

**APPROVED MINUTES**  
**VILLAGE OF ANTIOCH**  
**BOARD OF TRUSTEES, REGULAR MEETING**  
**Municipal Building: 874 Main Street, Antioch, IL**  
**August 21, 2006**

**CALL TO ORDER**

Clerk Rowe called the August 21, 2006 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, Caulfield, Pierce, Porch and Turner. Also present were Administrator Haley, Attorney Magna and Clerk Rowe. Absent: Mayor Larson and Trustee McCarty.

**APPOINT TRUSTEE PORCH AS MAYOR PRO-TEM**

Trustee Turner moved, seconded by Trustee Pierce to appoint Trustee Barbara Porch as Mayor Pro-Tem for the August 21, 2006 meeting. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

Trustee Porch stated for the record that she would be voting as a Trustee.

**APPROVE BALANCE OF AGENDA FORM**

Trustee Pierce moved seconded by Trustee Turner to approve the balance of the August 21, 2006 meeting agenda as presented. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

**JULY 25, 2006 SPECIAL MEETING MINUTES**

Trustee Turner moved, seconded by Trustee Pierce to approve the minutes from the July 25, 2006 special meeting as presented.

**Comment – Trustee Caulfield**

Trustee Caulfield would like the record to show that he called in and said that he would not be at the July 25<sup>th</sup> meeting. He said that he notified Trustee Hanson, as he always does, when he will not be at a meeting. Trustee Caulfield said he felt there were some misconceptions regarding the special meeting and the cost to the taxpayers and he is a little disappointed in his fellow Trustees for their actions at the meeting.

**Comment – Trustee Pierce**

Trustee Pierce said he would like the record to stand as presented.

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

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

**NO: 1:** Caulfield.

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

**AUGUST 7, 2006 REGULAR MEETING MINUTES**

Trustee Turner moved, seconded by Trustee Pierce to approve the minutes from the August 7, 2006 regular meeting as presented. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

**PETITIONS/BIDS**

No report.

**MAYOR**

**Approve Homecoming Parade Resolution** – Trustee Hanson moved, seconded by Trustee Pierce to approve **Resolution 06-10** regarding the Antioch High School Homecoming Parade at 6:30 p.m. on October 5, 2006. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

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## CLERK

No report.

## ADMINISTRATOR

**Approve IDOT Resolution for Improvement by Municipality under the Illinois Highway Code** – Administrator Haley reviewed the resolution for the resurfacing of Toft Avenue, Orchard Street and Hillside Avenue. Administrator Haley said this resolution is to spend motor fuel tax money for the engineering, resurfacing and construction supervision and he asked for a motion to authorize the Mayor Pro-Tem and the Clerk to sign the resolution.

Trustee Pierce moved, seconded by Trustee Turner to authorize the Mayor Pro-Tem and Clerk to sign **Resolution 06-11**, a **Resolution for Improvement by Municipality under the Illinois Highway Code**. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

**Approve Resolution for Bidding and Award 2006 MFT Street Resurfacing Program** – Administrator Haley reviewed the resolution that would authorize the Administrator and Clerk to execute the contract and bond documents for the award to the lowest qualified bidder for the MFT project. Administrator Haley said that we are asking for this so we could save some time when the Village receives the bids that are reviewed by Smith Engineering, so we could get the project going.

Trustee Pierce moved, seconded by Trustee Turner, to approve **Resolution 06-12**, a **Resolution for Bidding and Award of 2006 MFT Street Resurfacing Program**, upon receipt and approval of standard report that is distributed to the Village Board. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

**Notice of Authorization to sign Antioch Crossing Phase II Plat Amendment** – Administrator Haley reviewed the notice signed by Mayor Larson authorizing Administrator Haley to sign the recently approved amendment for Antioch Crossing Phase II.

