

APPROVED MINUTES

**VILLAGE OF ANTIOCH
BOARD OF TRUSTEES, REGULAR MEETING
Municipal Building: 874 Main Street, Antioch, IL
January 17, 2006**

CALL TO ORDER

Mayor Larson called the January 17, 2006 regular meeting of the Board of Trustees to order at 7:30 PM in the Municipal Building: 874 Main Street, Antioch, IL.

CUB SCOUT DEN #5

Mayor Larson introduced Julie Swanson, Cub Scout Den #5 Pack 191 Den Mother and Cub Scouts who were present in the audience. The Cub Scouts came to village hall earlier this evening to learn about village government and had a question and answer session with Mayor Larson. Cub Scout Den #5 led the Pledge of Allegiance.

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, Administrator Haley, Attorney DeMartini and Clerk Rowe. Absent: Attorney Magna.

APPROVE BALANCE OF AGENDA FORM

Trustee McCarty moved seconded by Trustee Pierce to approve the balance of the January 17, 2006 meeting agenda as presented. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

JANUARY 3, 2006 REGULAR MEETING MINUTES

Trustee Porch moved, seconded by Trustee Turner to approve the minutes from the January 3, 2006 regular meeting with the following correction made by Trustee Caulfield:

On page 2: Trustee Caulfield expressed his concerns about the decision made not to include the members of the volunteer fire association in the employee incentive holiday bonus. **He said, "It could have changed the vote or could have led to more discussion if this Trustee was made aware that when we were discussing the cost of the program, in its relation to cost of the program last year, we were told it was about the same. Actually there was no reference to the fact that it would be for about half of the employees."**

Upon roll call, the vote was:

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

NO: 0.

ABSTAIN: 1: Pierce.

THE MOTION CARRIED.

PETITIONS/BIDS

No report.

MAYOR

Proclamation – February 5-11, 2006 Boy Scouts of America Scouting Anniversary Week – Mayor Larson read the proclamation declaring February 5-11, 2006 as Boy Scouts of America Scouting Anniversary Week in the Village of Antioch.

CLERK

Other Business – Special Census – Clerk Rowe reported that the Special Census will begin on January 20, 2006. Signs have been made and an article will be published in the Village Newsletter notifying the residents of the importance of getting accurate census data.

ADMINISTRATOR

2004-2005 Audit Presentation by Lauterbach & Amen LLP – Administrator Haley introduced Ron Amen from Lauterbach & Amen LLP who reviewed the management letter for the 2004-2005 Audit. He said the management letter, a tool used through the audit process, is a professional standard and he said that the Village does not have any reportable conditions or material weaknesses.

Comment – Trustee Porch

Trustee Porch asked for clarification purposes if the audit was for period ending April 30, 2005. Mr. Amen replied that was correct and the audit is for the 2004-2005 fiscal year. Trustee Porch said that she would like to schedule a finance committee meeting to discuss the items listed in the management letter that have not yet been implemented. Mr. Amen applauded and

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thanked Finance Director Joy McCarthy for her efforts and assistance during the audit process. He also said that draft policies and procedures are in process and have been given to Administrator Haley for review.

Mayor Larson

Mayor Larson said the management letter doesn't reflect what the current situation, but what was in place at the end of the fiscal year.

Comment – Trustee Pierce

Trustee Pierce said that he agreed with Trustee Porch and would like to see a finance committee meeting scheduled to address the outstanding items.

Comment – Trustee Caulfield

Trustee Caulfield said that it wouldn't be right if he didn't have something to say about last year's audit. He said that he is encouraged that this audit is done and complete. He also said that he "is encouraged that it looks like there was no major horrible findings in the past year." Trustee Caulfield said "he is not encouraged by the fact that nine months into the new administration that we have not been able to successfully deal with the prior recommendation."

Mayor Larson

Mayor Larson said that she didn't believe that was what was reported by Mr. Amen. This audit is as of April 30, 2005 and they're not current comments.

Comment – Trustee Caulfield

Trustee Caulfield said that he understood the comments are not regarding the current status and that the management letter reflects the period ending April 30, 2005. He said that the comments are not currently implemented in most cases. He said that he didn't want to mislead the public into thinking these were solved with the new administration that has had nine months to address the same list of comments that was presented two years ago when he was Finance Chair. Trustee Caulfield said that he felt he was unable to get cooperation from the Board to solve these problems. Trustee Caulfield said "it probably won't get reported this way in the papers but it's important that I say it because it's just the way it is."

Mayor Larson

Mayor Larson said the point that needs to be taken is that we have addressed what some of the concerns are and we are working toward them. Mayor Larson said that Finance Director Joy McCarthy and Administrator Haley have been working toward this goal. She said that we now have human resources coordinator who is drafting an employee policy and we are segregating duties and trying to implement some of the items listed in the management letter. Mayor Larson said that she understands that we won't get all the items done at once and she doesn't criticize the past administration; we are trying to do what we can.

Comment – Trustee Caulfield

Trustee Caulfield said that he understood and that his comments were directed to Trustee Porch for so clearly pointing out that these comments were related to the past year. He thought it was important to recognize that a lot of these issues have not been addressed.

