

APPROVED MINUTES

**VILLAGE OF ANTIOCH
BOARD OF TRUSTEES, REGULAR MEETING
Municipal Building: 874 Main Street, Antioch, IL
November 7, 2005**

CALL TO ORDER

Mayor Larson called the November 7, 2005 regular 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 led by Boy Scout Troop #80 from Grass Lake School, roll call indicated the following Trustees were present: Hanson, Pierce, Porch and Turner. Also present were Mayor Larson, Attorney Magna and Clerk Rowe. Absent: Trustee McCarty and Trustee Caulfield.

Trustee Caulfield arrived at 7:32 p.m.

APPROVE BALANCE OF AGENDA FORM

Trustee Turner moved seconded by Trustee Pierce to approve the balance of the November 7, 2005 meeting agenda removing Smith Engineering Pay Request No. 10 (Final) Carmichael Construction, Inc. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

AUGUST 29, 2005 COMMITTEE OF THE WHOLE MEETING MINUTES

Trustee Porch moved seconded by Trustee Turner to approve the minutes from the August 29, 2005 committee of the whole meeting with the following correction:

On page 1 of 8 under Comment – Trustee Pierce, There is no ability to charge for these services. (The word especially has been removed). Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

OCTOBER 17, 2005 REGULAR MEETING MINUTES

Trustee Porch moved, seconded by Trustee Turner to approve the minutes from the October 17, 2005 regular meeting as presented. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

PETITIONS/BIDS

No report.

MAYOR

Proclamation – Marine Week November 6-13, 2005 – Mayor Larson read aloud the Proclamation designating November 6-13, 2005 as Marine Week in the Village of Antioch and presented it to Senior Vice Commandant Ed Mrozinski and Gunnery Sergeant Adamson.

CLERK

Special Census Update – Clerk Rowe reported the Special Census should take place in January, 2006. Applications for census takers are available at the Village Hall. Once the special census date is confirmed through the Census Bureau, testing and training dates will be scheduled for those who have picked up an application. Clerk Rowe will provide more information as we receive it from the Census Bureau.

Holiday Parade Entry Form – Clerk Rowe asked the Mayor and Board of Trustees to let her know if they are available to be in the Holiday Parade on November 25.

Other Business – Clerk Rowe thanked the Mayor and Board of Trustees for allowing her to participate in the Illinois Municipal Clerks Institute and Academy in October and for the opportunity to continue her education.

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ADMINISTRATOR

Other Business - Power Outage - Administrator Haley said that we experienced a power outage this afternoon which was caused by the construction being done on bridge in Lake Villa. The power was out for approximately 10 minutes.

Other Business – Over turned semi-truck -Administrator Haley said there was a semi-truck overturned at Route 173 and Savage Road, which is already a terrible intersection. He said that we are working diligently with the developer and contractor to get signalization at that intersection. He reported the mast arms will not be delivered until February 2006 and we are trying to get temporary lights installed.

Other Business – Road Program - Administrator Haley said that he is not worried about the quality of the work because we have a punch list that will ensure the contractor does what the contract calls for. He said the timing has been terrible and he let Smith Engineering, our consulting engineers, know of our displeasure and that it's unacceptable.

Illinois Municipal League Risk Management Association Minimum/Maximum Agreement – Administrator Haley reported that Bill Bloch from the Municipal League gave a presentation at a Finance, Economic, Redevelopment and Business District committee meeting on October 27, 2005. He said that our good safety record keeps the premiums low and that we have an ordinance authorizing the execution of the IMLRMA Minimum/Maximum Contribution Agreement for consideration. Administrator Haley would like the Board to consider approving this ordinance authorizing our participation in the Minimum/Maximum program with the early discounted payment of \$197,691.48.

Comment – Trustee Pierce

Trustee Pierce asked about the accident at Savage Road and Route 173 and he asked if it would be possible to have the developer meet with us. Administrator Haley said the contractor is not in the arrears of any of his contract obligations. He said according to the settlement agreement, there is no time limit on when he has to put in the traffic signals. Administrator Haley said that it is in the works and we were held up for 6-7 months by utility company that had to move a line, which is now complete. He said with the current weather conditions, he anticipates that all paving and striping will be completed and all that would be left to do at that intersection is the signalization. Administrator Haley said that he is trying to get Neumann Homes to go along with our request to put temporary lights hung by wires until we get the mast arms.

COMMUNICATIONS

No report.