Trustee Turner moved, seconded by Trustee Pierce to accept into the record the Mayor's authorization for Administrator Haley to sign the recently approved amendment to Antioch Crossing Phase II. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

**Approve \$8,000 expenditure to participate in the Northern Lake County Lake Michigan water feasibility study** – Administrator Haley explained that he and Bob Silhan, Director of Planning, Zoning and Building have been meeting with neighboring communities and Lake County regarding the water feasibility study. He said that all have expressed interest in studying the feasibility of tapping into Lake Michigan water. He said that this would be a long range planning effort, but our future growth, as the Board knows would be toward the East. Administrator Haley said that Antioch's experience, as well as the Village of Lake Villa's experience with deep wells is proving very costly. He further explained that staff is recommending that we join in the planning effort; he is not saying that we're going to have Lake Michigan water next year or in five years, this takes a long time to do and is only the first time this is being researched. Mr. Haley said that he thinks this is important for the Village and neighboring communities to explore the possibilities.

Trustee Pierce moved, seconded by Trustee Turner to approve the \$8,000 expenditure to participate in the Northern Lake County Lake Michigan water feasibility study.

## Comment – Trustee Pierce

Trustee Pierce said that wanted to clarify that his motion was only to approve the feasibility study and he thinks it's prudent to investigate for what may happen in the future.

## Comment – Trustee Hanson

Trustee Hanson asked what neighboring communities would be involved. Administrator Haley said the Villages of Lake Villa, Lindenhurst and Fox Lake as well as Lake County are

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involved at this point. Administrator Haley said that Mundelein and Libertyville already have Michigan water.

### **Comment – Trustee Caulfield**

Trustee Caulfield asked what part of the budget covers this expenditure. Administrator Haley said that it was not a budgeted item and would probably come out of the contingency fund.

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

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

**NO: 0.**

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

**Approve Alliance Contractors payout request #3 for Lake Street streetscape project; Phase I TIF District \$36,464.07 and Phase II Village of Antioch \$78,070.43** – Administrator Haley reviewed the payout request #3 from Alliance Contractors. Trustee Pierce moved, seconded by Trustee Turner to approve the payout request #3 to Alliance Contractors for \$36,464.07 for Phase I in the TIF District and for Phase II for \$78,070.43 in the Village of Antioch. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

**Approve payment of the retention to Payne & Dolan, Inc. for the 2005 MFT Road Program in the amount of \$69,434.16** – Administrator Haley said the engineer had reviewed the entire project and approved the payment. Trustee Turner moved, seconded by Trustee Pierce to approve the retention payment to Payne & Dolan, Inc. for the 2005 MFT Road Program and in the amount of \$69,434.16. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

**2006-2007 Adopted Budget Book** – Administrator Haley said that staff has been working on the budget book for a long time and he was pleased to submit to the Board the 2006-2007 Adopted Budget Book. He said this is the first year the Village has prepared a budget document in this format and it will be made available for review by those who may be interested. He said that executive management recognized the importance of providing everyone with a comparison view of how their tax dollars are managed. He said this was a driving force in the creation of this document. Administrator Haley said that we have been diligent in our efforts to create a spending document that satisfies all of the needed services for the next year, and yet is affordable in relation to expected revenues. He said the bottom line of this budget is significantly lower than the last year's budget and he explained that the difference cannot always be attributed to frugal planning; large capitol spending more often than not, are a function of which fiscal year that the revenues and expenditures occur. He said that it's also important to note that the combined ending year un-audited balance is a healthy \$11.8 million dollars. Mr. Haley also reviewed the outstanding debt report which the statutory debt limit is 8.625% of our total assessed evaluation with this year's total assessed evaluation being \$329 million dollars. He said that our total existing long-term debt is \$7.3 million dollars, however only the general obligation part of that debt is used to calculate indebtedness. He said the general obligation debt is \$2.4 million dollars or only 8.67% of our debt limit. Administrator Haley said the various historical revenue comparisons indicate our continuing ability to provide services and programs without an increase in the property tax rate. In addition to the budget document, the report includes a Village profile, demographics, residential housing trends and recommendations of the Route 83 corridor study. He said, as we prepare to finance the construction of the new Wastewater Treatment Plant, start the process of planning of a new aquatic center and continue to develop the Tim Osmond Park in partnership with Antioch Township, we will carefully review all funding sources and options and recommend those that are consistent with the present and future financial capability.