Mayor Larson

Mayor Larson said that she also questioned the management letter's time frame and if it reflected what is currently in place and she was told it was as of April 30, 2005.

Comment – Trustee Porch

Trustee Porch questioned how Trustee Caulfield reported with such confidence that the outstanding items have not been implemented. Trustee Porch said the new Finance Director has been in office for less than four months. Trustee Porch said that she did not know for a fact whether all of these items are still outstanding.

Comment – Trustee Caulfield

Trustee Caulfield said that he has experience from being the Finance Chair for four years and he has not seen the kind of reports or data or Trustee public access that was promised with the new accounting system. Yet it's his understanding that we're not fully utilizing that packet yet and it's been quite a long time since we've had it and paid for it. Trustee Caulfield said that he doesn't see the attention being given to it and this is not a comment against staff, because staff is only doing what they're directed to do by this Board and Administrator. Trustee Caulfield said that he appreciates their hard work and he understand the change in Finance Director that probably caused some bumps, but he thinks it's important to note that a lot of these things are ongoing issues and he doesn't see the focus to get them addressed.

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Mayor Larson

Mayor Larson said that she disagreed with Trustee Caulfield's comments that these items are not being addressed. She said that he had four years as Finance Chair to address them and we have been in office nine months and we're being criticized because we haven't completely turned it around. She said that we are going down that road and we are trying to get our house in order and she apologized if it wasn't being addressed quickly enough for Trustee Caulfield.

Comment – Trustee Hanson

Trustee Hanson said that most of us we're sitting here these past four years and we should all look at ourselves. We can't change the past and we are definitely part of the solution. He said that he felt for Trustee Caulfield and unfortunately he can hear Trustee Caulfield sometimes echoing the past and we should all care about what it is today and what we're going to do to fix it.

Comment – Trustee Turner

Trustee Turner said that she believed Trustee Porch was only reflecting the timeline for clarification purposes in the record and for those present in the audience.

Comment – Trustee Caulfield

Trustee Caulfield said "I think that it's important that we talked about the last year and these are prior comments and I think it's important to note that this Board specifically restricted funding and the type of personnel that could address those issues." He said "if you combine this Board's action the last year of that four year term with the first nine months of what I've seen so far, I hope I'm wrong and I challenge the Board and the new Finance Chair to remedy these prior problems and make sure they don't happen again."

Mayor Larson

Mayor Larson said that is what we are trying to do and she asked Mr. Amen continue with the review of the Audit. Mr. Amen reviewed the 2004-2005 Audit as distributed and said this is an unqualified audit opinion which is the highest opinion that can be received and the financial statements are materially correct. He suggested the Board review the management discussion portion of the audit and he gave Finance Director Joy McCarthy and Administrator Haley credit for their efforts. Mr. Amen again thanked Finance Director Joy McCarthy for all her hard work. He said it was a long grueling process to get through the audit this year with the change in staff.

Comment – Trustee Pierce

Trustee Pierce thanked Joy McCarthy for her efforts and asked Mr. Amen about dual reporting. Mr. Amen said GASB34 has been in the works for about 25 years and about six years ago they got it passed into a format where government agencies approved it. He said the good news about GASB34 is the dual perspective is internally managed and staff reporting, from an accounting perspective, would not be changed. He explained that staff would report the financial information on a month to month basis and the preparation for the audit would be the same way as they have done in the past. The difference is that the auditor would take that set of financial information under modified dual basis and make conversion pages to adjust it to the full accrual. Trustee Pierce asked if the Village is currently in compliance with GASB34. Mr. Amen confirmed that the Village is in compliance with everything that we need to be in compliance with for this year.

Comment – Trustee Caulfield

Trustee Caulfield referred to Trustee Pierce's comments regarding GASB34 and asked what year was Trustee Pierce talking about. Trustee Pierce responded that he is referring to the year in the report before him. Trustee Caulfield asked Mr. Amen if there were GASB34 requirements for this year in terms of the reporting. Mr. Amen said the GASB34 was implemented in April 2005 year and from this point going forward the Village would always have to adhere to GASB34. Mr. Amen further explained the Village was in what has been coined Phase 3 (based on the dollar size of the Village) of the GASB34 program and so the Village was in the last group that would have to implement GASB34. He also said that any governmental agency across the United States has to comply with GASB34.

Administrator Haley

Administrator Haley thanked Ron Amen of Lauterbach & Amen LLP for his presentation. He said that in spite of the loss of the three finance department employees, under Joy McCarthy's direction, the new staff was able to supply the accounting firm with all the necessary documents for this very successful and positive audit report. He said that not only did they accomplish that but they have been very much aware of last year's management letter and in fact have prepared draft copies of all of the suggested policies. Administrator Haley said that we have draft copies of the fixed asset policy, outstanding check policy, investment policy and the reserve fund policy which the audit doesn't even list as a requirement. He said that we have the personnel situation now under control with the addition of the human resources manager.