CITIZENS WISHING TO ADDRESS THE BOARD

Roland Schleusener, Antioch Clock Tower Committee – Mr. Schleusener, Victoria Street resident and Clock Tower Committee member approached the Board regarding the location of the Antioch Clock Tower. Mr. Schleusener said the selected site is not satisfactory because during construction the site would require de-watering and some elevation of the site which has added to the cost of building a clock tower at that location. The Committee suggested an alternative site be on Toft Street where the mail boxes are currently situated. He said that realizes there are problems, and he recently met with Mayor Larson and Administrator Haley and is encouraged by their support for the clock tower. Mr. Schleusener said that he believes the location on Toft Street would have visibility because of the location being near the post office, the senior center and senior apartment buildings. Mr. Schleusener asked the Village Board consider this new location.

Mayor Larson

Mayor Larson would like this to go into committee and to have the village engineer review the location to see if it would be viable.

Comment – Trustee Porch

Trustee Porch said that she too would like to this request to go to committee and she wanted Mr. Schleusener to be aware that if the location of the clock tower is moved outside of the TIF District, the TIF funds may not be available for this project because the newly proposed location is not within the TIF District. Mr. Schleusener was not aware of this and before concluding he also suggested that a gazebo would also look nice at the new site.

Wayne Foresta – UPS Store Toys for Tots – Wayne Foresta, UPS Store, discussed the UPS Stores being a national sponsor for the United States Marines Corp Reserves Toys for Tots program, which has been in place for 58 years. He said that with so many service men and women deployed, they need additional help with this program. He distributed posters and flyers with information on how to donate a new toy, \$1.00 pledge cards or a limited edition Dale Jarrett NASCAR die cast car.

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Senior Vice Commandant Ed Mrozinski discussed the toys received from the Antioch area last year and that they will be meeting with downtown merchants to display banners and possible collection bins in various locations. Mr. Foresta also discussed the importance of mailing holiday gifts and cards early, especially to those service men and woman who are stationed overseas.

Comment – Trustee Porch

Trustee Porch suggested that Toys for Tots collection bins and Open Arms Mission food collection bins could be placed downtown for the Holiday Parade and Tree Lighting Ceremony.

Scott Keenan – Open Arms Mission – Scott Keenan, Open Arms Mission located at 1540 S. Main Street, said they currently serve 150 families per week and he discussed three upcoming programs. 1) Holiday Meal Box sponsors - \$25.00 will provide dinner for eight. Open Arms Mission along with the Antioch Rotary Club anticipates providing 250 baskets each for Thanksgiving and Christmas this year. 2) Adopt a Family program – This is the 5th year doing this program. Families who come to the pantry are signed up with a needs wish list that may consist of clothing articles or a fun toy. 3) Senior Citizen needs – Mr. Keenan reported that in September they helped 160 seniors with food needs. He said there is a need for low sugar and low sodium foods for the senior citizens. Mr. Keenan said there will be Thanksgiving dinner served at the Antioch Senior Center from Noon to 2:00 p.m. and that Triple PPP's have donated and will cook 12 turkeys for the dinner. They are looking for volunteers to help out with setting up and serving the food that day. Those interested in volunteering should contact Mr. Keenan at the Open Arms Mission or Paul Howard, Senior Center Coordinator.

Paul Green – Veteran's Day – Paul Green, Trevor Road resident thanked Mayor Larson for the Marine Week proclamation and read a statement regarding Veteran's Day and thanked veteran's for their service to our country. He asked those present to honor and thank all Veteran's with a round of applause.

Scott Frillman – Planning and Zoning Board – Scott Frillman, Meridian Way resident addressed the Board regarding the possible development at Route 59 and Bowles Road. He said that he can see the issues with the proposal and also how it could work. He asked the Board use foresight when considering future developments and leave options open. Mr. Frillman also suggested the village look for ways to have affordable housing in the future to keep residents, such as senior citizens, who want to stay in their community.

LEGISLATIVE AND HUMAN RESOURCES

Job Description for Human Resources Specialist – Trustee Pierce discussed the job description and position for the Human Resources Specialist which was reviewed in committee. Trustee Pierce moved, seconded by Trustee Porch to approve the Human Resources Specialist job description. Upon roll call, the vote was:

YES: 4: Hanson, Pierce, Porch and Turner.

NO: 1: Caulfield.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Comment – Trustee Pierce

Trustee Pierce thanked the Board for their support. He said this is a very important position for the Village.