Finance Director Joy McCarthy said that she is pleased to present the first publication of the budget document. She said this budget document is a more comprehensive look at how we manage our tax dollars. Ms. McCarthy said this document took her approximately three months to complete and it contained financial summaries and sections on revenues and trends. She said that in creating this document, she tried to be very detailed and she expects the document to evolve throughout the years. Joy McCarthy also reviewed the department goals and objectives and she discussed providing a five-year capital improvement plan for the future. Finance Director McCarthy thanked Administrator Haley for his support in the creation of the

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document, the department directors for their input, finance department staff who helped in the preparation of document and other staff who helped with proofreading, and scanning documents. She also discussed the importance in having the support of the Mayor, Board of Trustees and Administrator Haley in preparing information for our residents. Ms. McCarthy also encouraged residents and Board members to contact her with any questions they may have regarding this document.

### **Comment – Trustee Porch**

Trustee Porch thanked Joy McCarthy for taking the time to compile the information and being proactive three months ago. She said that she created a user-friendly document that we can build on in the future.

### **Comment – Trustee Pierce**

Trustee Pierce also thanked Finance Director McCarthy and said it is a good synopsis for anyone to look at to see how the village operates.

## **COMMUNICATIONS**

**Letter received August 21, 2006 from James Freedman, Rembrandt Drive resident**  
- Clerk Rowe read into the record the letter from Mr. James Freedman regarding the Antioch aquatic center and taxes.

## **CITIZENS WISHING TO ADDRESS THE BOARD**

**James Freedman – Aquatic and Recreation Center** – Mr. James Freedman, Rembrandt Drive resident, addressed the Village Board regarding the aquatic center and asked the Trustees if they were convinced and committed to using the Bitner property for the aquatic center and no other location should be examined for this project. He said that he emailed this question to the Trustees and he received a response from Trustee Porch. He also addressed newspaper reporters, especially from the Daily Herald stating that he never said that he is an opponent of an Antioch recreation or aquatic center.

**Jim Robellard – Rule Change Ordinance** – Mr. Jim Robellard, Heron Drive resident, addressed the Village Board regarding the proposed rule change ordinance. Mr. Robellard said he felt Rule 26 is a powerful rule, two readings are not uncommon and waiving the second reading of ordinance is an important procedure that shouldn't be taken lightly. He said the single vote allows for a two-week pause giving the Board an opportunity to review and digest the information to make an informed vote. He said that his second concern is that the rule change is in conflict with the agenda and he referred to Rule 2. He said that approving something faster isn't necessarily better and he urged the Board to consider his comments as they vote on the ordinance later in the meeting.

**Kathy Kurth – Website** – Ms. Kathy Kurth, Netherlands resident, addressed the Board and asked if the Planning and Park Commission minutes could be added to the Village website. Trustee Porch said the minutes would be added to the website.

## **LEGISLATIVE AND HUMAN RESOURCES**

**Employee Policies Sections** – Administrator Haley reported these sections were reviewed at the committee meeting. He said once all the sections are approved, the policies would be forwarded to the Village Attorney to draft the appropriate ordinance.

Trustee Pierce moved, seconded by Trustee Turner to authorize placing Sections: 1.3, 1.12, 7.1-7.3, and 8.1-8.3 in the book of draft policies to be brought for formal approval later.

### **Comment – Trustee Hanson**

Trustee Hanson asked if any of his changes were incorporated. Trustee Porch said the committee incorporated some edits based on Trustee Hanson's recommendations.

### **Attorney Magna**

Attorney Magna clarified that all that is being done is placing these Sections in the draft policy book and the time of decision would be when the ordinance is presented adopting the policies is considered. He said there would be opportunity for additional comment and refinements if needed.

**Roll Call Vote** - There being no further discussion and upon roll, the vote was:  
**YES: 5:** Hanson, Caulfield, Pierce, Porch and Turner.  
**NO: 0.**  
**ABSENT: 1:** McCarty.  
**THE MOTION CARRIED.**

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### **PLANNING, ZONING AND BUILDING, SENIOR SERVICES**

**Planning & Zoning Board's positive action regarding proposed plat of re-subdivision; part of Clublands Phase 3-East; Neumann Homes; PZB 06-08** – Director of Planning, Zoning and Building Silhan reviewed the proposed plat of re-subdivision which is part of Clublands Phase 3-East whereby 5 lots would be deleted what had originally been platted. He reviewed the following Combined Planning Commission and Zoning Board letter dated August 17, 2006:

*The Combined Planning Commission and Zoning Board reviewed the proposal at our regular meeting of July 13, 2006 following posting of the meeting notice and agenda as required.*

*Mr. Frank Dobbs of Neumann Homes, Inc. presented the proposal. He was assisted by Mr. Bill Booker of Neumann Homes and Tom Petermann, P.E. of Manhard Consulting., Ltd. Mr. Dobbs explained that the number of lots in this area would be reduced from 54 to 49. He stated that most of the lots will increase in size and 5 will decrease in size. However, the lots that will decrease in size will remain larger than the 7,800 square feet established as minimum in the Development Agreement.*

*Bob Silhan, Director of Planning, Zoning and Building presented his report dated July 7, 2006 which recommends approval of the changes, with conditions. Appended to Mr. Silhan's report is a memo dated June 6, 2006 from Smith Engineering Consultants.*

*As part of the P&Z Board discussion, Tom Baba raised the issue concerning the recent problems in Clublands with homebuyers expecting to be able to construct elevated wood decks within required setbacks. Mr. Dobbs acknowledged the issue indicating that Neumann Homes will take action to remedy those problems. Bob Kaiser asked how this re-subdivision and density reduction would affect the SSA per lot. Director Silhan said that it will affect the SSA, and that then Planning, Zoning and Building Committee and the Village Board will be reviewing this matter. The SSA consultant, David Taussig & Associates, Inc., issued a letter dated June 14, 2006 addressed to Neumann Homes stating that there are two payments required of Neumann Homes because of the adjustment in the number of lots; the first is a pre-payment in the amount of \$55,143.12. The second payment is yet to be determined.*

*Following the P&Z Board's discussion, Carol Keller moved, Margaret Cole seconded to approve PZB06-08; Neumann Homes' proposed plat of re-subdivision, part of Clublands Phase 3-Ease with the conditions listed in staff reports.*

Robert Silhan, Director of Planning, Zoning and Building, asked the Village Board approve the proposed plat of re-subdivision and direct the Village Attorney to draft the appropriate ordinance with the conditions as stated in the staff report.

### **Comment – Trustee Turner**

Trustee Turner said the proposed plat of re-subdivision for a certain part of Clublands Phase 3-East would reduce by five the number of previously approved lots, from 54 to 49 lots and the following documentation was reviewed by the Planning and Zoning Committee of the Board at their regular meeting held on August 8, 2006:

- Proposed plat of re-subdivision; part of Clublands Phase 3-East; plat prepared by Manhard Consulting, Ltd., revised dated 05-24-06
- Lot size tabulation dated June 3, 2006
- Memo dated June 6, 2006 from Smith Engineering
- Letter dated June 14, 2006 from David Taussig & Associates, Inc. concerning two required SSA-2 payments
- Memo dated July 7, 2006 from PZ&B Director Bob Silhan

Furthermore, the letter from Vern Burdick documents the Planning and Zoning Board's approval at their regular meeting held on July 13, 2006.

Trustee Turner moved, seconded by Trustee Pierce to approve in principle PZB 06-08, the re-subdivision of part of Clublands Phase 3-East, Plat of Re-subdivision; plat prepared by Manhard Consulting, Ltd., revised dated 05-24-06 and direct the attorney to draft the formal approving ordinance with the following conditions:

1. Within 15 business days of ordinance approval, the required SSA No. 2 pre-payment check, payable to the Village of Antioch in the amount of \$55,143.12, be delivered by over-night to Laura Homeyer at Cole Taylor Bank in downtown Chicago. If Cole Taylor Bank does not receive the check with 16 business days of ordinance approval, the Board may take action to rescind approval and render the approving ordinance null and void.
2. The Mayor is authorized to sign the final plat of re-subdivision only after the first SSA No. 2 pre-payment in the amount of \$55,143.12 is received and the receipt is confirmed and documented to the Village by Cole Taylor Bank.
3. A performance bond be posted with the Village in the amount of \$41,613.00 in a form and content complying with the posting of security regulations of the Village. The Village shall retain the original bond for the subdivision until that time that Phase 3-East has been accepted by the Village along with the appropriate maintenance bond. Furthermore, such acceptance shall not occur until the second required SSA No. 2 payment has been made and confirmed.
4. Compliance with the Technical engineering comments from the June 6, 2006 memo from Smith Engineering Consultants and such compliance being reflected in the final revised engineering plans.
5. Receipt of Neumann Homes written agreement, in a form and substance acceptable to the Village, clearly stating, in substance that Neumann Homes