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He also talked about the hotel tax and the police pension issues and that he is setting up a meeting with staff and Police Pension Board to look at those recommendations. Administrator Haley discussed the continuing issue of too many accounts and he spoke of his issue with that based on what some of the elected officials have told him and the finance staff on how they want some particular funds in separate accounts. He said that it's important the Board knows that we were waiting for this management letter before we started working on some of the comments that were made in the previous year. Administrator Haley said that we have a package of draft policies that will be presented to the finance committee in a short order.

Sewer Use & Pretreatment Ordinances as prepared by Baxter & Woodman Consulting Engineers – Administrator Haley said pursuant to our USEPA order concerning our procedures and most importantly our pretreatment activity, we have engaged Baxter & Woodman in the updating of our pretreatment ordinances and the associated fees relative to pretreatment to be in compliance. He said this process involved a physical survey of all of the commercial industrial users on the system, identification of those users that would fall in the pretreatment category and a review of our existing pretreatment ordinances and regulations as they relate to USEPA regulations. Administrator Haley reported that after many compliance meetings with both consultants and the USEPA we are now in compliance with the order after we submit the approved ordinance presented tonight. He said the ordinance has been reviewed by the USEPA for content and is in fact in a format that they require. He asked that when the Ordinance is considered later in the agenda, the Board vote to approve the ordinance, waiving the first and second reading so we could get an approved Ordinance to the USEPA in a timely fashion.

Request for authorization to petition for annexation of the former Bittner property – Administrator Haley said the Board is aware that we recently purchased the 12-acre property commonly known as the Bittner parcel, PIN 02-09-100-002. He is aware that many meetings will be scheduled and focus groups formed to assist the Board in the development of that piece as a recreational area. He said that now that we have closed on the purchase of this site, it would be appropriate to annex the parcel and the adjacent North Avenue right-of-way into the Village and he requested authorization from the Village Board to annex the property.

Trustee Turner moved, seconded by Trustee Pierce to direct the Director of Planning, Zoning and Building to prepare a petition and related documentation for annexation of the Bittner parcel to the Village. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

Other Business - Committee of the Whole Meeting regarding Downtown Route 83 Corridor Study – Administrator Haley said he would like to schedule a Committee of Whole meeting to review the Downtown and Route 83 Corridor Study presentation. He said the meeting should last about two and half hours and he asked if the Board would be available to meet on February 2, 2006. Following further discussion, Village Clerk Candi Rowe will contact the Board members to get a consensus on a meeting date.

COMMUNICATIONS

No report.

CITIZENS WISHING TO ADDRESS THE BOARD

James Freedman – Rembrandt Drive resident expressed his concerns regarding the proposed aquatic center. Mr. Freedman said that he lives in the Arbors of Windmill Creek subdivision and although he is representing some of the residents, he is not representing all of them. He said the land acquisition and annexation is fine, but the idea of hiring the architect firm of PHN and the use of the property brings grave concerns for him and many residents of the Arbors of Windmill Creek. Mr. Freedman said that in reading the newspaper articles, he is concerned about the intrusion of their privacy, safety of no outlet streets, water drainage, trespassing on their private walking path, the preservation of the wetlands, increased traffic, and parking on streets, lighting, noise, garbage, 400-500 car parking lot, outdoor sports and the increased cost for police and security patrol. Mr. Freedman also asked who would be able to use the aquatic and recreation center, if it would be gated or membership only. He also indicated that the entrance of the recreation center would be the residential street.

Mayor Larson

Mayor Larson corrected Mr. Freedman and asked where he got the idea that we would be using the subdivision to enter the aquatic center. She said that was never part of the discussion. Mr. Freedman responded that he knew that and that is why he is bringing it up. Mr. Freedman said that in between the two homes in the subdivision that a parking lot was built. Mayor Larson said that it was not a parking lot, its access to the property that we own. Mayor Larson wanted to make sure that Mr. Freedman knew that it was for access purposes only and

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she wanted to correct any misinformation that Mr. Freedman indicated. Mayor Larson went on to say that “we do not have a plan in place for the aquatic center yet. We are about to create an ad-hoc committee that would make recommendations to the Park Board on how that park could be developed.” Mayor Larson said Mr. Freedman is welcome to attend any of those public meetings and we would welcome input from the citizens of the community. She said we don’t intend to run 400-500 cars through Mr. Freedman’s subdivision. She said we intend to have a clearly marked entrance, she hopes that we could have it further east of the lot lines so there is no confusion to anyone entering the aquatic center. Mayor Larson said that we want to be good neighbors to the people in that neighborhood and we are going to do what is right for all of the neighbors there and if they have concerns we do want to hear them. She said at this point, she thought some of the things that Mr. Freedman brought up were premature because we don’t have a plan in place yet.

LEGISLATIVE AND HUMAN RESOURCES

No report.

PLANNING, ZONING AND BUILDING, SENIOR SERVICES

P&Z Board’s recommendation concerning PZB05-12; variation at Spafford and Filweber, SE Corner, Bill Schneider, Strategic Management Concepts – Trustee Turner reviewed the following letter dated December 14, 2005 from the Planning and Zoning Board regarding PZB05-12; Variation at Spafford and Filweber, SE Corner.

