

APPROVED MINUTES

**VILLAGE OF ANTIOCH
BOARD OF TRUSTEES, REGULAR MEETING
Municipal Building: 874 Main Street, Antioch, IL
June 5, 2006**

CALL TO ORDER

Mayor Larson called the June 5, 2006 the 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, roll call indicated the following Trustees were present: Hanson, McCarty, Pierce, Porch and Turner. Also present were Mayor Larson, Administrator Haley, Attorney Magna and Clerk Rowe. Absent: Trustee Caulfield.

Trustee Caulfield arrived at 7:31 PM.

APPROVE BALANCE OF AGENDA FORM

Trustee Porch moved, seconded by Trustee McCarty to approve the balance of the June 5, 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.

MAY 15, 2006 REGULAR MEETING MINUTES

Trustee Porch moved, seconded by Trustee McCarty to approve the May 15, 2006 regular meeting minutes as presented. Upon roll call, the vote was:

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

NO: 0.

ABSTAIN: 1: Pierce.

THE MOTION CARRIED.

PETITIONS / BIDS

No report.

MAYOR

2005 Antioch Queen Photo Presentation – Parks and Recreation Director Laurie Stahl, along with Junior Miss Antioch Bailie Erway and Little Miss Antioch Ellie Bevan presented Mayor Larson with the Antioch Queen Portrait to be displayed in Village Hall. Laurie Stahl said Warren Michael Photography donated the photo and Suzanne's Picture Framing donated the frame. Director Stahl said the 2006 Pageant will be held at 6:30 PM on June 17 at the Antioch High School.

Appoint Lee Shannon as Director of Emergency Management and Leonard Sakalowski as Deputy Director of Emergency Management – Trustee Pierce moved, seconded by Trustee McCarty to confirm the Mayor's appointment of Lee Shannon as Director of Emergency Management and Leonard Sakalowski as Deputy Director of Emergency Management. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

CLERK

Other Business – Waste Management Spring Clean Up – June 10 – Clerk Rowe reported that Spring Clean Up is scheduled for June 10, 2006 and that all items must be curbside by 6:00 a.m. A list of acceptable items has been published in the Village Newsletter and on the Village website.

ADMINISTRATOR

Waste Management rate adjustment effective June 1, 2006 – Administrator Haley reviewed the letter dated May 16, 2006 explaining the rate adjustment that is effective June 1, 2006. Administrator Haley said that according to the contract, Waste Management has the ability to raise their rates and they have notified us they are increasing their rates 3.20% which is due to consumer price index and the landfill fee increase. He said the present cost for a 90 gallon container is \$14.45 a month and would increase to \$14.91 per month. The current cost for the 65 gallon container is \$12.83 and would increase to \$13.24 per month.

Accept TIF District Financial and Compliance Reports – Administrator Haley said the 2004 and 2005 TIF District Financial and Compliance Report included in the packet would bring the Village up to date and he asked the Board accept the reports as presented.

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Trustee Porch moved, seconded by Trustee Turner to accept the TIF District Financial and Compliance Reports for the years ending 2004 and 2005 as presented. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

MFT Resolution for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code – Administrator Haley reviewed the Illinois Department of Transportation Resolution for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code in the amount of \$85,000.00. Mr. Haley said this resolution is approved each year and forwarded to MFT for their records.

Trustee Pierce moved, seconded by Trustee McCarty to approve **Resolution 06-07**, entitled, **2006-2007 Resolution for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code**, in the amount of \$85,000.00. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

Lake Street Streetscape Pay Request No. 2 – Administrator Haley reviewed the letter dated May 31, 2006 from Stephen Frank, Smith Engineering Consultants, Inc., regarding the Lake Street Streetscape Pay Request No. 2 with Phase 1 – TIF District and Phase 2 – Village of Antioch. Mr. Haley explained the pay request is in the amount of \$83,846.39 for Phase 1 in the TIF District and \$188,215.06 in Phase 2 in the Village of Antioch funds. Administrator Haley said we expect to install the street lights in the beginning of July and then the sound system would be installed. The brick inlay on Lake Street will start immediately after the completion of the brick inlay on Main Street and should take about two weeks. Paving of Lake Street would be done later in the year and he will report engineer estimates at the next Finance and Engineering committee meetings.