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agrees that not additional SSA Bonds will be issued until and unless Neumann Homes prepays the second and subsequent, if applicable, payments in such amounts as are required to offset the special tax payment obligations attributable to the loss of, and/or consolidation of, assessable lots, or portions thereof, resulting from the subject Clublands Phase 3-East re-platting. The methodology to be utilized in determining said payments shall be that of David Taussig and Associates.

Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

**Other Business – Response to James Freedman** – Trustee Turner said that Mr. Freedman earlier asked Board members “as representatives of the citizens of the Village of Antioch, are you convinced and committed that the only use of the Bitner farm property is to build the proposed recreation and aquatic center and no other location should be examined for this project.” Trustee Turner thanked Mr. Freedman for his question and said the Board looked at other properties extensively and in her estimation, this is the best place for this project. She said that she understood that a sign placed on the property would make him nervous. She further explained the Park Board is discussing the preliminary proposal and there have been no decisions made as to what kind or the size of the facility would be. She said the kind and size of the facility would depend on how much the Village could afford and right now, we have many projects. Trustee Turner also discussed the sewage treatment plant being an important project. Trustee Turner said that she did not believe in doing things hurriedly and that we need to take our time. She thanked Mr. Freedman for addressing the Board and she respected his opinion and concerns.

**Other Business – Senior Services** – Trustee Porch said at the August Senior Council meeting, the Council approved a \$500 donation to the Open Arms Mission to be used for the purchase of school supplies for the needy children in our communities.

### **ENGINEERING, PUBLIC WORKS AND UTILITIES**

**Other Business – Response to James Freedman** – Trustee Pierce said that he concurred with a lot of Trustee Turner’s comments. He said that he appreciates the questions from Mr. Freedman and from the other residents from Arbors of Windmill Creek. As for the site, he believed it is an appropriate location that most benefits the greatest number of Antioch residents for an aquatic and recreation center. Trustee Pierce said that he further understands the frustrations felt by those who want answers and unfortunately, we have not decided the kind of facility, whether it would be an indoor or outdoor pool and until the Park Board reviews and makes their recommendations to the Village Board, is when studies and feasibility issues would be addressed. Trustee Pierce said that once the kind of facility is determined, the Board would then start going through the process of studies and taking input. Trustee Pierce encouraged residents to keep asking questions because it helps the Village Board achieve better resolutions to the issues.

### **Comment – Trustee Caulfield**

Trustee Caulfield said there seems to be some kind of question going around whether the aquatic center has been settled or not and he said that it sounds like it’s very clear that it has been settled and that is where the pool and recreation center would be. Trustee Caulfield also discussed when the Board approved paying PHN Architects \$18,000 to do a study. Trustee Caulfield said that he wondered why PHN Architects were not given any clear direction on what to do and the drawings that were presented that evening did not have any dimensions. He said it was hard for him to understand why PHN was making a presentation to the Park Board. Trustee Caulfield said that we have made a decision that there is going to be something there and the Board should make it clear that they have made plans to have the recreation center there. Trustee Caulfield said that a lot of folks are wondering why its already been decided to have the recreation project located there when we haven’t done a cost study. Trustee Caulfield asked that at future meetings, the Park Board is given the direction to help the public understand the process because as a sitting Trustee it’s very confusing to him. He said that he could guarantee the public one thing; there is going to be something there.

### **Comment – Trustee Hanson**

Trustee Hanson said that he heard something tonight that was shocking to him from the standpoint when he voted to purchase the property, he remembered securing a piece of property and never said that property was going to be used totally for a recreation center. It was only to secure a piece of property that was a site that could possibly house a recreation and pool facility. He said that he did not remember the Board saying that we stopped looking at other sites. Trustee Hanson said he recalled when they looked at another site that was next to forest preserve that would have made a lot of sense, but there were complications with that

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location. Trustee Hanson said that he is on record to say that we need to finish a feasibility study and he wouldn't go on the limb to say that is the only property he would look at and he does not think it is necessarily the best location for a pool and aquatic center. Trustee Hanson discussed the location not being centrally located. He said if it fits and works and everyone is happy and all these concerns are met, then it is a whole different story. Trustee Hanson said that he would not go out on the limb right now and say it is a done deal as far as the Bitner property being the site. Trustee Hanson said that he is open and is not against the recreational facility, he is not committed to this site until he hears everything.

