barrett responded that it should be complete in approximately 60 days.

Comment – Trustee Caulfield

Trustee Caulfield asked if this would be on the next village board agenda. Trustee Turner responded that she would check with Bob Silhan, the Director of Planning, Zoning and Building before placing it on the agenda.

Trustee Caulfield also asked if there was a check list of what needs to be done.

Tim Barrett, GLP representative, said the sanitary sewer will be done this week with the delay due to ComEd bringing in the wrong transformer. The back up pump was hooked up this morning. He said that concerning traffic, the entire intersection will be striped by this weekend, before the holiday and all the lights will be functioning as a permanent facility. He said that the permanent binder should be done at one time, which would be the best finished job. He discussed the challenges from the IEPA and getting the clean water permit letter. The Army Corp did give their approval. Mr. Barrett said that he expected to get that letter three weeks ago and as of this morning they don't have the letter. Mr. Barrett said that the part effected is the last little stretch of property by Deep Lake Road and Route 173. Mr. Barrett said that everything except that final binder, the small portion of the wetlands area and the mast arm for the traffic signals will be completed by the end of this week. He explained that mast arms are made to order and that he hopes to have them in November. Mr. Barrett asked the committee consider the roadway done when the striping is done and he asks that they not be held until the mast arms are installed.

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Comment – Trustee Turner

Trustee Turner asked Administrator Haley if there were any way to contact the IEPA to expedite the letter because it would be to our advantage to get the final coat on the asphalt before the asphalt plants close for the season. Administrator Haley said that if he directed to do so, we could contact the IEPA through the various processes that may be available to us.

Comment – Trustee Hanson

Trustee Hanson discussed the businesses entrances off of and along Route 173. Village Engineer Keith Fujihara said that we are working with consultant and trying to develop a scheme for that situation. Trustee Hanson asked that as a village, could we tie that intersection to include Waste Management. Mr. Barrett discussed the problems that could occur with individuals and their right to access. He said they have tried to work with some and at times it's difficult because property owners would like to keep their access. Mr. Barrett discussed the possible opportunity to create a minimum amount of curb cuts to the property on the north side of Route 173 by utilizing a frontage road.

Comment – Trustee Turner

Trustee Turner said that to her knowledge she doesn't believe there have been any submittals regarding the property being discussed on the south side.

Attorney Magna

Attorney Magna said that sometimes in the comprehensive plan, we could designate roadway improvement. He said we may look at a possible master concept plan with alternatives regarding traffic issues along Route 173.

Robert Silhan

Robert Silhan, Director of Planning, Zoning and Building, said that he realizes that it's difficult and has been difficult to physically look what is out at the site and put it on the September 6 agenda, but the fact of the matter is that the developer has attempted to do everything that is necessary to move the project along and another agency in government has delayed the roadway improvements. He said the traffic signals are operating even though they're temporary. He said that he doesn't have a problem with putting it on the September 6 agenda and that this board has typically considered approval of matters in principle and have referred it to the Village Attorney for ordinance drafting and getting final plat ready for signatures.

Attorney Magna

Attorney Magna asked if there were bonds or letter of credits secured that would cover the final installation of these improvements. Robert Silhan said that he doesn't believe there is one posted at this time for Phase 2, but believes there would be as it was done in Phase 1.

Comment – Trustee Pierce

Trustee Pierce said that he has a hard time putting this on the September 6 agenda for consideration because he assumed that "done is done". He said that is what we agreed to.

Mayor Larson

Mayor Larson said that she didn't disagree with Trustee Pierce's comments, but she asked what is reasonable. If the developer is being held up by another government agency and they have made every attempt to move the project along. She said whether this is on the September 6 agenda is entirely up to the Board, but she can sympathize with someone who is trying to do everything that they can.

Comment – Trustee Turner

Trustee Turner said that she doesn't have any problems contacting the IEPA, and she asked if the traffic signals would operate differently once the mast arms are installed. Mr. Barrett, GLP representative, said the traffic signals would not function any differently once installed on the permanent mast arms. Village Engineer Keith Fujihara said the bonds for the roadway work are with IDOT and the County.

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Comment – Trustee Caulfield

Trustee Caulfield said that he seemed to be hearing the board in concert with staff recommending something that perhaps a silt fence may be on board that could help staff. He said there seems to be a little bit of erosion on the original commitment. He said that like what Trustee Pierce had said, “done is done” and that he is not unreasonable either, but he is hearing a lot of creative ways to make it seem done when it’s really not done.

