

# APPROVED MINUTES

**VILLAGE OF ANTIOCH  
BOARD OF TRUSTEES, FEBRUARY 6, 2006 CONTINUED MEETING  
Municipal Building: 874 Main Street, Antioch, IL  
February 8, 2006**

## **CALL TO ORDER**

Mayor Larson called the February 6, 2006 continued meeting of the Board of Trustees to order at 6:45 PM in the Municipal Building: 874 Main Street, Antioch, IL.

## **ROLL CALL**

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

**Approval of the Severance Agreement and General Release for Charles Fagan –** Trustee Turner moved, seconded by Trustee Caulfield to approve the severance agreement and general release for Charles Fagan as presented.

## **Comment – Trustee Porch**

Trustee Porch would like to remove the 35 days of sick time on page 2 Section 3A. She said that she researched a similar agreement with former Police Chief Watkins who did not get paid for any unused sick time and she is not aware of any other staff person being paid for unused sick time.

## **Comment – Trustee Caulfield**

Trustee Caulfield asked how this agreement compared to Elliot Liebson and Alan Probst. Administrator Haley said that he researched it and to his knowledge Mr. Probst final pay did not come before the village board, but there is a record of it. He said that Trustee Porch is correct in that Mr. Probst did not get paid for unused sick time. Administrator Haley reported that in the meeting with Attorney Magna and Charles Fagan they agreed to include the sick time in the severance agreement; however the decision is up to the Village Board.

## **Comment – Trustee Turner**

Trustee Turner would like to leave the motion as it stands and approve the agreement as presented.

## **Comment – Trustee Hanson**

Trustee Hanson said that he thought this should have been done differently and the agreement should have been discussed with the village board first. Mayor Larson said that she believed the package was a fair since Mr. Fagan was not being appointed as police chief. She said if the Board chooses not to approve the agreement, there isn't another proposal on the table. Trustee Hanson said that the Board should have been involved in the agreement discussions in the beginning and it should not have been the Village Attorney or Village Administrator.

## **Attorney Magna**

Attorney Magna explained that one thing made perfectly clear to former Chief Fagan when he and Administrator Haley met with him which was fully understood by Mr. Fagan that the proposal had to come before the village board. He said if the Board would like to take a week, a month or year to fully consider this, or send him, Administrator Haley or anyone else back to negotiate with former Chief Fagan, the Board could do that. He said that former Chief Fagan understood that a new Chief of Police was going to be appointed. Attorney Magna said what the Board has before them tonight, is what he, Administrator Haley and former Chief Fagan were able to come to a tentative understanding in order to obtain his general release and the specific release as contained. Attorney Magna further explained that by no means was it ever represented to him otherwise and Mr. Fagan was fully aware the document was merely tentative. He said the Board could take as much time they might need or to send it back for further negotiation. He said that this document is the fair thing to do when a department head is leaving. He also wanted the Board to understand that they are not bound by the document nor has the word agreement ever been used in discussions with former Chief Fagan.

## **Comment – Trustee Caulfield**

Trustee Caulfield read aloud certain sections of the severance agreement and general release on pages 1 and 12. He said that he didn't see any wording that said it required Board approval.

## **Attorney Magna**

Attorney Magna said this is why the document is brought to the Board for consideration. The Chief has tendered a unilateral letter of resignation and what they did as a matter of

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convenience was combine it. He further explained that these are delicate times when there's a change in the top department head and sometimes where you would rather just tender a resignation. He said because this is an appointed position, the tendering of a resignation does not have any effect because the Statute governs that situation and a new Chief has been appointed. He said that Chief Fagan was a carry over appointment and has now been replaced. He said there is nothing binding in the document, and is not anything that the Village has agreed to and that it why it's on the agenda for consideration tonight.

### **Comment – Trustee Caulfield**

Trustee Caulfield said that he is just trying to get to the bottom and he wants to know why.

### **Attorney Magna**

Attorney Magna said that this document is a proposal until it goes through the formal process. He said this is part of the process and it is his recommendation to always have the other party sign first so that the moment the Board agrees and passes the proposal, we have a deal, rather than going back for additional signatures. He said that he and Administrator Haley were charged with sitting down with former Chief Fagan to discuss and develop a scope of a settlement that he would feel would be fair and reasonable severance. Attorney Magna discussed that this is nothing unusual and is done in both the private and public sector. He said whether the Board chooses to approve the proposal or not, there would be nothing damaging the village by way of a claim for breach of contract because there is no contract unless it's approved.