The Combined Planning Commission and Zoning Board conducted a public hearing on December 8, 2005, following notification as required by State Law and Village Ordinance.

The petitioner is Bill Schneider of Strategic Managements Concepts. The hearing opened with his petition presentation and reply to a number of the comments raised in the staff report. Mr. Schneider offered additional exhibits as part of the petition including architectural concepts and a revised lot layout, which would provide each unit with a useable (approx 19 feet in depth) back yard. The petitioner offered his rebuttal against some of the conditions of approval. He stated that the work within the right of way, which included the installation of a sidewalk and under grounding the overhead utility lines were not necessary improvements and should be omitted from the Board recommendation.

Much of the Board discussion focused on the connection between Mr. Schneider’s development currently under construction at the east end of Filweber Court development and Spafford/Filweber variation petition. At the expense of the developer, improvements to the storm water lines within the street are being upgraded by Mr. Schneider to accommodate his already approved development. Mr. Schneider stated that the additional development on Spafford will allow him to mitigate some of the storm water infrastructure costs.

Ray Toft, owner of 1005 Spafford Street, raised the issue of historic stormwater management problems in the immediate area. Mr. Schneider stated that the improvements within the right of way would help alleviate some of the area’s drainage problems since his Filweber site will accommodate both on and off site stormwater flows.

Dustin Nilsen, Senior Planner presented his brief report. In response to the stormwater issue, it was made clear that at the variation concept level of review staff could not evaluate the site’s ability to control stormwater and drainage impacts. He indicated that if the board sought to approve the variation the following conditions should be included.

- That public improvements including the under grounding of on-site overhead utilities be made by the developer to the Spafford and Filweber right’s of way. The improvements shall include the installation of sidewalks, street trees, curb and gutter.*
- That a site development plan be submitted and approved by staff in order to evaluate the ability of the site to manage new waste water as well as storm water quality and detention.*
- That architectural elevations be submitted and approved by staff in order to assure design quality and compatibly with the surrounding residences. These drawings shall demonstrate compliance with the masonry requirements of the area, reflect the historical residential character of the single family residences, and provide significant architectural features on elevations visible from the public right of way.*
- That the petitioner provides a cash in lieu of land dedications to parks pursuant to title 11-3-8 of the Village Code.*
- That a landscape plan be submitted in conjunction with the site development plan for compliance with landscape, open space and tree mitigation requirements.*

Following further P&Z Board deliberation, Member LaReese moved to approve PZB05-12 with conditions and Member Kaiser seconded the motion. YES: 5: Cole, Kaiser, Keller, LaReese and Baba. NO: 0. ABSENT: 1: Ipsen. The motion to approve the variation carried. Therefore, the Planning and Zoning Board recommends approval of PZB05-12 with the aforementioned conditions.

Trustee Turner also read aloud the letter from William Schneider, Strategic Management Concepts LLC, dated December 8, 2005. The letter respectfully requested the Board to recommend approval for the 4-unit attached town home plan to the Village Board with the conditions listed in his letter, rather than staff recommendations.

Trustee Turner moved, seconded by Trustee Pierce to *deny* the variation request by Bill Schroeder, Strategic Management Concepts, LLC PZB05-12 based on the developers letter dated December 8, 2005.

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Comment – Trustee Hanson

Trustee Hanson asked Attorney DeMartini what right the developer would have in this case, based on the fact that he writes a letter listing his conditions for approval. Attorney DeMartini said the Board can't make a motion to deny or approve based upon what the developer listed in his letter. He said the only motion the Board should consider is to accept or deny what's already been through the Planning and Zoning process. He said the developer's letter is asking for another variance that wasn't in his initial petition.

Trustee Hanson said the recommendation from the Planning and Zoning Board was to approve with conditions and he questioned the motion to deny. Attorney DeMartini said the motion is to deny the request all together which is appropriate.

Comment – Trustee Turner

Trustee Turner said the Planning and Zoning Board made a recommendation with conditions, the developer indicated that he would like the Board to consider conditions that were not recommended by the Planning and Zoning Board.

Senior Planner, Dustin Nilsen

Senior Planner Dustin Nilsen, responding to Trustee Hanson's question regarding what would be allowable on the property without a variance, responded that 3-units would be allowed. Senior Planner Nilsen said this site is R-5 and by right, at this time, the developer would be allowed to build 3-units at 3500 square feet each. He said the developers request for 4-units require the variation. He said from staff's perspective we hope to get a product that fits within this neighborhood with architectural style and building fronts and with the request variation came these conditions for approval.

Comment – Trustee Caulfield

Trustee Caulfield said that it appears to him and that it's hard to imagine this recommendation coming out of planning and zoning. He said it seems like there might have been time for more discussion with these issues. He said that he wasn't at those meetings and asked if there wasn't good dialog at those meetings and was the petitioner's reply a surprising reply or were these items not discussed at planning and zoning. Trustee McCarty said that it was a surprise to him.

