

**APPROVED MINUTES**  
**VILLAGE OF ANTIOCH**  
**BOARD OF TRUSTEES, REGULAR MEETING**  
**Municipal Building: 874 Main Street, Antioch, IL**  
**October 16, 2006**

**CALL TO ORDER**

Mayor Larson called the October 16, 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 PACK 190 WEBELOS DEN 2**

Mayor Larson introduced the Cub Scout Pack 190 Webelos Den 2 who led the Pledge of Allegiance.

**ROLL CALL**

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

**APPROVE BALANCE OF AGENDA FORM**

Trustee Pierce moved seconded by Trustee McCarty to approve the balance of the October 16, 2006 meeting agenda as presented. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** Porch.

**THE MOTION CARRIED.**

**OCTOBER 2, 2006 REGULAR MEETING MINUTES**

Trustee Turner moved, seconded by Trustee McCarty to approve the October 2, 2006 meeting minutes as presented. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** Porch.

**THE MOTION CARRIED.**

**PETITIONS/BIDS**

No report.

**MAYOR**

**Marine Week Proclamation** – Mayor Larson read aloud and presented to Staff Sergeant Smith the Proclamation recognizing the United States Marine Corps 231<sup>st</sup> Anniversary proclaiming November 5-11, 2006 as Marine Week in the Village of Antioch. Mayor Larson asked Trustee Caulfield, whose son is a Marine, to join her in the presentation of the proclamation. She also asked that members of the audience who have served in the Marines or are Marine Corp parents to also join her in the presentation.

**Other Business – Letter from School District #34 Superintendent Scott Thompson** – Mayor Larson read the letter from District #34 Superintendent Scott Thompson who discussed the unprecedented level of professionalism and assistance delivered to the school district by Police Chief Foerster. His letter said that “Chief Foerster’s assistance with traffic control has greatly enhanced safety and has alleviated traffic congestion that has been occurring for several years.” Mr. Thompson’s letter went on to say that “Chief Foerster has made significant enhancement to our school resource officer program, a program we both feel is vitally important to our young people in our community. Chief Foerster has also made improvements in communication between District #34 and the Antioch Police Department that have enabled us to work cooperatively for the common good of the village and is a definite asset to the community.” Trustee McCarty said that Chief Foerster has provided the Village Board with unprecedented communications and has made it very easy for us to continue to do good business within the village and have a police department to be proud of. He said that Chief Foerster has done a fantastic job and this letter is just another shining star for the way and direction that Chief Foerster is running the department. Trustee McCarty thanked Chief Foerster for all his dedication and help to the community.

**CLERK**

**SWALCO Household Chemical Waste Collection Dates** - Clerk Rowe reviewed the Household Chemical Waste Collection dates; November 4 at Zion Benton High School and November 18 at the Mundelein Metra Station.

**Other Business – Early Voting** - Clerk Rowe announced that Early Voting for the November 7, 2006 election at off site locations including the Antioch Village Hall began today, October 16. Early voting hours are from 9:00 a.m. to 5:00 p.m. on Monday, Tuesday,

## APPROVED MINUTES

Wednesday and Friday; 9:00 a.m. to 6:00 p.m. on Thursdays, and from 9:00 a.m. until noon on Saturday October 21 and 28, 2006.

### ADMINISTRATOR

No report.

### COMMUNICATIONS

No report.

### CITIZENS WISHING TO ADDRESS THE BOARD

**James Freedman, Rembrandt Drive resident**, read his letter concerning the sign located on the former Bitner farm that reads the future home of Antioch's Rec Center with the Winnie Sorensen Aquatic Center, brought to you by the Village of Antioch. Mr. Freedman said that he's confused regarding the inference that this plan to build an Aquatic Center and Recreation Center on this property has been finalized. His letter said that he apologized if he missed reading or hearing that this has been voted on by the Village of Antioch. Mr. Freedman also indicated there was conflicting information coming from the Board of Trustees. He also discussed the October 23, 2006 Park Commission public hearing and asked what would be presented by PHN and would comments be allowed after or during the presentation. Mayor Larson said October 23 Park Commission public hearing has been scheduled to give the community an opportunity to look at the nine concept plans and to address the Park Commission with any comments they may have regarding the proposals.

**Kathy Kurth, Netherlands Drive resident**, asked for an update on the quiet zone corridor proposal. Mayor Larson explained that the committee does not meet on a regular basis and that Village Engineer Fujihara has been attending those meetings. Village Engineer Fujihara will give an update regarding the quiet zone corridor proposal at a future Village Board meeting.

### LEGISLATIVE AND HUMAN RESOURCES

No report.

