

APPROVED MINUTES
VILLAGE OF ANTIOCH
BOARD OF TRUSTEES, REGULAR MEETING
Municipal Building: 874 Main Street, Antioch, IL
May 21, 2007

CALL TO ORDER

Mayor Larson called the May 21, 2007 regular meeting of the Board of Trustees to order at 7:30 p.m. 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, Crosby, Wolczyk and Pierce. Also present were Mayor Larson, Administrator Haley, Assistant Administrator Keim, Attorney Magna and Clerk Rowe. Absent: Trustee McCarty.

APPROVE BALANCE OF AGENDA FORM

Trustee Hanson moved seconded by Trustee Crosby to remove the authorization to extend for one month the DeKind Computer Consultants contract from the agenda because the current contract does not expire until June 30, 2007. Upon roll call, the vote was:

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Trustee Wolczyk moved, seconded by Trustee Hanson to add the discussion of the purchase of 1923 Stoughton fire truck to the agenda under public safety. Upon roll call, the vote was:

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Trustee Hanson moved, seconded by Trustee Wolczyk to approve the balance of the meeting agenda with changes. Upon roll call, the vote was:

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

MAY 7, 2007 REGULAR MEETING MINUTES

Trustee Wolczyk moved, seconded by Trustee Hanson to approve the May 7, 2007 regular meeting minutes as presented. Upon roll call, the vote was:

YES: 4: Hanson, Caulfield, Crosby, and Wolczyk.

NO: 0.

ABSTAIN: 1: Pierce.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

MAY 14, 2007 SPECIAL MEETING MINUTES

Trustee Crosby moved, seconded by Trustee Wolczyk to approve the May 14, 2007 special meeting minutes as presented. Upon roll call, the vote was:

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

PETITIONS/BIDS

No report.

MAYOR

2006 Queen Photo presentation – The 2006 Antioch Queens presented Mayor Larson and the Board of Trustees with the 2006 Antioch Queen portrait that will be displayed in the Board Room. The photograph was donated by Warren Michael Photography and framing was donated by Suzanne's Framing in Antioch.

Mayoral Proclamation – Public Works Week; May 20-26, 2007 – Mayor Larson read the Public Works Week proclamation, proclaiming May 20-26, 2007 as Public Works Week in the Village of Antioch.

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Standing Committee Appointments – Mayor Larson reviewed the revised proposed standing committee assignments which incorporated the suggestions made by Trustee Hanson in his eight proposed committees. She explained that Trustee Hanson would like to have one trustee on each committee and she proposes two trustees on each committee.

Public Safety (Police, Fire, Emergency Management); Trustee Caulfield Chair; Trustee Crosby.

Parks, License, Senior Services and Special Events; Trustee McCarty Chair, Trustee Hanson.

Finance, Telecommunications Equipment, Computer Equipment, Village Web Site and Software/Email Maintenance; Trustee Crosby Chair, Trustee Pierce.

Public Works, Engineering and Utilities; Trustee Hanson, Chair, Trustee Caulfield.

Planning, Zoning, Building and Economic Development; Trustee Wolczyk, Trustee McCarty.

Legislative and Human Resources; Trustee Pierce Chair, Trustee Wolczyk.

Mayor Larson asked for a motion to approve the standing committee assignments.

Trustee Pierce moved to approve the standing committee assignments as reviewed. **The motion failed for lack of second.**

Comment – Trustee Hanson

Trustee Hanson moved to change the ordinance to accept the new one trustee for each committee structure as presented, being a committee of the whole structure with one liaison representative and department heads making their reports to the village board and any trustee making the motion to approve the department head recommendations.

Mayor Larson

Mayor Larson said this is not on the agenda for a motion, it is on the agenda for standing committee appointments and it is Mayoral appointment and she asked Attorney Magna if there should be an ordinance amending that section of the ordinance. Attorney Magna discussed the proposed structure and asked if it would be a committee of the whole format, and so there would be no committees and only liaison to the departments. Mayor Larson said that she would like to table this item to the committee and that she has asked Clerk Rowe to survey other municipalities regarding their committee structures. She said that she incorporated Trustee Hanson's suggestions and tried proposing a compromise and she asked why she wasn't given the courtesy or contacted by any of the Board members if they had concerns with her proposed appointments. She also said that she believed licensing was missing from Trustee Hanson's proposed standing committee structure and she asked what would be the title of the trustee.

Comment – Trustee Crosby

Trustee Crosby said the chart is a little confusing the way it was drafted and they have had some discussions about taking the liaison names out of the department head boxes. He said that it was hard to explain but what they are trying to do is create a liaison position between individual Board Members and the Department Heads and to empower and put more of the presentation responsibilities onto the actual employees who are responsible for their departments. He appreciated the fact and thanked Mayor Larson for her compromise but they have concerns with having two people on a committee because they want to have open communications between Board members. He also discussed that if the liaison can't attend a meeting, it would be that Board Members responsibility to find their replacement. Mayor Larson discussed her concern with that structure and she discussed the finance department in particular and said that if for example, Trustee Crosby who has been serving as finance chair since the election he has spent a lot of time to get up to speed on that committee and if at the last minute and short notice he could not attend a meeting, how would the trustee replacing him for that meeting have the opportunity to be brought up to speed. She also asked if the Board is requesting that every department head be at every meeting. Trustee Crosby said that there could be somebody on the Board, with the Mayor's consideration and agreement that would be the primary back up who the liaison could have heavy communication with and he would welcome them to attend also attend the meetings. She asked again why we wouldn't just appoint a second person to sit on the committee. Trustee Crosby asked that Trustee Hanson explain their reasons.

Comment – Trustee Hanson

Trustee Hanson asked the Attorney to address how the committee structure is today. He went on to say that in the past, with three trustees assigned to each committee, they could not communicate with each other unless in an open meeting and it limited communication between themselves about a certain committee one on one and outside of the meeting structure. Mayor Larson asked if their proposed structure is an attempt to circumvent the open meetings act. Trustee Hanson said that it was not and that Fox Lake and Grayslake use this kind of committee structure. He said they are putting more responsibility onto the department

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heads and he put a lot of time and effort into his research and he feels that it is a structure that could work. Trustee Hanson said that it was directed to the Administrator at Tuesday's meeting to meet with him to modify his structure and that didn't happen. She said there were no modifications to Trustee Hanson's proposed structure and so as Mayor and under her committee she distributed a proposed change in the packet for the Board's review prior to the meeting. Trustee Hanson said that if the Mayor would like to place it back in committee he would be happy to do that.

Comment – Trustee Pierce

Trustee Pierce thanked Trustee Hanson for working hard on this and reaching out and calling him earlier today and telling him what the changes to the committee structure would be; at the same time, he believed this item should be placed back into committee because it seems there are issues with the Open Meetings Act that he would like to make sure is addressed.