PLANNING, ZONING AND BUILDING, SENIOR SERVICES

Planning & Zoning Board recommendation concerning petition for rear yard variation; Lot 146 in Heron Harbor Unit 7; Barry McMahan, KLM Builders; PZB05-10 – Trustee Turner moved, seconded by Trustee Pierce to place PZB05-10 regarding the rear yard variation; Lot 146 in Heron Harbor Unit 7 in Committee.

Comment – Trustee Hanson

When Trustee Hanson asked why this was being placed in committee, Trustee Turner responded there is new information that she didn't think the Planning and Zoning Board received, and she believes it's important to review the information prior to taking action.

Roll Call Vote – There being no further discussion, upon roll call the vote was:

YES: 4: Hanson, Pierce, Porch and Turner.

NO: 1: Caulfield.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Other Business – Letter of Appreciation to Building Department Staff – Trustee Turner read a letter of appreciation thanking Building Department staff, Paul Green, Sherry Hoban and Larry Roehrich for their assistance.

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Other Business – Antioch, CA – Trustee Pierce distributed a copy of Planning and Zoning Board scoring procedures used by Antioch, California. He asked that we consider having Attorney Magna review this information and discuss it further in committee.

ENGINEERING, PUBLIC WORKS AND UTILITIES

No report.

FINANCE, ECONOMIC AND REDEVELOPMENT

Invoices over \$10,000 – Trustee Porch reviewed the informational report dated November 7, 2005 prepared by village staff showing invoices over \$10,000 and totaling \$101,195.73. Invoices listed were: Blue Cross Blue Shield in the amount of \$60,526.49 for employee health insurance; ComEd in the amount of \$12,319.24 for street lights; and Smith Engineering Consultants in the amount of \$28,350.00 for the 2005 Road Program.

Summary of Escrow payments – Trustee Porch reviewed the informational report dated November 7, 2005 prepared by village staff showing total escrow payments in the amount of \$9,677.75.

SSA Payables – Trustee Porch reviewed the SSA Payables report dated November 7, 2005 and prepared by village staff in the amount of \$2,519.97 and paid to David Taussig & Associates for SSA 2. Trustee Porch moved, seconded by Trustee Pierce to approve the SSA 2 payment in the amount of \$2,519.97 to David Taussig & Associates. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Accounts Payable – Trustee Porch moved seconded by Trustee Turner to authorize payment of accounts payable as prepared by village staff and dated November 7, 2005 in the amount of \$245,412.65.

Comment – Trustee Hanson

Trustee Hanson said unless the motion would be amended to remove the Attorney's fees from the rest of accounts payable he would be voting "No". Trustee Porch said that her motion stands.

Roll Call Vote – There being no further discussion, upon roll call, the vote was:

YES: 4: Pierce, Porch, Turner and Mayor Larson.

NO: 2: Hanson and Caulfield.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Manual Checks – Trustee Porch moved seconded by Trustee Turner to approve the manual checks report dated November 2, 2005 as prepared by village staff in the amount of \$2,237.87. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Lake Street Redevelopment Contract – Trustee Porch said that approximately eight years ago the Village redid Main Street with sidewalk improvements, street lamp improvements and burying utilities. She said that after talking about it for several years we are ready to move forward with similar improvements for Lake Street. First there is an agreement for engineering surveying for Phase 1, 1A and 2. The review of TIF District boundaries indicate that all of Phase 1 and almost all of Phase 1A are within the District and therefore eligible to be paid for with TIF funds. The boundaries are approximately from the Lake Street and Main Street intersection going west to the driveway by the State Bank of the Lakes on the south side and Hannah's Home Accent's on the north side. She said Phase 2 is not in the TIF District and therefore the Village would need to fund the survey and engineering for that portion of the project. She said when we do the exact survey we would be able to identify the exact TIF boundaries. Trustee Porch said that she has spoke with both the Village Administrator and the Finance Director who have assured her that we have budgeted funds available for the part that is not within the TIF District. The other submittal from Smith Engineering is the opinion of probable construction (OPC Costs) for the project. She said this document is for information purposes only and cannot be finalized until we do the final engineering. At that time, we would be sure of the exact boundaries of the TIF District and we would receive an accurate engineering estimate of costs for bidding purposes.

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Trustee Porch moved, seconded by Trustee Turner to approve the Smith Engineering proposal in the amount not to exceed \$44,142.00 for the engineering and surveying of Phase 1, 1A and 2 for the Lake Street improvements. These costs would be broken out as to which part would be paid by TIF Funds and which part would be paid for from other village funds.