Comment – Trustee Turner

Trustee Turner said the project has moved along the legal process of the village. She discussed the needed tax revenue and she believes there are no problems as long as the traffic signals are in working order and she would like to see the blacktop and striping done. She said the sewer improvements would be completed and the only thing lacking is the mast arms. Trustee Turner also discussed the past easement issues. She said the Board needs to get together and decide what’s important and what their goal is.

Comment – Trustee McCarty

Trustee McCarty said that as long as the sewers are taken care of and the road is completed, get the small section of the road done; the mast arms not being installed is not a big issue for him.

Comment – Trustee Caulfield

Trustee Caulfield said that one of things that concern him is the financial situation of the village and that when this was voted on where it was said that Phase 2 will not happen until Phase 1 is done. He said that at that time, there were other things like purchasing dump trucks that weren’t done and once the election took place, the spiket opened and the money is flowing.

Mayor Larson

Mayor Larson responded to the comment regarding the election and the spending going on. She said that we don’t spend money unless this Board approves it and she doesn’t want to be accused of spending money just because she was elected to office. She said that when we purchase something it comes before the village board.

Comment – Trustee Turner

Trustee Turner said that she is considering the project done if all we need is a mast arm for the traffic signal and she has not changed her opinion from the action previously taken by the board.

Comment – Trustee Hanson

Trustee Hanson asked if GLP would check the traffic lanes north on Deep Lake Road as they line up with the traffic signals. Trustee Hanson said that he’s not a fan of the whole project but if it’s just the mast arms that are outstanding, he doesn’t have a problem considering Phase 1 complete.

Corner side yard fence issues; Skulstad fence variation request; 555 Needlegrass Parkway; PZB 05-07 – Robert Silhan, Director of Planning, Zoning and Building reported the Planning and Zoning Board recommended to deny the variation request from a technical standpoint. Robert Silhan distributed a map to help explain the corner side yard fence issues in Tiffany Farms. Mr. Silhan briefly discussed the history and the change to village ordinance regarding fences. He said there are currently four corner side yards with fences that do not conform to our ordinance and there are at least four that do conform. He said that we have a situation that is snowballing with fences that are non-conforming to the ordinance so this leaves a question to the Board as to whether the ordinance in place be enforced, and if it should, it should be enforced for everyone. Mr. Silhan said another option could be to change the Village ordinance to allow these types of fences in the Tiffany Farms subdivision or in the entire Village, although he wouldn’t recommend this option. Mr. Silhan recommends the Village Board consider contacting those who have a non-conforming fence and indicate to them that they would have to be modified.

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Comment – Trustee Hanson

Trustee Hanson said that we should negotiate with those where it may have been our error in issuing the permit.

Comment – Trustee Turner

Trustee Turner said that she believes we should start abiding by our village ordinance.

Comment – Trustee McCarty

Trustee McCarty discussed the fence height requirement and if they have to be opaque and Bob Silhan responding the height of the fence on the side yard is 4 feet and 50% opaque.

Comment – Trustee Caulfield

Trustee Caulfield asked if other subdivisions were surveyed and in the interest of fairness that we should regulate the fence ordinance. He said eventually we need to stick to the rules or get rid of them. Mayor Larson said that she believes the consensus of the board agrees and that it's just a matter of enforcement.

Comment – Trustee Pierce

Trustee Pierce asked if the Code Enforcement Officer could enforce this issue. Robert Silhan, Director of Planning, Zoning and Building said the building department staff has worked on supplementary permit applications because often times, the smaller projects sometimes become the bigger problem. He said staff created an outline to have clear and simple language which explains requirements for permit applications. Trustee Pierce discussed his recent experience with the building department regarding permit issues and the staff was very clear on what could and could not be done. Trustee Pierce also talked about his experience when walking door to door during the campaign and how in the Tiffany Farms subdivision, he was asked about how someone on a corner lot was allowed to install the fence incorrectly. He said he knows the Tiffany Farms Homeowners Association has a lot of problems with fences and he could see if the Association came to the Board requesting the fences conform in a certain way, and that might be something for the Board to look at.