Trustee Pierce moved, seconded by Trustee McCarty to approve Pay Request No. 2 for the Lake Street Streetscape project in the amount of \$83,846.39 for Phase 1 and \$188,215.06 for Phase 2 and as approved by Smith Engineering Consultants, Inc. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

COMMUNICATIONS

No report.

CITIZENS WISHING TO ADDRESS THE BOARD

Lorrie Ferguson – Infini-tea Restaurant, said there was discussion at a recent meeting that she attended and she said there was some controversy regarding what the parameters of the downtown business district and downtown business corridor are. She asked for clarification on how the Antioch Business District fund relates to the downtown business district and corridor. Administrator Haley reviewed a resolution that was approved March 21, 2005 that committed 25% of new sales tax revenue from the Route 173 commercial corridor into the downtown business district fund. He further explained that the resolution didn't define the downtown business district and he read a portion of the resolution that states: *Whereas, the impact of new retail stores on the existing retail and commercial base of the village should be carefully weighed and considered so that long-time businesses that have formed the core of our retail base do not suffer unfairly from "big box" retail that has the potential to out compete and out market them.*" He also discussed that businesses on North Avenue and Route 83 may be included as 'long-time businesses' because some of those businesses have been there a long time. He also said there are also businesses to the south and the west that have been there a long time. He said the Board may wish to further define this, but to answer Ms. Ferguson's question, the resolution specifically states long time businesses. He read another portion of the resolution that states: *"Whereas the Village Board has found and determined that setting aside a portion of the incremental increase in anticipated sales taxes from the new "big box" retailers for downtown business corridor and will help to ensure that our downtown remains a vital and vibrant part of our community."*

Comment – Trustee Pierce

Trustee Pierce said that he recalled intentionally leaving the resolution vague so we could work with those businesses that need working with wherever they were in the village. He said we have a whole stretch of businesses on Route 83 and Route 59 that we may need to focus on. Trustee Pierce asked Ms. Ferguson if there was a specific concern that she had that the Board could help to address. Ms. Ferguson discussed recent Chamber meetings where it

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was discussed that it was the downtown business fund and they felt they were getting conflicting information. She said that she understood that the fund was created to keep downtown viable.

Mayor Larson

Mayor Larson said the intent of the Village Board was to keep existing businesses competitive and it wasn't a geographic area, but an existing business community which may fall outside of the downtown area.

Comment – Trustee Porch

Trustee Porch said the Board was very specific not to call it a "downtown fund". She said this fund is to benefit the entire business area within the village boundaries and downtown will benefit from it, but as the Mayor said, that's why we kept it general so we could consider different needs throughout the business community.

Comment – Trustee Turner

Trustee Turner said that she recalled some discussion during those meetings and it was brought up that we just confine it to the TIF District and we didn't want to do that. She said the Board at the time also didn't want to limit the fund only to Main and Lake Streets because there are businesses that are outside these areas who consider themselves part of the town. Trustee Turner said that all the businesses are impacted and the Board wanted to make sure there were funds available to help in any way that we could.

Comment – Trustee Hanson

Trustee Hanson said that he specifically recalls the fund being mostly for the downtown because Antioch always had the 'traditional' downtown. He said that North Avenue and Route 59 were not considered traditional. He said that he didn't have a problem with any of these areas, but the downtown area is the oldest part of town with the oldest buildings. He said that the Board should define what downtown really is and he felt that at those meetings we were concerned about the heart of the business core and whatever filters out from there is fine.

Mayor Larson

Mayor Larson said that the downtown area may have been part of the primary concern to the Board, but we have other businesses that we need to be concerned with as well. Mayor Larson said that none of the money is spent without Board approval.