**Call the Question** – Trustee McCarty moved, seconded by Trustee Porch to call the question. Upon roll call, the vote was:

**YES: 4:** Hanson, McCarty, Porch and Turner.

**NO: 1:** Caulfield.

**ABSENT: 1:** Pierce.

**THE MOTION CARRIED.**

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

**YES: 4:** Hanson, McCarty, Caulfield and Turner.

**NO: 1:** Porch.

**ABSENT: 1:** Pierce.

**THE MOTION CARRIED.**

**Approval to hire Vedder Price as representative for the Village of Antioch regarding the Operating Engineers, Local No. 150, 2006 Collective Bargaining, 2006 Negotiations** - Trustee Turner moved, seconded by Trustee McCarty to approve hiring Vedder Price as representative for the Village of Antioch regarding the Operating Engineers, Local No. 150, 2006 Collective Bargaining, 2006 Negotiations. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** Pierce.

**THE MOTION CARRIED.**

### **ADJOURNMENT**

There being no further discussion, Trustee Porch moved, seconded by Trustee Caulfield to adjourn the continued meeting at 7:01 p.m.. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** Pierce.

**THE MOTION CARRIED.**

Respectfully submitted,

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Candi L. Rowe RMC, CMC  
Village Clerk

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**VILLAGE OF ANTIOCH**  
**BOARD OF TRUSTEES, COMMITTEE OF THE WHOLE MEETING**  
**Municipal Building: 874 Main Street, Antioch, IL**  
**February 8, 2006**

**CALL TO ORDER**

Mayor Larson called the February 8, 2006 Committee of the Whole meeting to order at 7:02 PM in the Municipal Building: 874 Main Street, Antioch, IL.

**ROLL CALL**

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

**Route 83 Corridor Study**

Mark Baker from SEC Planning, Valerie Kretchmer and Laurie Marston from Valerie Kretchmer and Associates, Vicki Granacki and Laurie Ramsey from Granacki and Associates reviewed their presentation regarding the Route 83 Corridor Study.

Mr. Baker gave a brief overview of the process and the initial steps that were taken such as taking a photographic inventory of their first impressions and recommendations of the various zones. He also discussed the survey and tabulated the results from the community, local business owners concerns and held a public open house. Mr. Baker discussed their recommendations regarding the residential, retail, office space and industrial market areas of the corridor.

Ms. Valerie Kretchmer discussed the market study and residential condominiums possibilities. She said they would be looking for 30 – 50 units and discussed the initial time that it may take to market this type of development. She also discussed the retail opportunities, office space and industrial park areas. Ms. Kretchmer discussed the Antioch Shopping Plaza recent façade improvements being important to the downtown area.

Mr. Mark Baker reviewed the draft land use plan showing the mixed uses extending to Hillside Avenue. He also reviewed the industrial area and the potential for multi-family and multi-level parking uses in the downtown area. Mr. Baker also discussed IDOT's 5-year plan and said efforts should be coordinated with IDOT for the intersection at 173 and Main Street; street trees and sidewalks from Route 173 to North Avenue, utilities underground and the possibility of an alternate truck route. He discussed Route 173 and 83 being a main entrance to the downtown area and suggested having the road stamped at that intersection and working with IDOT's improvements at the same time. Mr. Baker also discussed walkways from parking lot areas and the enhancement of the backside of the buildings on the East side of Main Street.

Ms. Vicki Granacki reviewed the historic survey of the downtown area from Orchard Street to Wilton and Main Street identifying 57 structures with 10 being rated historically significant. She discussed some guidelines and recommendations regarding storefronts, windows and exteriors of certain buildings in the downtown area. She also discussed guidelines for store front improvements and possible tax incentives for the historical buildings.

Ms. Laurie Ramsey discussed commercial zoning, parking regulations, a parking structure dependent on building materials and architectural aspects. She also reviewed the residential zoning and discussed the opportunities for a bed and breakfast. Ms. Ramsey also discussed the TIF District which expires in approximately 18 months. She said the Board has three options to consider which are letting the current TIF District expire, extend the current TIF District for a period up to 12 years, or having the current TIF District expire and adopt a new TIF District with different boundaries.

Members of the Village Board discussed the possible location of a multi-level parking area; the concrete stamping at Route 83 and Route 173, public transportation, and guidelines for new construction and parking areas. There also was a brief discussion regarding the current TIF District and if there was a recommendation from Valerie Kretchmer regarding the TIF District options. Attorney Magna also discussed proposed legislation regarding eminent domain and the limits that may be placed on a municipality turning over this kind of acquired property to a private developer. The IDOT plan showing the turn lanes at Route 173 and Route 83 was also discussed, with verification of state acquiring that property not being known at this time.

Don Skidmore, present in the audience complimented the Board for their efforts regarding this study and recommended they pursue a public use for the property commonly known as the Pittman property. He also discussed the clock tower and the possible location for the clock tower being on Toft Street.

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### **ADJOURNMENT**

There being no further discussion, Trustee Porch moved, seconded by Trustee Turner to adjourn the Committee of the Whole meeting at 9:25 p.m. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** Pierce.

**THE MOTION CARRIED.**

Respectfully submitted,

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Candi L. Rowe RMC, CMC  
Village Clerk