Attorney Magna

Attorney Magna said that it appears the present committee structure is going to be abolished by a new ordinance, and taking the function of the former committee structures to a committee of the whole which would still have to comply with the Open Meetings Act. He said that you have to keep in mind that you are spreading the opportunity for discussion among the Trustees and the Mayor to a broader number. He discussed this structure could lead to micromanagement and he asked how the liaison would be established and the Board should be by function and not name. Trustee Hanson asked that Attorney Magna help with drafting an outline for the new structure to be reviewed at a committee meeting. Mayor Larson would like to include naming an alternate because her main concern is that someone may not be able to attend a meeting and we would need someone from the Board to give the report.

Comment – Trustee Wolczyk

Trustee Wolczyk said that he recognized Mayor Larson's significant changes to her original committee structure. He said that he had a concern with technology being included with the finance committee. Mayor Larson explained her thought process and that technology impacts the finance department and she thought it was a good fit. Trustee Wolczyk asked who would give the presentations to the Board. Trustee Hanson said that he thought that the department head should give the report and if they don't have a report on the agenda they don't have to be there. He recognized that the Police Chief, Emergency Management, Planning Director and Community Services directed are at most meetings. Mayor Larson asked if Trustee Hanson is going to require that all department heads attend every meeting. Trustee Hanson said that he believed they should.

Comment – Trustee Crosby

Trustee Crosby said that what they are trying to accomplish is to empower the village management to manage the village and to be accountable to the Board to the citizens for their actions. If they are doing a great job we'll give them a round of applause, if not we would encourage them. He said that he thinks this is a plus for department heads except for having to give up a couple of nights but they are salaried so it won't cost the village any more. He said that he is in support of this and it's a worthwhile effort other villages are doing something similar and if it doesn't work, we can go back to the old way.

Comment – Trustee Hanson

Trustee Hanson said the goal is to change the way things are done have more open communication and make the department heads more accountable to the Board.

Mayor Larson

Mayor Larson said that she would like to see some compromise and she has tried working with the Board. Trustee Hanson discussed the past two years and Mayor Larson said that she agreed and she had already apologized to Trustee Hanson and Trustee Caulfield.

Comment – Trustee Caulfield

Trustee Caulfield said that he thought this was going to be on the next committee agenda and should not have been placed on this agenda for discussion.

Trustee Caulfield moved, seconded by Trustee Crosby to place the standing committees on the June 12, 2007 Committee of the Whole agenda and authorizes the Village Attorney to draft an outline addressing the issues discussed.

Comment – Trustee Crosby

Trustee Crosby referred to an earlier comment made by Mayor Larson that someone made a comment to her that it was their way or the highway. He said the Board needs to respond to the residents and we need to work as a group to make the village all that it can be. He said that he would be very disappointed if any sitting Trustee would have an attitude that "it's my way or the highway". It needs to be "our way" and that is where he is coming from. Mayor

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Larson thanked Trustee Crosby for his comments and said that she is glad to hear that because she was very distressed to hear that comment.

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

Other Business – Post Prom Event - Mayor Larson complimented Antioch High School and Darcy Dussault for the successful post prom event that had 180 participants.

CLERK

SWALCO Household Chemical Waste Collection Dates – Clerk Rowe reviewed the upcoming Household Chemical Waste Collection locations and dates. The SWALCO events will be held at the Village of Lake Zurich Metra Train Station on June 9 and at the Village of Deerfield High School on June 23.

ADMINISTRATOR

Hinshaw and Culbertson LLP Re-engagement letter regarding the Amendment of the Antioch FPA Planning Area – Administrator Haley said at the Board's direction, he spoke to Tom Morris of Hinshaw and Culbertson regarding the Emmons School situation and explained to him that the Board didn't want an open ended contract. Mr. Morris will be sending out an amended letter of engagement with narrowed parameters. Administrator Haley said that he had also been in contact with Emmons School and as soon as we get the re-engagement letter the Superintendent of Emmons School will take the information to his Board and request some participation.

2007 Community Development Block Grant Sub recipient Agreements – Public Infrastructure – Administrator Haley said that we received the award letter for the 2007 Community Development Block Grant and the Village of Antioch has been awarded \$75,000 and that is committed to Fall Lake Street paving project.

COMMUNICATIONS

Clerk Rowe said that she received a letter today from Mr. James Freedman, Rembrandt Drive resident who asked that she read the letter and enter it in the record. Clerk Rowe read the following letter dated May 21, 2007.

*I have decided not to attend your village meeting to address the Board and you Mayor. My reason is that no matter how many times I ask there is **NO response** to my question and feel that my time is wasted.*

The minutes of April 16, 2007 have been approved. Page two Citizens Wishing to Address the Board I have clearly stated my question to you and the Board of Trustees over many years and have still been unable to understand your refusal to answer.

*I have asked for your answer or even a response to the question of "How much money was collected from the 5% utility tax on communications **AFTER** the tax was supposed to have ceased (I believe it was approximately seven months of "illegal" taxation) and what was **voted on by the Board determined to do with this money?***

The answer you had Mike Haley send to me was not an answer to my question

Why after all this time can't you, Mayor, give an answer to all the citizens, you included, who paid this "After" tax?

If you spent it why can't you explain to the public how much and how it was determined to spend approximately ¾ of a million dollars of their money without their knowledge?

A citizen willing to address the board should be shown the respect of a response at the meeting. Even if the response is "that you don't know the answer, but you find out and advise the public." A follow up response should be made within a reasonable time.

*Your lack of response, in any way gives a very poor impression of the management of funds. You have been voted into office as Mayor and Trustees with a trust in your leadership and to see that the village is run properly and fairly. A clear answer to the question I have raised should not be a secret and should be a simple determination from the finance department of the village to you. Was your administration lax in determining this excess money and its proper management and distribution or was it done properly to benefit the citizens of Antioch? What is the secret? What is the problem? Please answer the question and **LET THE PEOPLE KNOW!!!!***

Mayor Larson asked Administrator Haley if he had any comments regarding Mr. Freedman's letter. Administrator Haley said that after Mr. Freedman made the request on March 21, 2007, he sent him a letter explaining the disposition of the remaining utility tax funds. He said the total tax collected from May 21, 2001 (when the Board approved the Ordinance) to May 2006, which was the last time we received telecommunication tax payments from the ordinance; totaling \$2,506,474.00. Administrator Haley said the total interest and principle payments to the bank, which is the total payoff of the Dolly Spiering loan, was \$1,751,019.00. The balance as of December 6, 2004 was \$755,455.00 (amount remaining after paying the loan). Administrator Haley discussed the many discussions about what we should do with that money and it was recommended by the auditors that because the money was collected for payment of debt service, that it should be used for payment of debt services. Administrator Haley said that in the letter to Mr. Freedman, he said "that debt service payments as recommended by the auditors were the 1998 Water and Sewer Construction Bonds for 2005 and 2006 in the amount of

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\$527,264.00.” The balance after those bond interest payments was \$228,191.00. Administrator Haley said that we had another Sewer and Water Bond in the amount of \$241,574.00 principle and interest, and we took the \$228,191.00 and added general fund revenues to that and paid that Bond. Mr. Haley said that his letter stated that he hoped the information was satisfactory and if Mr. Freedman had any further questions to contact him. Administrator Haley said that he’s not sure how to answer his concerns because we have in fact told him exactly how much money we collected and how much money we paid and what we did with the remaining balance.