Comment – Trustee McCarthy

Trustee McCarthy said that he believed Trustee Hanson summed it up by using the term "mostly" and in order to incorporate everybody the resolution had to be open-ended. He said to be able to give someone an opportunity to come before us with a project that these funds could be used with we have to keep it open in definition.

Comment – Trustee Turner

Trustee Turner discussed the various corridor studies and said that we can't focus in on one area. She said that when the discussion came up, we wanted to make sure that we encompassed the corridor studies. She said we want our downtown to be vital and take the sales tax revenue to fix the infrastructure and other things that need to be fixed. She said we cannot ignore those businesses that are sitting just outside that have been here a very long time.

Comment – Trustee Pierce

Trustee Pierce said that we are currently spending \$1.2 million dollars on the downtown core. He also discussed the TIF Audits that were approved and there is money being focused in the downtown area for the vitality of our business districts. Trustee Pierce also said that entrances to town must also be maintained.

Comment – Trustee Hanson

Trustee Hanson said that he doesn't think anyone has a problem with the business district fund being used for business and he thought the primary discussion that took place at the Chamber meeting, was the word "Antioch" and the marketing of it. He said there is a lot of money in the business district fund and we want to make sure we're promoting the community.

Comment – Trustee Caulfield

Trustee Caulfield said he remembers the discussions when the resolution was approved being the impact of big box stores on the downtown. He said that he was not in favor of the business district fund because there was no plan and he thinks the lack of the plan may be causing some of the confusion.

Mayor Larson

Mayor Larson said that when the resolution was approved the Economic Development Director at that time, warned us not to do this because no one else was earmarking a

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percentage of sales tax from a certain corridor. She said because it is a new concept to all of us, we are in the infant stages and we are learning as we go along. She said we are trying to do the best we can and the money is to protect existing businesses.

Comment – Trustee Porch

Trustee Porch said that at the next redevelopment committee meeting that includes the business district fund, the board would review the budget which lists money that has been put in different areas. She explained that the main focus is to promote the Antioch business district as a whole and not just our events. She also said the community services department has been working on some co-op ads and we are trying to address the current and long term needs.

James Frayn, Manhard Consulting, on behalf of Don Sheridan addressed the Board regarding the 29 acre parcel located at the southeast corner of Route 173 and Savage Road. The property is zoned B-3 for commercial and retail uses. The commercial development would include 10 parcels and an area for storm water management. Mr. Frayn explained that a specific plan is not yet in place for this parcel.

Comment – Trustee Pierce

Trustee Pierce asked if this plan conforms to a list of contingencies that had to be followed when that area was approved. Mr. Frayn said they are familiar with the annexation agreement being very specific about the uses on the site. He said currently they are not proposing any specific uses, and intends to present this to the planning and zoning board without any specific plans for the uses.

Mayor Larson

Mayor Larson said this is problematic for her because the plan has not gone before the planning and zoning board and to ask questions we don't have the answers for and to ask the Board to make comments relative to plan. She said that we are basically seeing a plan that is outlined in magic marker.

Mr. Frayn said that he wanted to make sure the Board was aware of the proposal and that it would be going before the planning and zoning board.

LEGISLATIVE AND HUMAN RESOURCES

No report.

PLANNING, ZONING AND BUILDING, SENIOR SERVICES

No report.

ENGINEERING, PUBLIC WORKS AND UTILITIES

Other Business – North Avenue – Trustee Pierce said that he noticed there was a new traffic control device installed on North Avenue near former Trustee Cunningham's property. He asked if staff could make a report at the next meeting. Administrator Haley said that the traffic counter had been there for years and it was recently updated with a new traffic counter.

FINANCE, ECONOMIC, REDEVELOPMENT AND BUSINESS DISTRICT FUND

Invoices over \$10,000 – Trustee Porch reviewed the informational report dated June 5, 2006 prepared by village staff showing invoices over \$10,000 and totaling \$149,681.01. Invoices listed were: Blue Cross / Blue Shield in the amount of \$78,874.93 for employee health insurance; Lake County Public Works in the amount of \$18,329.22 for sewer user fees; Mannina Construction Company in the amount of \$46,476.86 for Lake Street payout #2 and Warren Associates in the amount of \$11,000.00 for WWTP Finance Consult.