### **Comment – Trustee Pierce**

Trustee Pierce clarified that he said it was an appropriate location for a recreation center and did not say it was the final location. He said there was only one person here who said it was the final location and if need be the sign could be dug up and moved. He said that we have to decide first what we are going to do before we do anything.

### **FINANCE, ECONOMIC AND REDEVELOPMENT**

**Invoices over \$10,000** – Trustee Porch reviewed the informational report dated August 21, 2006 prepared by village staff showing invoices over \$10,000 and totaling \$56,379.96. Invoices listed were: ComEd in the amount of \$27,362.88 for street lights and pump station; First Impressions, Inc. in the amount of \$15,375.00 Tennis Court resurfacing; and Inland Detroit Diesel-Allison in the amount of \$13,642.08 for village engine repair.

**Summary of Escrow** – Trustee Porch reviewed the informational report dated August 21, 2006 prepared by village staff showing escrow payments in the amount of \$23,552.24.

**Accounts Payable** – Trustee Pierce moved, seconded by Trustee Turner to authorize payment of accounts payable as prepared by village staff and dated August 21, 2006 in the amount of \$201,063.68. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

Trustee Hanson wanted the record to show that he opposed the developer escrow payment to the Law Offices of Rudolph F. Magna, but he approved the rest of the accounts payables as presented.

**Payroll Expense Report dated August 11, 2006** – Trustee Turner moved, seconded by Trustee Pierce to approve the Payroll Expense Report dated August 11, 2006 in the amount of \$253,251.20 as presented. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

**Financial Report for the month ending July 31, 2006** – Trustee Porch reviewed the information financial report for the month ending July 31, 2006 showing a total ending balance of \$11,895,637.18.

### **PUBLIC SAFETY, PARKS AND LICENSE**

**Approve Girl Scout Fall Cookie Sales Events** – Trustee Pierce moved, seconded by Trustee Turner to approve the Girl Scout Cookie sales event for October 13, 2006 through January 28, 2007 as presented. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

**Ratify Block Party Request – Bishop Street Block Party** – Trustee Pierce moved, seconded by Trustee Hanson to ratify the Bishop Street Block Party request for August 12, 2006. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

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**Authorize the advertisement for bid for the purchase of three (3) 2007 police cars –** Trustee Pierce moved, seconded by Trustee Turner to authorize staff to advertise for bid for the purchase of three (3) 2007 police pursuit vehicles.

### **Comment – Trustee Hanson**

Trustee Hanson asked Administrator Haley if the purchase of vehicles was due to increased personnel or due to rotating out older vehicles. Administrator Haley said the purchase of the vehicles is in the budget and these three cars will be front line vehicles so we have our police officers in the newest and safest vehicles.

**Roll Call Vote –** There being no further discussion and upon roll call, the vote was:  
**YES: 5:** Hanson, Caulfield, Pierce, Porch and Turner.  
**NO: 0.**  
**ABSENT: 1:** McCarty.  
**THE MOTION CARRIED.**

### **DELINQUENT ESCROW ACCOUNTS**

No report.

### **ATTORNEY**

**First reading of AN ORDINANCE ADOPTING AN AMENDMENT TO THE OFFICIAL COMPREHENSIVE PLAN OF THE VILLAGE OF ANTIOCH, ILLINOIS (Route 83 and Downtown Corridor Study) PZB06-07 –** Attorney Magna read the ordinance aloud and will place it on the September 5, 2006 Village Board agenda for second reading and approval.