Comment – Trustee Caulfield

Trustee Caulfield asked if the decision had already been made to fund this project and if so from what fund. He asked if there is a grand scheme plan regarding the Business District Fund that would show how much would be allocated to Lake Street versus the rest of the community.

Comment – Trustee Porch

Trustee Porch said the primary part of the Lake Street project would be paid for by the TIF Fund which has been identified that we have approximately \$1,000,000 which would pay for the majority of the cost of Phase 1 and Phase 1A. She said that as she mentioned, Phase 2 in all probability is not within the TIF boundary and until we survey that, we would not know for sure the exact boundaries. She said that voting for the engineering study makes financial sense at this time.

Comment – Trustee Caulfield

Trustee Caulfield said that he thought he heard Trustee Porch say that the majority of the project is in Phase 1 and Phase 1A which is in the TIF boundary. He said that it looks like the majority of the cost is in Phase 2.

Comment – Trustee Porch

Trustee Porch reiterated that the majority of Phase 1 and Phase 1A is in the TIF boundary and that is where the funds would come from. At this point, we don't know if the Village would proceed with Phase 2, but until we have the survey we won't know what the costs would be.

Comment – Trustee Hanson

Trustee Hanson said that he understood that the TIF funds would have to be used in two years and this project is well deserved. He hopes that Phase 2 can get funded, but we'll have to look at the finances. He said that he understood Trustee Caulfield's concern, but we have to find out what the costs would be. He suggested that a budget document is created for the Business District Fund. Trustee Hanson also expressed his concern that we owe it to Lake Street business area that we should at least look at it.

Comment – Trustee Pierce

Trustee Pierce said that he agreed that we need a plan and we should move forward with the project.

Administrator Haley

Administrator Haley clarified that this is not an engineering study, but an actual survey. He said that it makes sense to survey the entire project at the estimated cost of \$44,000 because if we were to survey this project in phases, the approximate cost would be \$80,000.

Comment – Trustee Turner

Trustee Turner said that she is very excited about making our downtown viable and doing Lake Street like Main Street is something to be proud of. She also said that we need to spend the TIF funds and what better way than to improve Lake Street.

Roll Call Vote – There being no further discussion upon roll call, the vote was:

YES: 4: Hanson, Pierce, Porch and Turner.

NO: 1: Caulfield.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Other Business – Cindy Voelz, Community Services Department Administrative Assistant – Trustee Porch introduced Cindy Voelz, Community Services Department Administrative Assistant, who upon being hired immediately handled three very large events efficiently and effectively. Trustee Porch further explained that an employee had a serious family illness and wasn't available to head the Sharefest, Oktoberfest and Halloween Howl events. Trustee Porch said that Cindy has proven to be a team player and she is proud of how well the events turned out and she led the audience with a round of applause for Cindy's efforts.

Other Business – Holiday Parade – Trustee Porch said the Holiday Parade is scheduled for November 25, 2005 at 6:30 p.m. followed by the Tree Lighting Ceremony. She also said that Santa's Enchanted Castle will be opened from November 25 to December 23. On November 26, PM&L Theatre will have a free performance Magic Show for families with

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admission being non-perishable food donations for the Open Arms Food Pantry. Also on that day, Antioch Theater will have a free movie “Elf” with food donation for admission. She said that boxes will be outside during the Tree Lighting Ceremony to help Toys for Tots and the Antioch Open Arms Mission food pantry.

PUBLIC SAFETY, PARKS AND LICENSE

Reduction of Speed and “No Parking or Standing” signs on Cameron Drive – Trustee Pierce reviewed the letter from Administrator Haley regarding Cameron Drive. Administrator Haley said that we have posted the No Parking or Standing Signs and we need to authorize the reduction of speed to 20 m.p.h.

Trustee Pierce moved, seconded by Trustee Porch to authorize the Village Attorney to draft the appropriate ordinance to reduce the speed to 20 m.p.h. and to designate Cameron Drive as a ‘School Zone’. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Other Business – Drainage Ditch; Lincoln Avenue – Trustee Pierce asked if there was an update regarding the drainage ditch by Lincoln Avenue on Route 173. Village Engineer Keith Fujihara said that he has talked to GLP about this and their engineers, Manhard Engineering who is working with the construction company. He said that he expects the solution to be presented to the engineering department shortly.