Attorney Magna

Attorney Magna said that a village employee does not have the authority to alter, modify or amend any Village Code. He said that sometimes people do make mistakes, but the rule is the Ordinance is the Ordinance and if there has been an error by the employee issuing a permit, does not obviate the Village's authority to enforce the Ordinance as written. He went on to say, that as Trustee Hanson said, we should look at the one where the permit issued in error and try to evaluate something fair. The others that have gone up without permit, or not in accordance with the plans as submitted, that is different and we can seek to enforce the Ordinance accordingly, again trying to minimize impact. He said the Village needs a clear policy and you need to show that you are ready to enforce that policy.

Comment – Trustee Pierce

Trustee Pierce discussed the on-going dilemma in Tiffany Farms and throughout the village for a while. He said that Mrs. Skulstad possibly incurred a \$500.00 variance request fee and he wondered if when we finally act on this, that the Village considers waiving that fee and collect the standard fee. Robert Silhan, Director of Planning, Zoning and Building, said that he wouldn't have a problem with that and in fact his comments referred to the non-payment of the permit fee. He said that she did in fact rectify that situation.

Comment – Trustee Caulfield

Trustee Caulfield said that he would like to be sure there is a solid written policy regarding fences that don't comply and that are already there. Trustee Turner said that she agreed with Trustee Caulfield.

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Building and related technical codes to housing – Robert Silhan, Director of Planning, Zoning and Building reviewed the building and technical code sections that related to a number of square feet per unit or per living room. Mr. Silhan said that in terms of inspection of multiple family units, he said that typically the public safety inspector will inspect common areas within an apartment building, but we won't go into someone's apartment unless there is an emergency. Mr. Silhan briefly discussed the property maintenance code right of entry section of the code and how we don't have the right to barge in to make an inspection and that we must adhere to the law. He said that when someone applies for a building permit to remodel their home, there is an administrative section in the building code says that the inspector has right of entry during normal working hours to make the appropriate inspection.

ENGINEERING, PUBLIC WORKS AND UTILITIES

Discussion regarding water ban as it relates to charitable organizations – Trustee Pierce briefly discussed Louisiana and how much rain they have had to date. Trustee Pierce said that although we have had some rain, that this is the peak time for charitable organizations to fundraise by carwashes and other events of this nature. Administrator Haley said that he would like everyone to understand that this is a serious situation and when we discussed this with developers and everyone else we realized the seriousness of the water situation. Mr. Haley said that we have been reading about water shortages all over Lake County and all over Illinois and we did not address it lightly. The situation is addressed weekly at our staff meetings where we are monitoring the water production against the usage daily. Administrator Haley said the static levels are in very serious shape, the citizens have been very cooperative and they understand the seriousness of the situation. He also said the recent and few rains that we've had didn't change our water production. Mr. Haley said that he discussed the fundraising issue with staff last week and staff who have gone throughout the village and speak to residents who didn't realize that we had the watering ban in effect. He said that staff feels the same way as he does and that we should lead by example. If we are asking residents to not install sod in a new house and adhere to water restrictions times and dates, to say it's okay for a carwash fundraiser have the extra water run down the storm sewers doesn't make sense. Mr. Haley urged the Board to 'stay the course' and ease up on the ban some time in September.

Comment – Trustee Hanson

Trustee Hanson said maybe these fundraisers could go out into the township and tap into someone's well.

Mayor Larson

Mayor Larson said there are other fundraising options such as bake sales.

Comment – Trustee Turner

Trustee Turner said that it's a good thing for young kids to be aware of the serious situation and maybe they could come up with different fundraising ideas.

Comment – Trustee McCarty

Trustee McCarty suggested they contact one of the local carwashes to see if there were possibilities to hold fundraisers and work out something with the owners of these establishments. He said that he doesn't know if this would be possible, if the business owner would be receptive to the idea or if there would be liability concerns, but he thought it was worth some of the organizations investigating the possibility.

FINANCE, ECONOMIC AND REDEVELOPMENT

Other Business – Trustee Porch reported the Finance Director has submitted her resignation. The position has been posted in various government and financial organization sites and on our website.

Other Business – Trustee Porch said that in the September 6, 2005 meeting agenda packets there would be financing options for the Waste Water Treatment Plant.

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Comment – Trustee Caulfield

Trustee Caulfield said that he had heard another key employee in finance had also submitted their resignation and he expressed concern with the turnover in that department. Trustee Porch said that Chief Accountant Joy McCarthy submitted her resignation, and a memo had been previously distributed to the Board.