### PLANNING, ZONING AND BUILDING, SENIOR SERVICES

**PZB06-13; Planning & Zoning Board's positive action regarding Antioch Industrial Center Final Plat** - Planning and Zoning Director Dustin Nilsen gave a brief report and reviewed the following Planning and Zoning Board letter dated October 14, 2006:

*The Combined Planning Commission and Zoning Board conducted the October 12, 2006 meeting following notification as required by State Law and Village Ordinance to consider a final subdivision request by Ken Wisniewski of Antioch Industrial Center LLC.*

*Since preliminary plat approval on February 23, 2006, final engineering and plat documents have been submitted and reviewed pursuant to Section 11-2-4 of Title 11 of the Antioch Municipal Code. The proposed final subdivision plat will create seven industrial lots, four less than originally proposed by the applicant. With the preliminary plat concerns were raised over the buffer separation of the development from the Oakwood Knolls subdivision. Subsequent revisions of the petition have eliminated the need for subdivision and zoning variation requests and the new proposal demonstrates compliance with the applicable Village Code criteria including the landscape buffer requirements.*

*The one issue that required resolution at the October 12<sup>th</sup> meeting was in regards to tree replacement standards set forth by Section 8-4-6 of Title 8 of the Antioch Municipal Code, which apply to all new subdivisions and PUD's not currently approved by the Village Board. In the review of the preliminary plan staff identified non compliance with the tree replacement and preservation section of the code. As a condition of the final plat approval, Mr. Wisniewski agreed to meet the requirements of the ordinance.*

*Since the final plat is in substantial conformance with the preliminary plat and complies with Titles 10 and 11 of the Village Code, staff recommends approval of the plat request.*

*Following a brief deliberation, the Board moved to approve PZB06-13. The motion carried unanimously. Therefore the Planning and Zoning Board approves PZB06-13.*

Trustee Turner moved, seconded by Trustee McCarty to approve PZB06-13; Antioch Industrial Center final plat with the conditions as listed in the Planning and Zoning Board's letter of recommendation dated October 14, 2006 and authorizes the Village Attorney to draft the appropriate ordinance for first reading at the next Village Board meeting. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** Porch.

**THE MOTION CARRIED.**

**PZB06-11; Planning and Zoning Board's positive recommendation regarding front and side lot line variation: 995 Victoria Street** - Planning and Zoning Director Dustin Nilsen gave a brief report and reviewed the following Planning and Zoning Board letter dated October 14, 2006:

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The Combined Planning Commission and Zoning Board conducted a public hearing on October 12, 2006 following notification as required by State Law and Village Ordinance to consider a front and side yard setback variation request by Cory Cybul, the owner and occupant of 995 Victoria Street.

Village Code Title 10-5K-3, states that "No building or structure, nor the enlargement of any building or structure shall hereafter be erected or maintained unless the following yards are provided and maintained in connection with the structure and enlargement";

1. Front Yard: There shall be a front yard of not less than twenty feet (20').
2. Side Yards: On interior lots there shall be a side yard on each side of a main building of not less than five feet (5') and a combined total of side yards of not less than fifteen feet (15').

The applicant requests that the front yard setback be reduced down to 17 feet and the side yard remain at two feet to accommodate an eight foot wide front porch.

The hearing began with a presentation by petitioner Cory Cybul, who stated his intentions and reasons for the variation request. Dustin Nilsen, Director of Planning, presented his report. In summary, staff recommended that the Board approve the request because it met the variance purpose and intent found in Village Code Section 10-14-6.

Following a brief deliberation, the Board moved to approve PZB06-11. The motion unanimously carried. Therefore, the Planning and Zoning Board approves PZB06-11.

Trustee Turner moved, seconded by Trustee Pierce to approve the Planning and Zoning Board's positive recommendation regarding front and side yard lot variation for 995 Victoria Street; PZB06-11 and authorizes the Village Attorney to draft the appropriate ordinance for first reading at the next Village Board meeting. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** Porch.

**THE MOTION CARRIED.**

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

No report.

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

**Invoices over \$10,000** – Trustee Turner reviewed the informational report dated October 16, 2006 prepared by village staff showing invoices over \$10,000 and totaling \$86,648.09. Invoices listed were: ComEd in the amount of \$13,515.69 for lift station pumping; Great West Casualty Co. as Subrogee in the amount of \$21,875.00 for JVH release agreement; Lake County Public Works in the amount of \$39,257.40 for County Sewer User Fee; National Waterworks, Inc. in the amount of \$12,000.00 for meters.

**Summary of Escrow** – Trustee Turner reviewed the informational report dated October 16, 2006 prepared by village staff showing escrow payments in the amount of \$16,047.57.

**Accounts Payable** – Trustee Turner moved, seconded by Trustee Pierce to authorize payment of accounts payable as prepared by village staff and dated October 16, 2006 in the amount of \$218,257.87. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** Porch.