Senior Planner, Dustin Nilsen

Mr. Nilsen said that we provided the petitioner our staff report raising the concerns that we had with the variation request. The letter from the developer was in response to the staff report. Trustee Hanson asked to see a copy of the staff report.

Comment – Trustee Caulfield

Trustee Caulfield said that it looked like this was a very nice development and the petitioner's recommendations could be a fit or some working agreement in between if somebody would have sat down and talked about it. It surprised him that it got to this point without that happening because it seemed like we're so far apart.

Mayor Larson

Mayor Larson said that she believed the petitioner was at the committee and never expressed any interest to add comment. She said we discussed at length every item that staff had asked for and we were very specific at that meeting that these were not things that were negotiable, these were things that would be part of the approval process and he didn't say anything and she assumed that he agreed to the recommendations.

Comment – Trustee McCarty

Trustee McCarty said this went beyond the planning and zoning board and that it went to committee where we discussed the items at length and representative for the petitioner was there. He said this was not something that is new; they were involved in the public process, they were approved with conditions and apparently the conditions are not satisfactory to what they want to do for the development.

Comment – Trustee Turner

Trustee Turner reviewed the letter from the developer where it states they would like the variation approved with the conditions they listed rather than staff recommendations.

Mayor Larson

Mayor Larson said that very often the public have criticized the Board because they believe the developers have free reign. She said this is an opportunity for us to negotiate and to get what we think is best for the Village.

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Trustee McCarty

Trustee McCarty discussed the approval process and indicated that if the developer felt it was a financial concern to him to comply with the recommendations, he could resubmit a petition and begin the process again.

Comment – Trustee Pierce

Trustee Pierce asked for a five minute break at 8:45 p.m.

The meeting resumed at 8:52 p.m.

Comment – Trustee Caulfield

Trustee Caulfield said that he is concerned that the last break was potential or least perceived opportunity for what he considered a violation of the open meetings act. He said that his understanding of the act is that a discussion of an issue that is going to be voted on by the Board by a majority of quorum of a committee is a violation. He said that he perceived that to be happening when he saw a discussion between three trustees that could have been regarding the motion that is on the table. He said that he can't prove it because he didn't hear their discussion and he thought it coincided with the suggestion for a break. Mayor Larson asked Trustee Caulfield if he was making a formal grievance. Trustee Caulfield said that he's not making a grievance at this time.

Comment – Trustee Pierce

Trustee Pierce said that he wanted to state for the record that he had to take a break because of his medication.

Trustee Pierce withdrew his second and asked the committee to table this discussion. He stated that he is against this variation because he thinks it's wrong and oversized and he thinks we should table it and have another meeting on it. Mayor Larson said that she would prefer to table this than to vote negatively on it and have the petitioner go through the whole process again. She said it would be better if this could be resolved.

Dustin Nilsen, Senior Planner

Senior Planner Nilsen said the petitioner has agreed to the conditions set forth by staff as stated in the planning and zoning board's letter of recommendation. He explained the petitioner's letter that was provided to the Village Board was sent to the planning and zoning board in response to staff comments.

There was a discussion regarding the motion that was on the table. Trustee Turner withdrew her motion to deny.

Trustee Caulfield moved, seconded by Trustee McCarty to approve the variation request for the SE corner of Filweber and Spafford PZB 05-12 based on planning and zoning board's recommendation with staff conditions and authorizes the Village Attorney to draft the appropriate ordinance.

Comment – Trustee Pierce

Trustee Pierce asked if we received from the petitioner in writing that he agrees with all the recommendations. Senior Planner Nilsen said that we have not received it in writing.

Comment – Trustee Turner

Trustee Turner said that she would rather put this back into committee so we could get the petitioner's response in writing.

Mayor Larson

Mayor Larson said the petitioner is present in the audience and possibly we could get him to agree with the conditions verbally for the record.

Mr. William Schneider

Mr. Schneider said that for clarification, his letter dated December 8, 2005 was his response to staff comments. He said that he understood the approval process and at the hearing he tried to get what they wanted. He said that we didn't get it and that he would agree with all the conditions as listed and he would be happy to put that in writing.

Comment – Trustee Porch

Trustee Porch said that we don't necessarily need the petitioner to agree to the conditions this evening. We are basically approving the planning and zoning board's recommendation and it would be up to him to comply with those recommendations. Attorney DeMartini stated that was correct. Trustee Porch also asked whether the petitioner's letter dated December 8, 2005 was a factor and she thought the motion is regarding the planning and

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zoning board's letter of recommendation. Attorney DeMartini said the letter from the developer should not be taken into consideration regarding this motion.

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

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

NO: 1: Pierce.

THE MOTION CARRIED.

Resolution stating the Village Board policy concerning annexation of properties for with residential development is proposed or contemplated – Following Trustee Turner reading the resolution aloud, it was moved by Trustee Turner, seconded by Trustee Pierce to approve as read **Resolution 06-01**, entitled, **A RESOLUTION STATING VILLAGE BOARD POLICY CONCERNING ANNEXATION OF PROPERTIES FOR WHICH RESIDENTIAL DEVELOPMENT IS PROPOSED OR CONTEMPLATED.**

Comment – Trustee Hanson

Trustee Hanson asked if Section III meant it would be any kind of zoning. Mayor Larson said that she believed it is referring to residential development. Attorney DeMartini said Section III refers to residential.