Comment – Trustee Crosby

Trustee Crosby asked if Mr. Freedman wrote the letter after he received Mr. Haley’s letter. Administrator Haley said that he knows that he did. Trustee Crosby said that Mr. Freedman doesn’t feel the response has answered the issue. Trustee Crosby asked what we should do next. Administrator Haley said that he has copies of everything, the wire transfers to Chase Bank, etc. Administrator Haley said that Mr. Freedman always wanted the Village to refund the money to all of the taxpayers. He said that it would not be possible to figure out or that the telephone companies could tell us how much tax people paid on their telephone bill over the last five years and that is why it was the auditors suggested that the money was collected be used for reduction of debt and that is what we did with it.

Mayor Larson

Mayor Larson said for clarification, the Village notified all of the utility companies that we were removing the tax as of a certain date and an ordinance was passed. The telecommunication companies do not allow the tax to be terminated except on January 1 or July 1.

Comment – Trustee Crosby

Trustee Crosby said that he has a lot of respect for Mr. Freedman and thinks he has the best interest of the Village at heart. He suggested speaking to Mr. Freedman. He said that it was terrific that Mr. Haley gave him the response that he did and they have all talked that one of the things that can be done more effectively in the future is to make sure that we have citizens questions compiled in a list and perhaps at the next meeting respond so that we know that we have it accomplished. He said that if we don’t have the answers by the next meeting, to roll it until we finally have it accomplished. Trustee Crosby said that he thought most of the citizens in Antioch would like the kind of feedback received by Mr. Freedman. The truth is that sometimes the feedback won’t be what they want to hear, but from his perspective, as long as it makes sense and is explainable that certainly is the minimum that we do. Mayor Larson said that she believed staff has tried in the past, and that is the direction that staff has always had. She said unfortunately, the citizen, a lot of times knows what they’re going to ask before the meeting and staff couldn’t possibly be expected to have the answers to a question that they are hearing for the first time. She explained that is why we asked to give staff an opportunity to find the answer and respond. Trustee Crosby asked that we keep a list and make sure they don’t fall off the screen.

Comment – Trustee Hanson

Trustee Hanson asked that maybe we could go back to the actual dates that the payments were on the payable list and get those motions and tie it back to those numbers. Administrator Haley said that he has all the information, but that is not what Mr. Freedman is asking. He said that sometimes people don’t understand fund accounting, that all the money is in the same fund, the general fund. He said that it’s accountable, but fund accounting is something that is very unique to government. Mayor Larson said that is one of the reason we have annual audits. Administrator Haley said that we can get the payable dates and possibly have Mr. Freedman meet with him and Trustee Crosby.

Comment – Trustee Crosby

Trustee Crosby said that he would believe that meeting may be something that can be done to help and that he was surprised that Mr. Freedman had more questions after Mr. Haley’s written response, but maybe there was something that he too was missing. Trustee Crosby offered to help in any way that he can.

Comment – Trustee Pierce

Trustee Pierce said that he liked Trustee Crosby’s idea regarding citizens and said that we have other citizens who would like to address the Board.

Comment – Trustee Wolczyk

Trustee Wolczyk suggested an ordinance be drafted regarding citizens who address that a response would be formally written. Mayor Larson said that she wasn’t sure that it was needed in an ordinance and that we have always tried to do that and by Board direction, staff would do that. Trustee Wolczyk said the ordinance may avoid what has happened with Mr. Freedman. Mayor Larson said that staff has been responding to Mr. Freedman.

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Clerk Rowe said that Mr. Paul Green asked that she read "A Memorial Day Story" that he had written regarding the ultimate sacrifice of giving of one's life for others being made by countless men, women and their families throughout history. Mr. Green's letter mentioned his friend Bernie DeVries who has served in the Navy most of his life and who recently lost a grandson, Jack Valentine, also serving in the Navy and who was stationed in Guam. Mr. Green said in his letter that Memorial Day is a national holiday in which Americans can show their gratitude and to honor and respect those who have died; by our actions, thoughts and prayers. Mayor Larson recognized Mr. and Mrs. DeVries, Jack Valentine's grandparents and James and Margaret Cole, Jack Valentine's aunt and uncle who were present in the audience. She said that it is very fitting that remember this young man and his family as we approach Memorial Day.

Clerk Rowe read aloud the letter from the Antioch VFW Post 4551 inviting Mayor Larson and the Board of Trustees to attend their Memorial Day celebration on Monday, May 28 at 11:00 a.m. at the Antioch VFW.

CITIZENS WISHING TO ADDRESS THE BOARD

Mary Lou Cook, Bowles Road resident, said that she has had problems getting some answers from the Village for 2 ½ years from the village. She said there was a new home constructed next to her home and she doesn't believe the zoning is being followed. She said that she also believed the watershed act is not being followed. Ms. Cook said the elevation of the property and the flooding it has caused. She said that she has sent emails, copies of letters and made telephone calls and none have been answered. She said that she had a couple of the Trustees step in and help. All have been very kind but they too have not been able to get answers. Ms. Cook said that she is totally perplexed that she is flooding. She talked about the setback and the stairwell and 12' retention wall and it's leaving her yard totally exposed. Ms. Cook also discussed the detached garage that is now being rented and doesn't understand why it's being allowed. She said that she is frustrated and feels like she is a small peanut being pushed to the side.

Comment – Trustee Crosby

Trustee Crosby said that he spoke to Ms. Cook after receiving a copy of her email and he apologized for her experience. He said that every citizen and as a matter of fact every person living in the township is important because things are done here that affect them as well. He said that if she would like a Board member or two to meet with her he would volunteer his time to help to get closure. Trustee Crosby said that we need to find out what the issues are and what we can do. Mayor Larson will have staff get back to Ms. Cook addressing her concerns.

Wally Ruppert, Main Street resident, said that he's a long time resident and owner of multiple pieces of property in the village. He said when he was first approached to rent his store to Liberty Tattoo he was didn't think he wanted to have a tattoo parlor in his store. He said that he thought tattoo parlors were terrible, dirty, unscrupulous people and not something we want on Main Street. He said that he had an open mind and invited them to the store so he could meet them and he was very impressed. He said they are professional; know their business and they had a good business plan. He said the next thing he did was visit their existing store in Libertyville and he was really amazed. He said that it was as clean as a hospital and it really surprised him and he talked to the adjoining property owners and that everyone was happy with them. He said after investigating a little further he believes as a citizen that they would make a contribution to the town and they will make good tenants for his store.