**THE MOTION CARRIED.**

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

**Approve manual checks written to date** - Trustee Turner moved, seconded by Trustee Pierce to approve the manual checks report dated October 12, 2006 written to date in the amount of \$796.00 as prepared by village staff. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** Porch.

**THE MOTION CARRIED.**

**Payroll Expense Report dated October 6, 2006** – Trustee Turner moved, seconded by Trustee McCarty to approve the Payroll Expense Report dated October 6, 2006 in the amount of \$251,267.00 as presented. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** Porch.

**THE MOTION CARRIED.**

**Financial report for the month ending September 30, 2006** - Trustee Turner reviewed the financial report for the month ending September 30, 2006 showing an ending balance of \$12,633,573.61.

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### PUBLIC SAFETY, PARKS AND LICENSE

**Memo regarding Christmas Parade Route** - Trustee McCarty reviewed the October 12, 2006 memo from Parks and Recreation Director Laurie Stahl regarding the Christmas Parade route and a copy of the letter that would be sent to parade participants notifying them of the parade line up and route being on Toft Avenue this year.

**Other Business – McMillen Street** – Trustee Pierce discussed a recent high school football game and the parking situation on McMillen Road. He said that he was concerned that emergency vehicles could not get through the street due to the parking that was on both sides of the street. Administrator Haley and Chief Foerster will look into the situation.

### DELINQUENT ESCROW ACCOUNTS

No report.

### ATTORNEY

**First reading of AN ORDINANCE APPROVING AN AGREEMENT FOR PREPAYMENT OF SPECIAL TAX FOR SPECIAL SERVICE AREA NO. 2 BETWEEN NEUMANN HOMES, INC. AND THE VILLAGE OF ANTIOCH, IL (CLUBLANDS PHASE 3 RE-PLAT) PZB06-08** - Attorney Magna reviewed the ordinance and reported that Neumann Homes agreed to and signed the agreement that was distributed in the last board packet. The ordinance will be placed on the next agenda for consideration.

**First reading of AN ORDINANCE GRANTING A VARIANCE FROM REGULATIONS CONTAINED IN TITLE 10-5K-(B)(1) OF THE ANTIOCH VILLAGE CODE TO REDUCE THE FRONT YARD SETBACK FROM TWENTY (20) FEET TO SEVENTEEN (17) FEET ON 995 VICTORIA STREET (PZB06-11)** – Following Attorney Magna’s review of the ordinance, Trustee Pierce moved, seconded by Trustee McCarty to waive the second reading of the ordinance. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** Porch.

**THE MOTION CARRIED.**

Trustee Pierce moved, seconded by Trustee McCarty to approve and publish in pamphlet form **Ordinance 06-10-37**, entitled, **AN ORDINANCE GRANTING A VARIANCE FROM REGULATIONS CONTAINED IN TITLE 10-5K-(B)(1) OF THE ANTIOCH VILLAGE CODE TO REDUCE THE FRONT YARD SETBACK FROM TWENTY (20) FEET TO SEVENTEEN (17) FEET ON 995 VICTORIA STREET (PZB06-11)**. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** Porch.

**THE MOTION CARRIED.**

**First reading of AN ORDINANCE AMENDING THE LIST OF DESIGNATED AUTHORIZED FINANCIAL DEPOSITORIES FOR THE VILLAGE OF ANTIOCH** – Following Attorney Magna’s review of the ordinance and Administrator Haley’s brief report, Trustee McCarty moved, seconded by Trustee Pierce to waive the second reading of the ordinance. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** Porch.

**THE MOTION CARRIED.**

Trustee McCarty moved, seconded by Trustee Pierce to approve **Ordinance 06-10-38**, entitled, **AN ORDINANCE AMENDING THE LIST OF DESIGNATED AUTHORIZED FINANCIAL DEPOSITORIES FOR THE VILLAGE OF ANTIOCH**. Upon roll call, the vote was:

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

**NO: 0.**

**ABSTAIN: 1:** Turner.

**ABSENT: 1:** Porch.

**THE MOTION CARRIED.**

**Executive Session – Pending and Probable Litigation** – Trustee McCarty moved, seconded by Trustee Pierce for the Mayor and Board of Trustees to go into executive session at 8:05 p.m. to discuss pending and probable litigation. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** Porch.

**THE MOTION CARRIED.**

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**Return from Executive Session** – Trustee McCarty moved, seconded by Trustee Turner for the Mayor and Board of Trustees to return from executive session to the open meeting at 8:55 p.m. with **no action taken**. Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** Porch.

**THE MOTION CARRIED.**

### ADJOURNMENT

There being no further discussion, Trustee McCarty moved seconded by Trustee Turner to adjourn the regular meeting of the Board of Trustees at 8:56 p.m.

Respectfully submitted,

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Candi L. Rowe CMC  
Village Clerk