Mayor Larson

Mayor Larson discussed the new notification policy regarding staff changes. Village Clerk Candi Rowe will send out an email to all elected officials notifying them of when a department head hired a new employee or when someone leaves. Mayor Larson discussed the recent email that was sent notifying the Board of new staff and their start dates. Mayor Larson also discussed the exit interview policy that has been implemented. Available positions are posted on our web site as well in other publications.

Comment – Trustee Hanson

Trustee Hanson discussed how devastated we were by the turnover that took place a few years ago. Mayor Larson said that we now do exit interviews and have more feedback from the employees through this process.

Comment – Trustee Turner

Trustee Turner said that she's pleased about the exit interview process because she was concerned when employees left in the past and no one asked why. She thanked Mayor Larson for putting this procedure in place.

Comment – Trustee Pierce

Trustee Pierce asked when the exit interviews are done, if there is any information the Board would need to know, that the information gets forwarded to them. He said that he would like to include a question in the exit interview asking if the employee had been encouraged or asked to leave the village in any manner by either elected officials or staff. Administrator Haley said that it has not been asked but he would certainly ask the question in the future.

PUBLIC SAFETY, PARKS AND LICENSE

Fraternal Order of Police Agreement – Attorney Magna said this would be better discussed in closed session because it's still a tentative agreement and hasn't been ratified by the FOP bargaining unit and we certainly are not in the position to ratify it tonight because we are waiting for the final draft. He said this should be discussed in closed session for purposes of discussing employee compensation benefits, condition of employment and collective bargaining agreement.

Bids received for the purchase or lease of a new 2005 squad cars - Administrator Haley reviewed the following bids received for the purchase or lease of a new squad cars:

COMPANY NAME	ADDRESS	AMOUNT
Fred Ryan Acme Auto Leasing, LLC	440 Washington Avenue North Haven, CT 06473 *Lease of 2 vehicles \$49,514.14 (24 months) \$50,679.36 (36 months) \$51,863.04 (48 months) \$53,065.20 (60 months)	Purchase: \$ - - Lease \$ *See Detail
Scott Yassinger Raymond Chevrolet	120 Route 173 Antioch, IL 60002 2 - \$33,647.58	Purchase: \$16,823.79 /ea. Lease \$ - -
Currie Motors Frankfort	41 K431 9423 W. Lincoln Hwy Frankfort, IL 60423 2 - \$41,396.00	Purchase: \$20,698.00/ea. Lease \$ - -
Oakfield Ford	443 E. St. Charles Road Villa Park, IL 60181 2 - \$42,980.00	Purchase: \$21,490.00/ea. Lease \$ - -
Lyons-Ryan Ford	104 Route 173 Antioch, IL 60002 2 - \$43,612.00	Purchase: \$21,806.00/ea. Lease \$ - -

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Administrator Haley discussed the package difference between the Ford and Chevrolet cars. Our current light bars will not fit on the Chevrolets and the cost to fit Chevrolet cars with this equipment would be approximately \$2516.00. Administrator Haley also reviewed the letter of recommendation from Police Chief Chuck Fagan and his recommendation to purchase the 2006 cars from the local dealership Lyons and Ryan for their bid in the amount of \$21,806.00 each.

Comment – Trustee Pierce

Trustee Pierce discussed that if we purchased vehicles from the Currie Motor dealership, the cost for the time and expense to pick up and service the vehicles.

DELINQUENT ESCROW ACCOUNTS

No report.

ATTORNEY

Executive Session – Trustee Turner moved, seconded by Trustee McCarty for the Mayor and Board of Trustees to go into executive session to discuss personnel, employment compensation, benefits and collections bargaining agreement and for the purchase of real estate at 9:20 p.m. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

Executive Session Return – Trustee McCarty moved, seconded by Trustee Hanson for the Mayor and Board of Trustees to return from executive session to the open meeting at 10:05 p.m. with **no action taken**. Upon roll call, the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

ADJOURNMENT

There being no further discussion, Trustee McCarty moved, seconded by Trustee Porch to adjourn the regular meeting of the Board of Trustees at 10:06 p.m.

Respectfully submitted,

Candi L. Rowe RMC, CMC
Village Clerk