Kathy Kurth, Netherlands Drive resident, read her letter regarding the intersection of Deep Lake Road and Route 173. She would like to know if the southwest corner, which is occupied by several FOR SALE vehicles owned by Raymond Chevy, is allowed to display their inventory on this parcel of land. She said the approach to our village in any direction would certainly be more appealing without the For Sale autos. She asked to site the ordinance that allows for this type of display of their inventory. Mayor Larson said that staff would respond with an answer.

Comment – Trustee Pierce

Trustee Pierce said throughout the village there are other vehicles displayed with advertisement, he asked if we could look at the whole issue. Mayor Larson said that we should look at the ordinance and look for code violations and apply the rules equally to everyone.

Comment – Trustee Crosby

Trustee Crosby said that he's had some conversations with staff about this same issue as recently as mid-day today and he had a copy of the ordinance and he asked staff to enforce the spirit of the law if not the letter of the law and try to get everyone to conform.

Cedric Johnson, Marshall Drive resident, said he was concerned with the conditions of the Trevor Creek Park which was started in November 2006. He said the main concern is the

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safety for the children because of the condition of the property and debris. He also asked for a time frame that he could report back to his homeowner's association to let them know when the project would start and an estimated completion date. Mayor Larson said that she and Administrator Haley looked at the Park last week and she apologized for the delay on the park. She said that she knew there were weather issues and issues regarding the movement of the dirt at the end of last year and we need to come up with a timeline so the Trevor Creek residents could have the park they deserved and paid for.

Dennis Cassell, Trevor Creek resident, said that one of the reasons some of the homeowner's are upset about the park is because Kennedy Homes was supposed to have the Park built before the subdivision was done. She said the Village took over the Park and that Kennedy Homes paid \$50,000 to the Village and for the Village to take over the park. Mayor Larson said that she couldn't confirm those statistics and this is the first that she's hearing that number. Ms. Cassell said the information came from former village engineer Keith Fujihara. Mayor Larson apologized and said the village also wants a beautiful park for the Trevor Creek residents and she knows there are elevation issues with that particular land and we're trying to do it the correct way rather than just doing it quickly.

Director of Physical Services Jim Keim said the park construction was stopped because we could no longer haul the dirt and so the grading plan that we are under contract on is not able to be completed because we don't have a place to take the dirt. He said that he talked to a number of residents and apologized that he didn't get a telephone call from Mr. Johnson or Ms. Cassell so he could have addressed them directly. He said that we need to redesign the park completely and the grading has to be redone, and there needs to be another survey done. He said we are anticipating doing the survey work in the very near future and we should have a plan together in June and hopefully construction can resume in the month of June.

Comment – Trustee Hanson

Trustee Hanson asked if it's a common practice to take over a subdivision and take the obligation away from the developer to finish a park. He asked what happens in the case where this might cost the taxpayers more money. Attorney Magna asked when Trevor Creek subdivision was platted. Jim Keim said that it was platted approximately in 2002. Attorney Magna said that your general format for your ordinances, especially for your subdivision ordinances states that where a plan is approved, there should have been a letter of credit posted for the public infrastructure as well as the quasi public infrastructure, but he didn't know if that was done. He said that if it was, then you can draw on the letter of credit if the developer doesn't finish assuming that there's some timeline for these improvements built in with the development agreement and annexation agreement. He said without reviewing what those agreements provided for, but the fact that there was a payment to the Village, he presumed there were estimates made of what it would cost to complete the park. He said the short answer is that it is different to do it that way, but if you would have drawn on the letter of credit, there would have been an estimate made and the bank would have paid the Village the amount of money based on the estimate, is pretty much the same result. He said that monitoring the progress of the quasi public improvements such as parks and pools and negotiating at the time of the development.

Mr. Johnson discussed being charged a premium to have the park property and he asked if a credit could be issued for what the association has done to date.

Comment – Trustee Hanson

Trustee Hanson said that it sounded like Mr. Johnson's premium went to the developer and not to the Village.

Comment – Trustee Pierce

Trustee Pierce said that if he remembered correctly there was an issue involved with the annexation papers that were originally drafted and approved, where the park was going to be there, but there was no enforcement of the developer or final annexation agreement for the park to be developed. He said the Village went back to the developer and said that it had to be finished and the developer responded that they did not, because it was not in writing and then negotiations brought about the \$50,000 because we needed the dirt in a different location. He said the developer paid us to move the dirt and to finish improvements on the park. Trustee Pierce said that we were stopped moving the dirt due to other citizens addressing the village, which turned this situation in a big circle. He asked that Administrator Haley address the safety concerns. Mayor Larson said the bottom line is that we want to develop the park so the people in your neighborhood can use it.

LEGISLATIVE AND HUMAN RESOURCES

No report.

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PLANNING, ZONING AND BUILDING, SENIOR SERVICES

PZB06-14; Combined Planning and Zoning Commission letter of recommendation regarding PZB06-14; a request for Rezoning from RE-3 to M-1, Planned Unit Development Special Use, and Preliminary PUD plat approval pursuant to Section 11-2-3 and 10-7A-2 of the Village Code for a Master Planned Industrial Park. The parcel is generally located on the east side of Mill Creek and North of Illinois Route 173, PIN #s 03-18-100-002; 03-18-100-001; 02-13-200-003; 02-13-000-006 - Planning and Zoning Director Dustin Nilsen highlighted the agreement that lists the standards for landscaping, architecture, timing, phasing and deliverables. He said that in most part, any departures from the code are in excess of our code and the variations, most of which has raised the bar in terms of development in both what is required along the frontage of Route 173 setbacks and residential buffers. He reviewed the following Planning and Zoning Commission unanimous letter of recommendation dated February 5, 2007:

The Combined Planning Commission and Zoning Board conducted a public hearing on November 11, 2006 and January 4, 2007 following notification as required by State Law and Village Ordinance to consider a zoning code amendment with a special use planned unit development request.

The petitioner, Industrial Developments International (IDI), proposes the development of a 200-acre industrial park. As part of the rezoning petition, a Planned Unit Development Agreement and Special Use request has been submitted.

The hearing began with a presentation by Tom George, who introduced IDI, its consulting team, and the various aspects of project including phasing, landscaping, architecture and engineering. Neighbors of the project generally understood the development but requested that the eastern perimeter landscape buffer be increased beyond 30 feet and that the Village considers an anti-idling ordinance. Staff clarified the proposed buffer already exceeds the Village and County standard for width and materials and that the performance standards within the existing zoning code protect against nuisance impacts such as engine idling. Dustin Nilsen, Director of Planning presented his report. In summary, staff recommended that the Board approve the request with the conditions that the developer resolve outstanding issues prior to Board Approval.