Summary of Escrow Report – Trustee Porch reviewed the informational report dated June 5, 2006 prepared by village staff showing escrow payments in the amount of \$11,253.05.

Accounts Payable – Trustee Porch moved, seconded by Trustee Turner to approve as presented the accounts payable report dated June 5, 2006 in the amount of \$308,459.63 as prepared by village staff.

Comments – Trustee Hanson and Caulfield

Trustee Hanson and Trustee Caulfield would like to go on record that they approve the payables but are against the escrow payments to Magna Law Offices.

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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SSA Accounts Payable – Trustee Porch moved, seconded by Trustee Turner to approve as presented the SSA accounts payable report dated June 5, 2006 in the amount of \$7,000.00 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.

Approve Manual Checks Written to Date – Trustee Porch moved, seconded by Trustee Pierce to approve as presented the manual checks written to date in the amount of \$37,003.07. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

Payroll Expense Report dated May 19, 2006 – Trustee Porch moved, seconded by Trustee Turner to approve the payroll expense report dated May 19, 2006 as presented in the amount of \$230,927.11 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.

Authorize village credit card account be changed to State Bank of the Lakes – Administrator Haley said that finance department has not been able to get the current credit card company to change our due date so it would coincide with our accounts payable. He said that we have been incurring excessive monthly late fees and the State Bank of the Lakes would be willing to waive any late fees due to our billing cycle.

Trustee Porch moved, seconded by Trustee Pierce to authorize changing the village credit card to the State Bank of the Lakes. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

PUBLIC SAFETY, PARKS AND LICENSE

Raffle License: Issue Raffle License to Antioch Fine Arts Foundation – Trustee McCarty moved, seconded by Trustee Porch to issue a raffle license to Antioch Fine Arts Foundation with the drawing to be held on June 30, 2006 and waiving fee. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

Tag Day Request: Approve request from YMCA Camp Duncan – Trustee McCarty moved, seconded by Trustee Pierce to approve the tag day request from YMCA Camp Duncan with tag days being held on June 3 and June 10, 2006. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

Block Party Request: Katie Banks – Bishop Street – Trustee McCarty moved, seconded by Trustee Turner to approve the block party request from Katie Banks; Bishop Street on July 4, 2006. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

DELINQUENT ESCROW ACCOUNTS

No report.

ATTORNEY

Attorney Magna reviewed the following ordinances:

First reading of AN ORDINANCE AMENDING SECTION 5-1-1B3 OF CHAPTER 1 OF TITLE 5 OF THE ANTIOCH VILLAGE CODE PERTAINING TO THE CHARGES FOR NUISANCE ABATEMENT– Following the review of the ordinance, it was moved by Trustee Pierce, seconded by Trustee McCarty to waive the second reading of the ordinance. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

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Trustee Pierce moved, seconded by Trustee McCarty to approve and publish in pamphlet form **Ordinance No. 06-06-18**, entitled, **AN ORDINANCE AMENDING SECTION 5-1-1B3 OF CHAPTER 1 OF TITLE 5 OF THE ANTIOCH VILLAGE CODE PERTAINING TO THE CHARGES FOR NUISANCE ABATEMENT**. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

First reading of AN ORDINANCE ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, WORKMEN AND MECHANICS EMPLOYED IN PUBLIC WORKS BY THIS PUBLIC BODY– Following review of the ordinance Trustee McCarty moved, seconded by Trustee Pierce to waive the second reading of the ordinance. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

Trustee McCarty moved, seconded by Trustee Porch to approve and publish in pamphlet form **Ordinance No. 06-06-19**, entitled, **AN ORDINANCE ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, WORKMEN AND MECHANICS EMPLOYED IN PUBLIC WORKS OF THIS PUBLIC BODY**. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