**Second reading and approval of AN ORDINANCE INCREASING DEVELOPER IMPACT FEES FOR THE ANTIOCH PUBLIC LIBRARY DISTRICT -** Following Attorney Magna's review of the ordinance, Trustee Pierce moved, seconded by Trustee Turner to approve and publish in pamphlet form **Ordinance 06-08-30**, entitled, **AN ORDINANCE INCREASING DEVELOPER IMPACT FEES FOR THE ANTIOCH PUBLIC LIBRARY DISTRICT**. Upon roll call, the vote was:  
**YES: 5:** Hanson, Caulfield, Pierce, Porch and Turner.  
**NO: 0.**  
**ABSENT: 1:** McCarty.  
**THE MOTION CARRIED.**

**Second reading and approval of AN ORDINANCE AMENDING SECTION 1-4-6 OF CHAPTER 4 OF TITLE 1 OF THE ANTIOCH ILLINOIS VILLAGE CODE ENTITLED RULES AND ORDER -** Attorney Magna reviewed the ordinance and explained that the first and second reading of ordinances remained with the change being to waive the reading being approved by a majority of the Board present instead of an unanimous vote. Trustee Hanson moved, seconded by Trustee Caulfield to approve **Ordinance No. 06-08-31** entitled, **AN ORDINANCE AMENDING SECTION 1-4-6 OF CHAPTER 4 OF TITLE 1 OF THE ANTIOCH ILLINOIS VILLAGE CODE ENTITLED RULES AND ORDER** amending Rule 11 to state "*unanimous*" consensus and striking the word "*majority*".

### **Comment – Trustee Caulfield**

Trustee Caulfield said that he did not understand how the Board got to the point of changing the rules and order that has served the village well for two decades. He said the only record that he had was the previously approved July 25, 2006 minutes. He said that as he stated to anyone who has asked him for his reason for voting no on the waiving of the second reading and passing of the Appropriation Ordinance was due to the unusual moves by the Board attempting to change the agenda twice and adding an executive session. Trustee Caulfield discussed the amount appropriated for the acquisition of land being one of the reasons why he voted no on waiving the reading because he wanted to investigate that further outside of the meeting. Trustee Caulfield said that he knew when he voted no on waiving the second reading that it would cause another reading because of the rules and he said that we had until the end of July to pass the ordinance. He said that it was unfortunate in the heat of the discussion that he forgot that he would be out of town for the special meeting that was taking place at the same time as a regularly scheduled committee meeting and he felt that it was not an inconvenience to any of the Trustees. He said that he called Trustee Hanson, as he always does, that he would not be at the special meeting. Trustee Caulfield said that all that he did was try to take the proper time to understand an ordinance that he has been given the right to vote on and he does not know why the Board is asking for that right to be taken away. He said shutting out one-sixth of a voice did not make sense.

### **Comment – Trustee Porch**

Trustee Porch asked Attorney Magna if first and second readings were waived in the past without unanimous vote because she did not realize that waiving the first and second reading had to be done by unanimous vote until he was appointed Village Attorney.

## APPROVED MINUTES

### Attorney Magna

Attorney Magna said that it was just a matter of reading the rule. He said there was some historical research done and it was customary for waivers of second readings. He said that since he has been the Attorney, we have stayed with the rule, which has been a unanimous vote. Attorney Magna said that it's important to note that there are very good reasons to hold things over to the next meeting and that is why the rule that ordinances be placed on the next meeting agenda for consideration unless there is a vote by a majority of the Board as proposed. He said that he did not know if holding the Appropriation Ordinance yielded any changes, modifications or enhancements since he was not asked to do anything different with that ordinance. He said that sometimes there is good cause to do that and this proposed rule change makes it a little more difficult to hold things up and requires a motion to waive second or further readings. Attorney Magna said that pursuant to the rules, there would be a debate and so it does require any of the Trustees who passionately felt that something should be held over to the next meeting to work a little harder to convince the majority of the Board to not to waive the reading. He said it is more of a challenge rather than holding up public business because of one single individual, whoever that may be. Attorney Magna discussed this rule being a policy choice and said there are passionate arguments on both sides. He said this is a democracy and a majority does eventually rule in a democracy.

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

**YES: 1:** Hanson.

**NO: 4:** Caulfield, Pierce, Porch and Turner.

**ABSENT: 1:** McCarty.

**THE MOTION FAILED.**

Trustee Pierce moved, seconded by Trustee Turner to **approve** and publish in pamphlet form **Ordinance No. 06-08-31**, entitled, **AN ORDINANCE AMENDING SECTION 1-4-6 OF CHAPTER 4 OF TITLE 1 OF THE ANTIOCH ILLINOIS VILLAGE CODE ENTITLED RULES AND ORDER** as presented by the Village Attorney.