Following brief deliberation, Member Kaiser moved, and Member Cole seconded to approve with conditions PZB06-14; zoning change from RE-3 to M-1, the Preliminary PUD Plat, and a Special Use approval for a Planned Development pursuant to Title 10, et seq. of the Antioch Village Code. The motion carried.

Therefore, the Planning and Zoning Board recommends approval of PZB06-14, because the proposed Planned Unit Development meets the standards for Title 10, Chapter 9 along with goals of the Village's Comprehensive Plan, as stated in the Route 173 Comp Plan Amendment.

The approval recommendation is subject to the following conditions:

- 1. Resolution of outstanding issues prior to final Board approval;*
- 2. That Rezoning, Preliminary PUD Plat, and Special Use Planned Unit Development approvals be subject to the terms of the Planned Unit Development Agreement, all of which shall be agreed upon by the Board and codified as part of the final approval ordinance.*

Director Nilsen said that District 34, in their letter dated January 11, 2007 encouraged this type of development because it doesn't add students to the system. He reported the developer is in the process of annexation to the County SSA#9, which is a service area administered by Lake County. He said that everything East of Deep Lake Road goes to the sewer treatment plant located approximately on what is known as the Abbott Labs property. Director Nilsen said this had been reviewed before the Public Works and Transportation Committee of the Lake County Board and have met with the Lake County Forest Preserve who is also in support of this development. He said that Lake County Partners has been involved with this development for the past year and they would like to see the development here instead over the border into Wisconsin. Director Nilsen said that staff also recommends approval because it complies with Title 10 and Title 11 of the Zoning and Subdivision Code and because it enhances and personifies the Comprehensive Plan. Director Nilsen said that regarding the sewer, we would require a parallel agreement with the SSA#9 annexation, we would bring this into our Northeastern sewer service area and would be subsequent action that would along with County action.

Comment – Trustee Crosby

Trustee Crosby said that he and Director Nilsen discussed earlier, he had about two dozen questions, some substantive and some informational, that he would like to get answered before he votes on the matter. He said there are issues that are not clear to him and from a perspective of our residents, he knows this project has been ongoing for a long time and he is sure the developers would like to get it underway. He said that there are new board members who have not been able to participate and for whatever reason, been at previous P&Z Board meetings and was not involved in the initial vote on this development. He asked board members to allow this item to go to a dedicated committee meeting just to discuss it, before it's voted upon. Mayor Larson asked that we give the developer a timeframe when we can expect to take action on this because we have the majority of the Board that has been participatory in this process and has gone to Planning and Zoning and committee meetings. Trustee Crosby said that it depends on the answers to the questions and he would like to ask the questions before we get pushed into a timeframe on when we're going to take action. He suggested having the committee meeting and if the answers are available and they make sense and we can all live with them, as far as he's concerned, we could do this at the next board meeting. If the answers are not available, or not acceptable, then he doesn't know. Mayor Larson said that she is asking that if they get answers that make you lean more toward a positive recommendation, then it should be taken to a meeting. If they do not like the proposal, it still should come to a

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meeting, so the applicants can get an answer. She said that is what she meant when she said that she is looking for a timeframe; we have recommendations from District #34, Planning and Zoning Board and staff. She said that she understood if this didn't give Trustee Crosby a comfort level, but they have certainly met all of the standards they have been asked to meet and they have come to our Board and answered questions and she felt we owe them a courtesy so this doesn't drag out through the building season for them.

Comment – Trustee Hanson

Trustee Hanson said that our next Village Board meeting is on June 4 and suggested having a committee meeting one night next week that would work for everyone. The developer asked if they could have the list of questions prior to the meeting so they could come prepared for the meeting. Trustee Crosby said that he would email the 21 questions to him.

Following discussion, Trustee Caulfield moved, seconded by Trustee Wolczyk to discuss PZB06-14 at a Special Committee of the Whole meeting on Wednesday, May 30, 2007 at 7:00 p.m. Upon roll call, the vote was:

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

ENGINEERING, PUBLIC WORKS AND UTILITIES

2007 Resurfacing Program Bid – Director of Physical Services Keim reviewed the bids received for the 2007 Resurfacing Program bid tabulation and letter of recommendation from Smith Engineering Consultants dated May 2, 2007, recommending the award of the bid to Payne and Dolan in the amount of \$357,015.75.

Comment – Trustee Caulfield

Trustee Caulfield said that he would like to refer this to the June 12 Committee of the Whole meeting. He said that he's had some conversations with the Redevelopment Committee Chair and he indicated that he would be happy to share the history and some of the reasons this request has come before the Village Board. Trustee Caulfield said that he believed it would be wise and important to take his input, for the same reasons that he had the last time when he requested it go to committee. Trustee Caulfield said that it's a lot of money repaving a parking lot that was included in the Downtown Route 83 Corridor Study as a possible alternative direction in that area. He said apparently there is a list of other projects that may be available to this Board to consider for use of these funds. Trustee Caulfield said that he would like to hear his input. Trustee Crosby asked Trustee Caulfield if that is what the Redevelopment Chairman said, did he say they had other ideas. Trustee Caulfield said yes it was what he said.

Mayor Larson

Mayor Larson said there are other things that we are spending TIF money as well. She said that she is not certain what Trustee Caulfield's conversation was with the Redevelopment Chairman, but those other things she believed are included in the budget.

Comment – Trustee Caulfield

Trustee Caulfield said the conversation centered on the fact that apparently there were discussions at the Redevelopment Committee meetings about how to use those funds. He said that the Redevelopment Chairman indicated that a majority of the committee members were not in favor, necessarily of this particular use of those funds. Trustee Caulfield said that he has to take him at his word because he is Chair of that committee. Trustee Caulfield said that he never saw a list of the other items that were considered and he made the comment last time that if we're going to spend \$357,000 for paving, it would seem to him that we could get more bang for our buck other than just covering the same old layout that's there. He said that it didn't seem like there was any creative thought process in, at least in his understanding of what was going on, in paving this. He said that it was just that we have this money and we have to use it up, the TIF is going to go away and we have to get it done. He said that it wasn't a satisfactory explanation of why we needed to spend \$357,000. Mayor Larson said that she understood Trustee Caulfield's concern, but said that we have other parking lots that we do need to do such as the Senior Center parking lot, the Church portion that we are responsible for and Cunningham and Toft Drive parking lots. She asked if we are putting all the lots on hold and she asked Trustee Caulfield if that is what he's talking about. Trustee Caulfield said that it was his understanding that the bid was for the entire amount and to piece meal this may affect the price and so he doesn't know how we could approve this in pieces, so yes, he is asking for all the projects to be held. Mayor Larson asked if we need to re-bid these other lots, because they need to be done. She said the Senior Center lot in particular is in disrepair and she asked how we would handle that. She said that she understood if he wanted to take one portion out. Trustee Caulfield said that we addressed this at the Committee of the Whole meeting and Administrator Haley indicated there was time left before having to award or reject the bid. Administrator Haley said that we did have a conversation with the contractor, and if the big lot

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comes out of the bid, then he would not honor the bid. Trustee Caulfield said this is one of the things that need to be discussed. Mayor Larson asked that in addition to discussing that particular lot, to add on how we could go out to bid on the other areas. Trustee Caulfield said that he expects that to be part of the discussion.