First reading of AN ORDINANCE ADDING TATTOO AND PIERCING STUDIOS AS PERMITTED USES IN THE BUSINESS DISTRICTS IN TITLE 10, RENUMBERING THE EXISTING SECTION 4-7-7 TO 4-7-8 AND PROVIDING NEW REGULATIONS TO SECTION 4-7-7 OF CHAPTER 7 OF TITLE 4 OF THE ANTIOCH VILLAGE CODE (PZB06-05) – Following review of the ordinance, Trustee Porch moved, seconded by Trustee Pierce to waive the second reading of the ordinance. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

Trustee Porch moved, seconded by Trustee McCarty to approve and publish in pamphlet form **Ordinance No. 06-06-20**, entitled, **AN ORDINANCE ADDING TATTOO AND PIERCING STUDIOS AS PERMITTED USES IN THE BUSINESS DISTRICTS IN TITLE 10, RENUMBERING EXISTING SECTION 4-7-7 AND 4-7-8 AND PROVIDING NEW REGULATIONS TO SECTION 4-7-7 OF CHAPTER 7 OF TITLE 4 OF THE ANTIOCH VILLAGE CODE (PZB 06-05)**. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

First reading of AN ORDINANCE ESTABLISHING A FAÇADE IMPROVEMENT PROGRAM FOR QUALIFYING BUSINESS PROPERTIES AND QUALIFYING IMPROVEMENTS – Attorney Magna said this ordinance has a comprehensive set of regulations which have been in the process of being developed over the past several months. The ordinance establishes a grant program subject to the terms and limitations contained in the ordinance where there is a 50-50 grant for development or redevelopment within certain designated areas in the Village of Antioch. To qualify for the program, the property which is the subject of the application for assistance must be shown to be clearly in B-1, B-2, & B-3 zoning districts and the Downtown Overlay District within the Village of Antioch. Attorney Magna said that approved property owners, meaning the property qualifies not the particular person, who installs at least \$1000 in value and actual costs of qualifying improvements are eligible to apply for a cost sharing grant equal to 50% of the cost of the work up to a maximum grant of \$10,000. Attorney Magna explained that would mean the property owner would have to expend \$20,000 in qualifying improvements in order to be eligible for \$10,000 maximum per store front or interior. The Village shall verify and determine the value and cost of such improvement based upon credible evidence submitted by the applicant. Only the actual cost paid for such improvements and not the value thereof shall be eligible for cost sharing. Attorney Magna also discussed that until the application is approved by the Village Board, the Board retains the power to amend, change the rules or can repeal the program. He said that if somebody has gone all the way through the process and it's been approved, then it's an entitlement.

Attorney Magna explained that once the application is eligible and has complied with the rules the Village would have to pay the cost share grant reimbursement. Attorney Magna said the property owner's estimates have to be solid because the Village would be budgeting based

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upon their original estimates. He said that if the Village Board appropriate such funds deemed appropriate the Board could only distribute or make funds available for this program those funds they are willing to budget for. As example Attorney Magna explained that if the Board budgets zero for the program, there would be no cost sharing that year and if the Board budgets high, there would be a lot of funds available for the cost sharing program.

Trustee Pierce moved, seconded by Trustee Turner to waive the second reading of the ordinance.

Comment – Trustee Caulfield

Trustee Caulfield said that it seemed to him that there is a possibility that if ultimate funding decision is by the Board at the end of the process, that a merchant could elect to go through this process, do the job and not get paid. He said there doesn't seem to be anything in the ordinance to commit the Village to pay for the project once the Village approves the project if the merchant does what he said he would do. Attorney Magna said that in reality, the way the application would go through the process, they would be warned that the final decision is before the Village Board, but if the applicant meets the criteria and your staff, and redevelopment commission all support the application, unless the Board is repealing the program it would not be reasonable to just say no. He said the practical side of this process is somewhat elaborate, although once it gets in gear and there is some experience with it, it is not that elaborate. But if they meet the criteria he cautioned the Board arbitrarily turning down an application that has all the required supporting documentation and is reported to meet all the criteria that is required as established by this ordinance. Attorney Magna further explained that once that once the Village Board approves the application and the property owner complies with the rules, this would be budgeted line items and the Village would have to pay the 50% grant.