### Comment – Trustee Caulfield

Trustee Caulfield said that he misunderstood the first motion and for the record, his vote would have been yes.

### Attorney Magna

Attorney Magna said that a Trustee who voted in the majority could move to rescind the previous motion, then restate the motion and take another roll call.

Trustee Caulfield moved, seconded by Trustee Pierce to **table** the motion to approve as presented by the Village Attorney **Ordinance No. 06-08-31**, entitled, **AN ORDINANCE AMENDING SECTION 1-4-6 OF CHAPTER 4 OF TITLE 1 OF THE ANTIOCH ILLINOIS VILLAGE CODE ENTITLED RULES AND ORDER**. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

Trustee Caulfield moved, seconded by Trustee Hanson to **reconsider** the motion to approve **Ordinance No. 06-08-31** entitled, **AN ORDINANCE AMENDING SECTION 1-4-6 OF CHAPTER 4 OF TITLE 1 OF THE ANTIOCH ILLINOIS VILLAGE CODE ENTITLED RULES AND ORDER** amending change Rule 11 retaining the word "*unanimous*" consensus and striking the word "*majority*". Upon roll call, the vote was:

**YES: 2:** Hanson and Caulfield.

**NO: 3:** Pierce, Porch and Turner.

**ABSENT: 1:** McCarty.

**THE MOTION FAILED.**

Trustee Pierce moved, seconded by Trustee Turner to **bring off the table for reconsideration** the motion to approve **AN ORDINANCE AMENDING SECTION 1-4-6 OF CHAPTER 4 OF TITLE 1 OF THE ANTIOCH ILLINOIS VILLAGE CODE ENTITLED RULES AND ORDER**. Upon roll call, the vote was:

**YES: 3:** Pierce, Porch and Turner.

**NO: 2:** Hanson and Caulfield.

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

Trustee Pierce moved, seconded by Trustee Turner to **approve** and publish in pamphlet form **Ordinance No. 06-08-31**, entitled, **AN ORDINANCE AMENDING SECTION 1-4-6 OF CHAPTER 4 OF TITLE 1 OF THE ANTIOCH ILLINOIS VILLAGE CODE ENTITLED RULES AND ORDER** as presented by the Village Attorney without any changes.

## APPROVED MINUTES

### **Comment – Trustee Pierce**

Trustee Pierce stated that he appreciated input from Trustee Caulfield and input from members of the audience, but he does not believe that one person in a group should be allowed to essentially filibuster the Village Board. Trustee Pierce said that we should be moving forward in trying to find a way to work together and if Trustee Caulfield had a case regarding the appropriation ordinance, he wished he would have said a little bit more at the meeting where the appropriation ordinance was discussed.

### **Comment – Trustee Caulfield**

Trustee Caulfield said he was confused and he thought that Trustee Pierce did not understand the issues. He also said that he heard Trustee Turner state earlier that she does not like to rush into things. Trustee Caulfield said that he just heard Trustee Pierce try to give some advice that this new rule would allow us to work together when this is not working together and this is rushing. Trustee Caulfield said the intention and words do not make sense.

Trustee Pierce said that he understood the ordinance and he is not rushing. Trustee Caulfield said that Antioch has a gang and it's right here. The majority vote of this Board is the first vote that they lost since Mayor Larson was elected.

**Call the Question** - Trustee Turner moved, seconded by Trustee Pierce to call the question. Upon roll call, the vote was:

**YES: 3:** Pierce, Porch and Turner.

**NO: 2:** Hanson and Caulfield.

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

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

**YES: 3:** Pierce, Porch and Turner.

**NO: 2:** Hanson and Caulfield.

**ABSENT: 1:** McCarty.

**THE MOTION CARRIED.**

### **ADJOURNMENT**

There being no further discussion, Trustee Pierce moved seconded by Trustee Turner to adjourn the regular meeting of the Board of Trustees at 9:10 p.m.

Respectfully submitted,

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Candi L. Rowe CMC  
Village Clerk