Trustee Caulfield moved, seconded by Trustee Crosby to refer the 2007 Resurfacing Program to the June 12, 2007 Committee of the Whole meeting.

Comment – Trustee Wolczyk

Trustee Wolczyk said that he was looking at the Skidmore parking lot and Skidmore Drive earlier today. He said that he didn't see the Skidmore parking lot to be in dire distress, he agreed with the Mayor on some of the other parking lots including Park Avenue and the Senior Center. He asked how the Board would feel about bidding those items separately and not pave the rear parking lot and Skidmore Drive at this time. Mayor Larson said that we can't take formal action at this time, but we can certainly discuss this at the committee meeting. She said that staff can identify the lots that we need to go out to bid on so we don't miss another paving season.

Comment – Trustee Pierce

Trustee Pierce suggested, so we don't miss another paving season, that we reject the bids and instruct staff to go out for bid on the parking lots we want done.

Comment – Trustee Crosby

Trustee Crosby asked Trustee Pierce that if we would hold this until we can discuss it. He said the thing that triggers in his mind that maybe we ought to wait is the fact that Trustee Caulfield had a conversation with the Redevelopment Chairman and he indicated that they had some things that weren't addressed. Mayor Larson said the other parking lots do not involve the Redevelopment and that is why it's important that we move forward on repaving and maintaining those lots that need it and that we don't lose valuable time. Mayor Larson said that Trustee Pierce was suggesting that we reject the bid and then re-bid for only the lots that don't involve the TIF funds. Trustee Crosby said that his only concern with doing that is with the cost of petroleum going the way it is, if we decide that ultimately the right thing to do is to pave the lots, we may be hurting ourselves by going and re-bidding immediately. Why don't we just hold for a couple of weeks or even is we have to set up another special meeting, let's hold long enough to see what this gentleman and his committee has to say to make sure that we haven't missed something. He said that if we find some huge opportunity, maybe at that point we consider going out and re-bidding. He said that he wouldn't recommend re-bidding the project yet because we don't want to wind up with a higher price for it. Mayor Larson said that she would like to see the Redevelopment Commission meeting minutes showing what the majority of what the Board recommended.

Comment- Trustee Hanson

Trustee Hanson asked if Redevelopment Commission has an earlier meeting in June that possibly the Board could attend and be part of their meeting agenda. Director of Physical Services Keim said the bid is good for 45 days and so they would be good until the mid-June. He said that if the Board doesn't take action at their second meeting in June the project would not move forward.

Comment – Trustee Crosby

Trustee Crosby said that he didn't want to telegraph that we are going to table everything and put them into committee meetings. He asked that staff appreciate the fact that we have new people and there are a lot of things that have gone on that they haven't been a party to. He said that if there is new information and that we have a little time, it's incumbent upon us to be prudent and go through those steps; not because we don't think that you have done a good job with this, but if there is something else, lets make sure that we have it covered as long as we don't lose the opportunity to do this project at the price that it was bid.

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

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

FINANCE, ECONOMIC AND REDEVELOPMENT

Payment of invoices over \$10,000 Informational Report – Administrator Haley reviewed the informational report of payment of invoices of \$10,000 and over dated May 21, 2007 and prepared by village staff. Invoices included were: ComEd in the amount of \$25,953.30 for street lights and pumping; Northeastern IL Reg Crime Lab in the amount of \$12,230.00 for 2007-2008 membership and The Bank of New York in the amount of \$125,789.55 for 1998A&B Bond interest, 2002A Bond interest and 2004 W&S Bond interest.

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Accounts Payable – Trustee Crosby moved, seconded by Trustee Wolczyk to approve as presented payment of accounts payable as prepared by village staff, dated May 21, 2007 and in the amount of \$291,111.52. Upon roll call, the vote was:

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Authorize payment of manual checks written to date as prepared by the village staff - Trustee Crosby moved, seconded by Trustee Wolczyk to approve the manual checks written to date report dated May 18, 2007 and in the amount \$14,191.97. Upon roll call, the vote was:

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Payroll Expense Report dated March 9, 2007 - Trustee Wolczyk moved, seconded by Trustee Hanson to approve as presented the Payroll Expense Report dated May 4, 2007 in the amount of \$239,579.33. Upon roll call, the vote was:

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Financial Report for the month ending April 30, 2007 – Administrator Haley reviewed the informational financial and investment report for the month ending April 30, 2007 showing an ending balance of \$11,110,359.41.

Quarterly Financial Report – Administrator Haley reviewed the informational 2006-2007 Quarterly and Year-Ending Financial Report showing the annual revenue projection to actual year-to-date receipts and the annual budget to actual year-to-date expenditures.

Comment – Trustee Pierce

Trustee Pierce said that he like the charts and graphs that the finance department included in this report.

Approve Employee Salary Adjustments - Administrator Haley discussed the salary adjustments that were reviewed in the last committee meeting. He asked for a motion to go retroactive with the 3% cost of living increase and 2% step increase for the negotiated rate and up to a 2% merit increase for the non-negotiated and based on a good evaluation.

Trustee Pierce moved, seconded by Trustee Wolczyk to approve the salary adjustments as presented and discussed above. Upon roll call, the vote was:

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Dekind Computer Consultants contract – This item was removed from the agenda earlier in the evening. Mayor Larson said that if anyone has any questions to please contact Administrator Haley so we can have them answered.

Comment – Trustee Crosby

Trustee Crosby asked when the Budget would be reviewed in committee. Clerk Rowe said that it was sent to the June 12 Committee of the Whole meeting. Administrator Haley said that staff is preparing a presentation to make it easier for the Board's review. Trustee Crosby asked if there would be enough time to review the budget along with the other items placed on the committee agenda. Administrator Haley said depending on what the pleasure of the Board, it could take 45 minutes to an hour or longer. Mayor Larson said that we all have had a copy of the Budget of a couple of weeks and she hoped that if there were any questions, we could provide staff with questions before the meeting.

Comment – Trustee Pierce

Trustee Pierce said that he is looking forward to the financial meeting and he prepared a couple of proposals to be included in the budget discussions. He would like the Board to discuss setting aside funds from the Antioch Business District Fund to reimburse all business owners who purchased advertising space on the banners throughout town. Once purchased, review the number of banners and their locations. He would like to look at establishing the

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downtown historic zone with tax abatements to encourage residential homeowners to renovate versus tearing down old Antioch homes. In addition, institute a teardown permit fee to discourage the 'yuppification' of the downtown district. He also said that he would like to recognize that not only are our business district gaining benefit from the commercial development, but the homeowners should also and he said we should look at instituting some form of rebate to all homeowners in their primary homes on their Village of Antioch portion of their property tax. He said these are all things that affect our budget. He said that if the V-Land development is approved, go to the voters with a referendum to ask the voters if they want to put additional monies toward building schools instead of using property tax money; use sales tax money.