Comment – Trustee Caulfield

Trustee Caulfield said the he was not aware and he may have missed the meeting, but he is not aware where this Board discussed the seriousness of the potable water. Mayor Larson said that we have had committee meeting with representatives from WRT. Trustee Caulfield said that he doesn't recall this coming across the radar. Trustee Pierce said this was discussed under his committee and made sure the Trustees knew about the meeting and that it was posted and minutes were distributed.

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

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

NO: 0.

THE MOTION CARRIED.

ENGINEERING, PUBLIC WORKS AND UTILITIES

No report.

FINANCE, ECONOMIC AND REDEVELOPMENT

Invoices over \$10,000 – Trustee Porch reviewed the informational report dated January 17, 2006 prepared by village staff showing invoices over \$10,000 and totaling \$159,721.68. Invoices listed were: Applied Technologies in the amount \$71,280.00 for WWTP Services through 12/25/05; B&F Technical Code Services in the amount of \$10,454.68 for inspections; Great West Casualty Company as Subrogee in the amount of \$21,875.00 for 2nd JVH Release Agreement; Lyons-Ryan Ford in the amount of \$43,612.00 for vehicles; The Goodness Company in the amount of \$12,500.00 for the balance of the project fee.

Summary of Escrow Report – Trustee Porch reviewed the informational report dated January 17, 2006 prepared by village staff showing escrow payments in the amount of \$17,773.81.

Authorize payment of SSA accounts payable - Trustee Porch moved, seconded by Trustee Turner to authorize payment of SSA accounts payable in the amount of \$32.79 dated January 17, 2006 and as prepared by village staff. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

Accounts Payable – Trustee Porch moved, seconded by Trustee Pierce to approve as presented and authorize payment of accounts payable as prepared by village staff and dated January 17, 2006 in the amount of \$261,370.30.

Comment – Trustee Pierce

Trustee Pierce explained that payment to Antioch Veteran's Cab is the village's share of the cab program.

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

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

NO: 0.

THE MOTION CARRIED.

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Manual Checks – Trustee Porch moved, seconded by Trustee McCarty to approve the manual checks report dated January 12, 2006 as prepared by village staff in the amount of \$12,979.98.

Comment – Trustee Caulfield

Trustee Caulfield questioned the payment to the Goodness Company and he referred to the report regarding invoices listed over \$10,000 which list the payment as \$12,500. He said the he notices two different invoice numbers and on the manual checks report it's listed at 50% of the project fee. He questioned if that was the first payment or the second. Administrator Haley said the manual check is the first payment and the second payment is listed on the accounts payable report. Trustee Caulfield said that he wasn't in favor of this study or using those funds for this without a budget or plan and he wondered if it's necessary to pay for the complete project before it's really even started.

Comment – Trustee Porch

Trustee Porch explained the payment requirements in the approved contract. Trustee Caulfield said the village board approved paying for a project from a firm who has no history of doing village marketing like we're doing or proposing to receive from this company. He said that he is not discrediting the company, but the references and anything that he has read don't relate to them as being a PR firm for a village. Trustee Porch said the village board approved hiring the Goodness Company, the contract was in the agenda packet and the contract stated the payment schedule.

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

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

NO: 0.

THE MOTION CARRIED.

Payroll Expense Report dated January 13, 2006 – Trustee Porch moved, seconded by Trustee Pierce to approve the Payroll Expense Report dated January 13, 2006 in the amount \$232,662.94 as presented. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

Financial Report for the month ending December 31, 2005 – Trustee Porch reviewed the informational financial report for the month ending December 31, 2005 showing an ending balance of \$11,879,120.73. Trustee Porch also reviewed the Treasurer's report which is a similar report, but excluding SSA and Police Pension because those are not funds that are used to run the village. She said there is also a chart showing our different investments and various funds.

Approve 2004-2005 Audit as prepared and presented by Lauterbach & Amen LLP –

Trustee Porch moved, seconded by Trustee Caulfield to approve the 2004-2005 Audit as presented. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

Antioch Chamber of Commerce 2006 Events – Trustee Porch introduced Kevin Schoudel, Antioch Chamber of Commerce vice-president and said that she would be abstaining from the vote regarding the Chamber's request because she is an employee of the Chamber.

Kevin Schoudel thanked the Board for the opportunity to address them and he discussed the road closures that would have to take place for the 2006 events. He said that in the past, Trustee Porch as Chamber Executive Director has done a fine job working with the police department making sure the traffic flow is safe. Mr. Schoudel respectfully requested the closure of the roads for the events as listed in the board packet.

Mayor Larson

Mayor Larson said that she knows that we have done this now for a few years and we're very good about getting the signage out early enough so that people are aware when and where these events would take place. Mr. Schoudel said that it has gotten better every year and Mayor Larson agreed and we have shortened the prep time that is needed for some of these events to take place as well.