Comment – Trustee Caulfield

Trustee Caulfield asked if this was part of the work that should have been done in Phase 1. He said that it appears the work had not been completed in Phase 1 and the Village approved Phase 2. Trustee Caulfield said that it’s hard to get people to get things done once they have their approval passed.

Mayor Larson

Mayor Larson said that sanitary sewer is in, they are trying to fix a drainage issue right now. She said that we had a very dry summer, and until now, we didn’t have a enough rain to trial this area.

Comment – Trustee Pierce

Trustee Pierce said that he brought this issue up to make sure that it was getting done, not so people could ‘beat their drums with negativity’.

DELINQUENT ESCROW ACCOUNTS

No report.

ATTORNEY

Attorney Magna reviewed the following ordinance.

Ordinance Approving Final Subdivision Plat, Final Engineering Plans and Spill Prevention and Control Plan for Antioch Crossings, Phase Two, on the Application of E.C.B. Antioch L.L.C. (PZB04-18) and (PZB05-9) – Attorney Magna read the ordinance and reviewed Section 3 on page 3 of the ordinance. Attorney Magna said there are no substantial changes to the ordinance read and distributed today versus the ordinance that was in the agenda packet.

Trustee Turner moved, seconded by Trustee Pierce to waive the second reading, approve and publish in pamphlet form **Ordinance No. 05-11-23**, entitled, **AN ORDINANCE APPROVING FINAL SUBDIVISION PLAT, FINAL ENGINEERING PLANS AND SPILL PREVENETION AND CONTROL PLAN FOR ANTIOCH CROSSINGS, PHASE TWO, ON THE APPLICATION OF E.C.B. ANTIOCH L.L.C. (PZB04-18) AND (PZB05-9).**

Robert Silhan, Director of Planning, Zoning and Building

Planning, Zoning and Building Director Robert Silhan discussed the minor conflicts regarding the location of the islands. He said this is not uncommon and that representatives from Menard’s wanted to add language to the ordinance clarifying the preferred site plan.

Comment – Trustee Turner

Trustee Turner said that a lot of hard work went into this by staff and it was thoroughly reviewed by the Village Attorney. She said this ordinance gives the Village more power and she thanked the Village Attorney.

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Comment – Trustee Pierce

Trustee Pierce said that he appreciates Trustee Turner's comment and he fully supports her sentiments, but feels this ordinance should go through both the first and second reading process before approval to avoid any point of contention in the future.

Withdraw Motion – Following discussion, Trustee Turner withdrew her motion, and Trustee Pierce withdrew his second not waiving the second reading and placing the ordinance on the next Village Board agenda for consideration.

Comment – Trustee Turner

There was a discussion regarding the closing of the property being on Friday, November 11 with Attorney Magna verifying this with the developer who was present in the audience. Trustee Turner stated that she had no reservations approving the ordinance tonight. She said the developer has done absolutely everything we have asked them to do and more and she is very proud of the environmental procedures that we have put in place.

Mayor Larson asked Robert Silhan if he had issues regarding the approval of the ordinance tonight. Robert Silhan, Director of Planning, Zoning and Building said that he had no objections to the Board taking action and approving the ordinance tonight. Mr. Silhan said that conflicts such as the minor relocation of the islands happen and it was in fact Menard's who wanted to make sure it was super clarified. He said that GLP and Phase 1 proceeded according to plan and that sometimes plans need 'tweaking' even in the construction phase.

Comment – Trustee Pierce

Trustee Pierce asked if the islands meet the ordinances. Robert Silhan responded that they do. Trustee Pierce asked which one is the controlling plan in the ordinance. Robert Silhan said that it's the final engineering. Attorney Magna said the final engineering plans are the ones that are thoroughly reviewed because of the level of detail in engineering versus the site plan.

Comment – Trustee Porch

Trustee Porch asked Attorney Magna if it were appropriate and legal to waive the second reading. Attorney Magna said the Village Code allows for the second readings to be waived.

Trustee Porch moved, seconded by Trustee Turner to waive the second reading, approve and publish in pamphlet form **Ordinance No. 05-11-23**, entitled, **AN ORDINANCE APPROVING FINAL SUBDIVISION PLAT, FINAL ENGINEERING PLANS AND SPILL PREVENATION AND CONTROL PLAN FOR ANTIOCH CROSSINGS, PHASE TWO, ON THE APPLICATION OF E.C.B. ANTIOCH L.L.C. (PZB04-18) AND (PZB05-9)**.

Comment – Trustee Caulfield

Trustee Caulfield said that after further discussion and input by the developer, it appears that the developer has a real need to make this happen. He wanted to call it to the Board's attention, just in case someone missed it.