Mayor Larson

Mayor Larson said that because this is taxpayer money, she would like to error on the side of caution. She said that we need to protect the taxpayer's money and if someone should do a façade improvement, but didn't meet all the requirements, we need to be able to protect the taxpayer's money.

Comment – Trustee Caulfield

Trustee Caulfield said that he is asking if the program is followed as it is designed to be, could the merchant not be reimbursed and he felt there should be a disclaimer language up front. Attorney Magna read the disclaimer that is in the ordinance and said that until an application has been approved for funding by the Village Board, which is a distinguishing event, they have a vested right to the money if the Board approves it.

Comment – Trustee Hanson

Trustee Hanson said that once the application was approved by the Board, the Village would have to pay the grant. Attorney Magna said that was correct.

Trustee Turner left the Board Room at 8:36 p.m. and returned at 8:38 p.m.

Trustee Porch left the Board Room at 8:39 p.m. and returned at 8:41 p.m.

Comment – Trustee McCarty

Trustee McCarty asked that if once the applicant is found eligible and if the remainder of the rules are complied with, the Village would have to pay. Attorney Magna said that was correct and that eligibility would have to be a finding by the Village Board.

Comment – Trustee Turner

Trustee Turner said that she understands the ordinance to protect both the Village and the applicant. If the applicant follows the process to the best of his ability, the Village would have to give the grant money. If the person doesn't comply or doesn't do what he applied for, the Village has an out.

Comment – Trustee Pierce

Trustee Pierce asked Trustee Caulfield if he was concerned that the Village would not pay the property owner after they have been approved and qualified. Trustee Caulfield said that he heard the Village Attorney explain it several ways and the bottom line is the agreement has some holes in it and he would like the merchant to have security that whenever the staff approves the project and says that it's eligible, he wants to make sure the merchant gets paid when they do what they said they would do.

Comment – Trustee Hanson

Trustee Hanson said this is basically similar to grant processes the Village applied for. Attorney Magna said that every grant agreement the Village signed says if the legislators doesn't appropriate the funds for it, there is no obligation to pay it. He said you get into

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contracting expenses for monies you may or may not have. He said the Board may want to look at this as a budgetary matter and fund it in the budget and commit to leaving it there.

There was further discussion regarding the provisions regarding estimates being from local contractors and chamber members.

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

YES: 3: McCarty, Pierce and Turner.

NO: 2: Hanson and Caulfield.

ABSTAIN: 1: Porch.

THE MOTION IS DENIED FOR LACK UNANIMITY.

The Façade Improvement Program ordinance will be placed on the next village board agenda for second reading.

First reading of AN ORDINANCE AUTHORIZING AN AMENDMENT TO ANTIOCH CROSSING PHASE II AS APPROVED BY ORDINANCE 05-02-01 WHICH WILL MOVE AN INTERNAL LOT LINE SEPARATING OUTLOT 4 AND 5 SIXTEEN (16') FEET TO THE WEST AND APPROVING FINAL AMENDED PLAT THEREOF (PZB 06-04) – Following review of the ordinance Trustee Porch moved, seconded by Trustee Pierce to waive the second reading of the ordinance. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

Trustee Porch moved, seconded by Trustee Pierce to approve and publish in pamphlet form **Ordinance No. 06-06-21**, entitled, **AN ORDINANCE AUTHORIZING AN AMENDMENT TO ANTIOCH CROSSING PHASE II AS APPROVED BY ORDINANCE 05-02-01 WHICH WILL MOVE AN INTERNAL LOT LINE SEPARATING OUTLOT 4 AND 5 SIXTEEN (16') FEET TO THE WEST AND APPROVING FINAL AMENDED PLAT THEREOF (PZB 06-04)**.

Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

ADJOURNMENT

There being no further discussion Trustee Pierce moved, seconded by Trustee McCarty to adjourn the regular meeting of the Board of Trustees at 9:06 p.m.

Respectfully submitted,

Candi L. Rowe CMC
Village Clerk