Trustee Turner moved, seconded by Trustee McCarty to approve the road closure for the 2006 Antioch Chamber of Commerce events as listed. Summer Arts & Crafts Faire – June 17-18, 2006; Antioch Taste of Summer – July 20-23, 2006 and Fall Arts & Crafts Faire – September 9-10, 2006.

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Comment – Trustee Caulfield

Trustee Caulfield asked if Lee Shannon, public safety inspector was consulted on these road closures again and has the professional opinion of those that need to provide emergency services for the village changed. He asked if they are still in disagreement with the closure of the road or have they changed their opinion. Trustee Porch responded that the Chamber spoke with the Director of Community Services. Trustee Caulfield said that we didn't take their advice last year and he wondered if we were not taking their advice again this year. Kevin Schoudel said that he didn't approach anyone from the Village this year. He said this is a standard procedure that has been done every year.

Mayor Larson

Mayor Larson said that in the past we have chosen to approve these events and Skidmore Drive was set up for to have the events there and in the adjacent area. She said it's the Board's right to make this decision and the Trustees now have an opportunity to vote whether to approve, or not to approve these events.

Comment – Trustee Caulfield

Trustee Caulfield said that he knows that Lee Shannon was given a letter of appreciation from FEMA a few weeks ago. He discussed the New Orleans hurricane tragedy and questioned the public safety issues by closing the road. He said that we have been warned and he hopes that nobody gets hurt as a result of this road closure.

Comment – Trustee Pierce

Trustee Pierce said that in the interest of full disclosure, Trustee Porch has been very good to disclose that she works for the Chamber of Commerce and that she would be abstaining from this. He asked Trustee Caulfield in his remarks to also disclose the fact that he is very vocal against the road closure year after year as Trustee Caulfield's sister has who owns Something Sweet. He wondered in the interest of full disclosure if Trustee Caulfield would disclose that relationship to the public to make sure that they know that when he is arguing his point. He said that when it comes to safety of this situation, the village employees have done a wonderful job over the last four or five years and every year increasing the safety and the visibility of the events there. They have done a wonderful job to make sure that we have safe and fun filled family activities and he thinks it's wrong of Trustee Caulfield to try to scare people into thinking that there is a dangerous situation.

Comment – Trustee Caulfield

Trustee Caulfield said that he has had problems turning left in the past but admitted the signage was better last year but it doesn't change the recommendation. He said that he doesn't have any financial interest in sister's shop and there are other business owners who are also concerned with parking. He questioned whether the public safety personnel were involved in discussions this year. Kevin Schoudel said that he had a conversation with Mr. Shannon last year at the event who was going to make recommendations for them regarding what they need to do at the events and the discussion of road closure never came up once.

Comment – Trustee Turner

Trustee Turner discussed last year's recommendation regarding the road closure may have been due to the administration in place at the time and she believed the village employees were intimidated. She said the signage last year was perfect and every year improvements have been made involving these events. Trustee Turner spoke about the many people who attend these wonderful events and she also discussed the increased downtown walking traffic when these events are held.

Call the question – Trustee Pierce moved, seconded by Trustee Caulfield to call the question. Upon roll call, the vote was:

YES: 4: McCarty, Caulfield, Pierce and Turner.

NO: 0.

PASS: 1: Hanson.

ABSTAIN: 1: Porch.

THE MOTION CARRIED.

Roll call vote – There being no further discussion and upon roll call the vote was:

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

NO: 1: Caulfield.

ABSTAIN: 1: Porch.

THE MOTION CARRIED.

PUBLIC SAFETY, PARKS AND LICENSE

Tag Day Request – American Legion Auxiliary Unit #748 Annual Poppy Days; May 26 & 27, 2006 – Trustee McCarty moved, seconded by Trustee Porch to approve the tag day

APPROVED MINUTES

request for the American Legion Auxiliary Unit #748 to conduct their Annual Poppy Days on May 26 & 27, 2006 in the Village of Antioch. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

Special Event Liquor License – Antioch Junior Woman’s Club Comedy Night; March 4, 2006 – Trustee McCarty moved, seconded by Trustee Porch to issue a special event liquor license to the Antioch Junior Woman’s Club for their Comedy Night being held on March 4, 2006, waiving fee. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

Raffle License – Antioch Junior Woman’s Club – drawing held on March 4, 2006 – Trustee McCarty moved, seconded by Trustee Hanson to issue a raffle license to the Antioch Junior Woman’s Club with the drawing being held on March 4, 2006, waiving fee.

Comment – Trustee Pierce

Trustee Pierce said that he attended this event last year and had a great time. He said they are looking for Mr. Antioch candidates and those interested should contact a member of the organization.

Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

Other Business – Special Event Liquor License - St. Peter’s Church Casino Night – January 28, 2006 – This item will be placed on the February 6, 2006 agenda for ratification.