Mayor Larson

Mayor Larson said there was timing issue that we weren't aware of. This is a proposal that she believes the majority of the Board has been in favor of and she doesn't see what two weeks earlier or later would mean. She said we would have to see what the vote brings.

Comment – Trustee Hanson

Trustee Hanson asked if this would be setting precedence for other developers, are we going to treat them the same way if they have a closing on their property. He said that he feels uncomfortable approving this tonight and he feels like we're in the hands of the developer. As much as the Board may feel we needs this, we should follow our hearts and make sure we do the right thing.

Comment – Trustee Turner

Trustee Turner said that she understands what Trustee Hanson is saying, but she believes that this Board takes every request on a case by case basis, that each and every development is different. She said this developer had been put through the mill and she discussed the previous circumstances involving this development. Trustee Turner said that this development went through the process and had been looked at every angle. She said that we're still fighting this political battle and it's time to put it to bed and its time we move forward and start doing what we've been elected to do.

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Comment – Trustee Porch

Trustee Porch said that she made the motion not based on the developers closing, but based on Trustee Pierce question. She said he had a legitimate question that was answered by Robert Silhan and our Village Attorney. Trustee Porch said that we have waived the second reading on ordinances numerous times during the six years she has been on the Board. She said that we are not doing something new and dangerous and according to Robert Silhan, Menard's was being a good partner by asking for clarification in writing. She can't criticize them for doing that, she applauds them and she will stand by her motion.

Comment – Trustee Pierce

Trustee Pierce expressed his frustration trying to address Trustee Caulfield's concerns and he wonders if we are trying to "cross our T's and dot our I's" or are we fighting to be obstinate.

Comment – Trustee Caulfield

Trustee Caulfield said that if we're in such good partnership with this developer, it seemed a little presumptuous for him to show up tonight and expect the ordinance to pass, waiving the second reading. He said that it seemed to him that even the Chairman of Planning and Zoning wasn't aware that this had to be passed tonight as evidence by the change of her mind in the motion. He said that as close of a partnership that we are, there seems to be some lack of communication and some presumption on the developer's part that this Board is going to give him the green light.

Comment – Trustee Turner

Trustee Turner said that tonight's discussion shows is that there were no back door deals, that everything was discussed right here out in the open. She said that what this proves is that she had absolutely no idea when the developer was closing and that all she cares about is what is good for Antioch. She said that the developer has done everything that we have asked him to do and yes, he is in partnership with the Village, but not in partnership with any of the members of the Village Board.

Attorney Magna

Attorney Magna said on Thursday he learned that GLP was closing on Friday through their Attorney who he was emailing and getting information from as they finalized the draft ordinance. He said the only reason he brought it up wasn't to accommodate the developer, not knowing until a vote is taken, however he thought it was important the Board is aware of it. Attorney Magna said the Board still has their complete discretion to vote. He said the developer who was present in the audience could have easily stated that he had the closing date scheduled and he chose not to bring up the subject until he was asked for clarification purposes.

Roll Call Vote – There being no further discussion, upon roll call the vote was:

YES: 4: Pierce, Porch, Turner and Mayor Larson.

NO: 2: Hanson and Caulfield.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Ordinance Authorizing the Execution of the IMLRMA Minimum/Maximum Contribution Agreement – After Attorney Magna reviewed the ordinance, Trustee Pierce moved, seconded by Trustee Turner to waive the second reading, approve and publish in pamphlet form **Ordinance No. 05-11-24**, entitled, **ORDINANCE AUTHORIZING THE EXECUTION OF THE IMLRMA MINIMUM/MAXIMUM CONTRIBUTION AGREEMENT**. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Executive Session - Trustee Porch moved, seconded by Trustee Pierce for the Mayor and Board of Trustees to go into executive session to discuss purchase of property at 9:26 p.m. Upon roll call, the vote was:

YES: 4: Hanson, Pierce, Porch and Turner.

NO: 1: Caulfield.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

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Executive Session Return – Trustee Hanson moved, seconded by Trustee Pierce for the Mayor and Board of Trustees to return from executive session to the open meeting at 9:41 p.m. with **no action taken**. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

ADJOURNMENT

There being no further discussion, Trustee Hanson moved seconded by Trustee Pierce to adjourn the regular meeting of the Board of Trustees at 9:42 p.m.

Respectfully submitted,

Candi L. Rowe RMC, CMC
Village Clerk