Comment – Trustee Crosby

Trustee Crosby said that we need a separate meeting to review the budget. Following discussion and Trustee Hanson suggesting that the Board meet on the day after their next board meetings since they are used to meeting on Tuesdays, it was the consensus to review the budget at a Special Committee of the Whole meeting at 7:00 p.m. on June 5, 2007.

PUBLIC SAFETY, PARKS AND LICENSE

Village/Township Park Project; authorize \$342,158 expenditure for Phase 1 of the project - Administrator Haley said the Village/Township combined park was presented at the last meeting and we need to authorize \$342,158 expenditure for Phase 1 of the project. Administrator Haley explained this is the additional money over what was previously authorized by the Board when they authorized participating in OSLAD Grant program we would expend \$200,000 and get that returned. He said this amount is on top of the \$200,000 expenditure is for our half in our participation in the Tim Osmond Sports park.

Comment – Trustee Crosby

Trustee Crosby asked if the \$542,158 has been contemplated in cash flow. Administrator Haley responded yes.

Comment – Trustee Caulfield

Trustee Caulfield asked if it was \$400,000 from both the Township and the Village. Administrator Haley said that it was \$200,000 from the Village and \$200,000 from the Township. Trustee Caulfield asked if this first phase cost one million dollars plus. Administrator Haley said that we correct. Trustee Caulfield said that it is going to initially cost the Village \$742,000 and wait for a refund of \$200,000 and asked if that was correct. Administrator Haley said that was correct. Trustee Caulfield asked if we're prepared in this year's budget to put three-quarter of a million dollars out for the park. Administrator Haley said that was not correct. Administrator Haley explained that we have to spend the money first and the key is that after spend the money the grant money back it still is going to cost us \$342,158. Administrator Haley briefly discussed fund balances that may be used. Township Supervisor Steve Smouse present in the audience said the \$342,158 is the most the Village would expend for Phase 1 after we get reimbursed the \$200,000 grant funds. He said that we also have a contingency of about \$48,000 that if we don't spend, would reduce that cost. He said that he also didn't include the funds the State Bank of the Lakes dedicated to the path included in the park. Mayor Larson said that we can apply for grants at every Phase. Mayor Larson thanked Township Trustees Steve Turner and Linda Pedersen and Supervisor Steve Smouse for their hard work on this project.

Trustee Pierce moved, seconded by Trustee Wolczyk to approve the additional \$342,158 for Phase 1 of the Village/Township Park Project. Upon roll call, the vote was:

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Resolution 07-10; July 4, 2007 Parade – Trustee Hanson moved, seconded by Trustee Caulfield approved **Resolution 07-10**, regarding the July 4, 2007 Parade. Upon roll call, the vote was:

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

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Raffle License Request: Antioch Lions Club – Trustee Hanson moved, seconded by Trustee Crosby to approve the raffle license request from Antioch Lions Club with the drawing to be held on August 5, 2007 and waiving fees. Upon roll call, the vote was:

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Special Event Liquor Licenses: Antioch Moose Lodge #525; “It’s Thursday” 2007 Concert Series; Antioch Chamber of Commerce and Industry; Antioch’s 2007 “Taste of Summer”- Trustee Hanson moved, seconded by Trustee Wolczyk to approve the special liquor license requests for the Antioch Moose Lodge #525 and Antioch Chamber of Commerce and Industry as listed above and waiving fee. Upon roll call, the vote was:

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Tag Day Requests: Knights of Columbus – September 21-22, 2007; Antioch Lions Club – October 12-13, 2007 – Trustee Caulfield moved, seconded by Trustee Hanson to approve the tag day requests for the Knights of Columbus and the Antioch Lions Club as listed above. Upon roll call, the vote was:

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Letter of recommendation dated May 14, 2007 from Dustin Nilsen, Director of Planning and Zoning regarding the request for a Tattoo and Piercing Studio – Director Dustin Nilsen reviewed his letter of recommendation dated May 14, 2007 regarding the request for a Tattoo and Piercing Studio at 901 Main Street. He said the Studio has offered and agreed to the additional conditions listed below:

- *The business will maintain its policy to not pierce or tattoo any persons who are under the influence of alcohol or drugs;*
- *The business will not pierce or tattoo in the waiting area visible from Main Street;*
- *Tattoo catalogs (aka Flash Art) will not be display on the Main Street storefront glazing;*
- *The business will maintain its practice of requiring legal identification and consent forms from customer and if necessary, their legal guardians;*
- *Other than to complete ongoing procedures, the business will maintain its normal working hours of: Monday – Thursday; Noon – 9pm; Friday and Saturday: 11am to 10pm and Sunday: 11am to 6pm.*
- *The business will comply with the Tattoo and Body Piercing Establishment Registration Act (Public Act 94-1040) approved July 21, 2006, effective July 1, 2007.*

Comment – Trustee Hanson

Trustee Hanson said one of the major concerns, is there is a timing issue and because tattoos can take several hours, he asked how they would address the parking issue because of other merchants concerns about two-hour parking. He asked that if knowing you have a long session scheduled, would they be guided to park in the back. Mandi Lynn, present in the audience indicated that they would.

Comment – Trustee Crosby

Trustee Crosby said that this was difficult decision for him. He discussed the area where he grew up in California and the certain area that had tattoo establishments. He said that his wife reminded him that mainstream has shifted in this country regarding tattoo and piercing. He said that if he had his preference in Antioch but in a different location simply because we don't know what is going to happen downtown and he had been hopeful that we could find a good compromise that would be good for all. He said that at the same time, he would like to acknowledge the fact that they have the right to be where they need to be and he asked that they be the best business neighbor they can and help build this village into all that it can be and he wished them well.

Mandi Lynn, Liberty Tattoo

Mrs. Mandi Lynn, present in the audience, said that as of July 2007 the Illinois Department of Public Health who be regulating the standard, has been in contact with them over the last few months and she has been asked to sit on the panel with the health department to review the regulations.

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Mayor Larson

Mayor Larson said to Mandi Lynn that she has been very proactive in what their standards are and we greatly appreciate that. She said that we certainly never intended not welcome them to the Village. Mayor Larson said that we had in ordinance in place and that is the only reason we went down that road. She said depending on what the Board decides tonight; hopefully they will be able to open their business.