DELINQUENT ESCROW ACCOUNTS

Other Business – Plan for Chamber Events – Trustee Hanson suggested that the Administrator work with the emergency management services and come up with a plan that would make these events better. Mayor Larson said that sounds like a reasonable solution.

ATTORNEY

Village of Antioch Sewer Use and Pretreatment Ordinance – Attorney DeMartini introduced the Antioch Sewer Use and Pretreatment Ordinance for review.

Trustee Pierce moved, seconded by Trustee Turner to waive the first and second reading and approve ordinances entitled, **AN ORDINANCE AMENDING TITLE 8 OF THE ANTIOCH ILLINIOS VILLAGE CODE BY ESTABLISHING REVISED SEWER USE AND PRETREATMENT REGULATIONS, REPEALING AND REPLACING CHAPTER 8-2, SEWERAGE SYSTEM REGULATIONS, REPEALING CHAPTER 8-2A, SEWAGE PRETREATMENT REGULATIONS, ESTABLISHING A NEW CHAPTER 8-2 ENTITLED SEWER USE AND PRETREATMENT AND ESTABLISHING A NEW CHAPTER 8-2A ENTITLED LOCAL LIMITS REGULATIONS** and **AN ORDINANCE REGARDING FEES FOR NON-RESIDENTIAL SEWER SYSTEM CONNECTIONS AND USAGE**. Ordinance Nos. **06-01-01** and **06-01-02** respectively.

Comment – Trustee Caulfield

Trustee Caulfield said the agenda only listed one ordinance for first reading and since we didn’t amend the agenda in the beginning he challenged the second ordinance. Attorney DeMartini said the second ordinance is not listed on the agenda and it would be placed on the next agenda for consideration.

Trustee Turner amended her seconded and Trustee Pierce amended his motion to waive the first and second reading and approve ordinance **06-01-01**, entitled, **AN ORDINANCE AMENDING TITLE 8 OF THE ANTIOCH ILLINIOS VILLAGE CODE BY ESTABLISHING REVISED SEWER USE AND PRETREATMENT REGULATIONS, REPEALING AND REPLACING CHAPTER 8-2, SEWERAGE SYSTEM REGULATIONS, REPEALING CHAPTER 8-2A, SEWAGE PRETREATMENT REGULATIONS, ESTABLISHING A NEW CHAPTER 8-2 ENTITLED SEWER USE AND PRETREATMENT AND ESTABLISHING A NEW CHAPTER 8-2A ENTITLED LOCAL LIMITS REGULATIONS**.

Comment – Trustee Pierce

Trustee Pierce asked administrator Haley if there is a due date for the EPA to receive the amended ordinance. Administrator Haley said they are waiting for the first ordinance; the fee ordinance could be placed on the next agenda.

APPROVED MINUTES

Comment – Trustee Hanson

Trustee Hanson questioned the ordinance not being listed on the agenda exactly as read. Attorney DeMartini said the title doesn't have to be exact but it has to give proper notice to the public as to what is being voted on.

Comment – Trustee Caulfield

Trustee Caulfield asked about the village's status accepting leachate from the landfill and how this ordinance affects that. Mayor Larson said that we're not accepting it. Administrator Haley said this ordinance does not affect whether or not we accept it.

Comment – Trustee Turner

Trustee Turner said there was a committee meeting regarding this. Trustee Caulfield said that "he understands and unlike some of us on the Board, some of us actually have other things to do beside go to committee meetings." Trustee Turner said "that you were elected to do that." Trustee Caulfield said "I was not elected to go to your committee meeting." Trustee Caulfield said that it looks like this document has the potential to affect the decision on accepting leachate or not and he asked for a qualified opinion from somebody on staff.

Keith Fujihara, Engineer

Village Engineer Fujihara said this document doesn't have anything to do with that specifically. He said the ordinance before the Board is an ordinance that has been used by other communities and approved by the USEPA and IEPA. Mr. Fujihara said that if for instance the landfill should have contaminants that would make it an industrial user then they would have to meet the State of Illinois requirements. He said that everything that we regulate is at the direction of the State of Illinois. Trustee Caulfield asked if this ordinance modifies our requirements in any way that would make accepting leachate more favorable than it is now and he asked which document we would go to in the village to find out what the specs were. Engineer Fujihara said we would refer to this ordinance.

Comment – Trustee Pierce

Trustee Pierce said that the standards that are in the ordinance are set by the State and USEPA. They are not standards that we are setting and we passed this ordinance four years ago. We are amending the required ordinance to make sure we remain in compliance with the EPA requirements.

Comment – Trustee Caulfield

Trustee Caulfield said that it's possible that this document could contain looser regulations than our previous regulations. Engineer Fujihara responded no and that the limits in this document are the same as what we have in the previous document.

Roll call vote – There being no further discussion and upon roll call the vote was:

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

NO: 0.

THE MOTION CARRIED.

ADJOURNMENT

There being no further discussion, Trustee Porch moved seconded by Trustee McCarty to adjourn the regular meeting of the Board of Trustees at 9:45 p.m.

Respectfully submitted,

Candi L. Rowe RMC, CMC
Village Clerk