Comment – Trustee Caulfield

Trustee Caulfield asked Attorney Magna if at this moment, the Board was being asked to approve a business that doesn't comply with our current ordinance. He said that he sees the draft ordinance later on the agenda. Attorney Magna asked that the Board address the spacing limitation ordinance first and then consider the license. Trustee Caulfield said that tattoo studios would become regulated by the State in September, with all do respect to the State, what does that mean for the Village of Antioch. Trustee Caulfield, speaking to Mrs. Lynn in the audience, said that he respects her business and he is looking forward to her having a successful business in town, but what does it mean for the Village to enforce or know that we're doing the right thing regarding the public health standards. Ms. Mandi Lynn said that if the business is in violation of the regulations, the State would revoke the license, shut down and fine the business. Attorney Magna said that in the draft of the licensing ordinance, there is a clause to comply with all applicable local, state and federal regulations. He said he has searched for Lake County regulations to see if they have addressed this, and they have not. There are very few existing regulations by authoritative health departments. The Village has never had a health department; those are resources that we rely on such as Lake County for the restaurants. Attorney Magna said to emphasize that this has become a revolving area the health departments for the State has not kept up with it; it is moving in that direction, so this ordinance proposes several restrictions of which, we can obtain copies of reports such as OSHA and autoclave reports that are available objectively. He said the Village does not have an authoritative department for inspections, reviews and recommendations so this goes back to the standard measure of operation of the existing studio in Libertyville. Trustee Caulfield said that he intends to vote to approve it because of their track record and the additional information they have provided as part of the license. He asked that all the legal issues get buttoned up. Attorney Magna said that he would be going downtown tomorrow to report the status of this meeting that will begin the process of buttoning that up; it will not end it tomorrow.

Comment – Trustee Pierce

Trustee Pierce discussed his naval experience regarding tattoos and he said that he has the pleasure of knowing Mandi Lynn and her husband for several years. He said that he's had the opportunity to meet with some of their customers and friends, and not only would these people do business with their studio; they would shop at other stores and restaurants in Antioch.

Other Business – 1923 Stoughton Fire Truck – Chris Lienhardt, Antioch Fire Department Public Information Officer, discussed the opportunity to purchase a 1923 Stoughton Fire Truck that was the very first fire engine that Antioch owned. Mr. Lienhardt said that truck is completely refurbished and restored and is currently worth \$45,000 and it is available to the Village in the amount of \$15,000. Following further discussion, it was the consensus of the Board to approve the \$15,000 expenditure to purchase the 1923 Stoughton Fire Truck. The expenditure will be ratified at the next Village Board meeting.

ATTORNEY

First Reading of AN ORDINANCE ESTABLISHING A BUSINESS ENHANCEMENT AND DEVELOPMENT ADVISORY COMMITTEE - Attorney Magna reviewed the ordinance. This ordinance will be placed on the June 4 Village Board agenda for second reading and approval.

First Reading of AN ORDINANCE AMENDING SECTION 4-7-7 D.7 OF THE ANTIOCH VILLAGE CODE PERTAINING TO MINIMUM DISTANCES OF TATTOO AND PIERCING STUDIOS FROM ANY CHURCH, PUBLIC SCHOOL, PLAYGROUND OR ATHLETIC FIELD - Attorney Magna reviewed the ordinance.

Trustee Caulfield moved, seconded by Trustee Wolczyk to waive the second reading of the ordinance.

Comment – Trustee Pierce

Trustee Pierce said that he believed we need to eliminate the distance requirement and evaluate the ordinance at a future date and look at a different way to control the number of quantity of tattoo studios. Attorney Magna said that depending on the actions tonight, and after tomorrow's session downtown, he would have recommendations regarding the distance issue.

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Comment – Trustee Crosby

Trustee Crosby asked if by adopting the amending ordinance and approving the license end any action. Attorney Magna said that in terms of the pending litigation, the substantive request contained in that complaint is rendered mute if the ordinance is adopted, that in effect, ends that aspect. He said there is another element regarding claim for fees which is separate issue. Trustee Crosby said that he would like to discuss that before voting on the issue. Attorney Magna suggested the Board go into closed session to discuss this further.

Recess to Executive Session – Pending Litigation - Trustee Wolczyk moved, seconded by Trustee Crosby for the Mayor and Board of Trustees to recess into executive session at 10:16 p.m. for purposes of discussing pending litigation. Upon roll call, the vote was:
YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Return from Executive Session – Trustee Pierce moved, seconded by Trustee Crosby for the Mayor and Board of Trustees to return from executive session to the open meeting at 11:09 p.m. Upon roll call, the vote was:

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

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

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Trustee Pierce moved, seconded by Trustee Wolczyk to approve and publish in pamphlet form **Ordinance No. 07-05-08**, entitled, **AN ORDINANCE AMENDING SECTION 4-7-7 D.7 OF THE ANTIOCH VILLAGE CODE PERTAINING TO MINIMUM DISTANCES OF TATTO AND PIERCING STUDIOS FROM ANY CHURCH, PUBLIC SCHOOL, PLAYGROUND OR ATHLETIC FIELD.**

Comment – Trustee Crosby

Trustee Crosby in speaking to Mr. and Mrs. Lynn present in the audience, said that the Village is supporting them and it's time for them to support the village and try to ameliorate to the extent that you can, the exposure this village has to any more liability. He said that he is counting on them and looking to them to do it as fellow citizens and taxpayers and he asked them to please help the Village with them and asked that they make any more expense to village goes away. Ms. Mandi Lynn said that they have exhausted every avenue made available to them before filing for litigation. She said from this point on, she is happy to cut down any liability, however, due to the actions of the village she was painted into a corner and had no other choice. Trustee Crosby said that he understood, but we're not writing a blank check and he asked that Mrs. Lynn do what she can do and from his perspective, the number he heard was not acceptable.

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

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

First Reading of AN ORDINANCE APPROVING A LICENSE FOR A TATTOO AND PIERCING STUDIO AT 901 MAIN STREET, ANTIOCH, ILLINOIS - Attorney Magna reviewed the ordinance.

Trustee Pierce moved, seconded by Trustee Wolczyk to waive the second reading of the ordinance. Upon roll call, the vote was:

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

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Trustee Wolczyk moved, seconded by Trustee Pierce to approve and publish in pamphlet form **Ordinance No. 07-05-09**, entitled, **AN ORDINANCE APPROVING A LICENSE FOR A TATTOO AND PIERCING STUDIO AT 901 MAIN STREET, ANTIOCH, ILLINOIS.**

Upon roll call, the vote was:

YES: 5: Hanson, Caulfield, Crosby, Wolczyk and Pierce.

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Comment – Trustee Pierce

Trustee Pierce asked that on the next Village Board agenda that personnel is listed under executive session.

ADJOURNMENT

There being no further discussion, Trustee Pierce moved seconded by Trustee Wolczyk to adjourn the regular meeting of the Board of Trustees at 11:20 p.m.

Respectfully submitted,

Candi L. Rowe RMC/CMC
Village Clerk