

APPROVED MINUTES
VILLAGE OF ANTIOCH
BOARD OF TRUSTEES, REGULAR MEETING
Municipal Building: 874 Main Street, Antioch, IL
July 2, 2007

CALL TO ORDER

Mayor Larson called the July 2, 2007 regular meeting of the Board of Trustees to order at 7:30 PM in the Municipal Building: 874 Main Street, Antioch, IL.

ROLL CALL

Following the Pledge of Allegiance, roll call indicated the following Trustees were present: Hanson, McCarty, Crosby, and Wolczyk. Also present were Mayor Larson, Administrator Haley, Assistant Administrator Keim, Attorney Magna and Deputy Clerk Folbrick. Absent: Trustees Caulfield and Pierce and Clerk Rowe.

RECESS TO ANTIOCH FIRE STATION #1

A motion was made by Trustee McCarty, seconded by Trustee Wolczyk, to recess the Village Board of Trustees Regular Meeting to Antioch Fire Station #1. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 2: Caulfield and Pierce.

THE MOTION CARRIED.

RECONVENE

Trustee McCarty moved, seconded by Trustee Hanson to reconvene the Village Board of Trustees Regular Meeting at 7:43 p.m. with the following Trustees present: Hanson, McCarty, Caulfield, Crosby and Wolczyk. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Pierce.

THE MOTION CARRIED.

APPROVE BALANCE OF AGENDA FORM

Trustee McCarty moved to approve the balance of the agenda form, moving the Village Attorney section ahead of the Legislative and Human Resources Committee.

THE MOTION DIED FOR LACK OF A SECOND.

Trustee McCarty moved, seconded by Trustee Caulfield to approve the balance of the agenda form, moving the Village Attorney section to just after Legislative and Human Resources.

Trustee Caulfield asked to remove the letter from Trustee Pierce from the agenda. Mayor Larson explained that he asked that the letter be read because he would not be able to attend the meeting.

Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Pierce.

THE MOTION CARRIED.

May 21, 2007 PUBLIC HEARING MINUTES

Trustee Crosby moved, seconded by Trustee Caulfield, to approve the minutes from the Village Board Public Hearing dated May 21, 2007. Upon roll call, the vote was:

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

NO: 0.

ABSTAIN: 1: McCarty.

ABSENT: 1: Pierce.

THE MOTION CARRIED.

PETITIONS/BIDS

No report.

MAYOR

Proclamation for the 1923 Stoughton Fire Truck – Mayor Larson read aloud the proclamation thanking Chief Killen for the return of the 1923 Stoughton Fire Truck to the Village of Antioch.

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Proclamation for the 2007 Relay for Life – Mayor Larson read aloud the proclamation naming the summer of 2007 “Relay for Life Summer”.

CLERK

Request from 18 and underage band, “The Flow” to play at Brickhouse – Deputy Clerk Folbrick explained that the band was interested in performing and all ages show at the Brickhouse Bar located at the Antioch Bowling Alley, and asked for direction from the Board.

Trustee McCarty said that he does not see any problem with the band playing at the Brickhouse if the liquor is removed from the performance area, as is done in other municipalities.

The Board asked Deputy Clerk Folbrick to get more information from the band in order to set some rules and guidelines.

ADMINISTRATOR

Claude LeMere Retirement – Administrator Haley reviewed the departing settlement agreement for Mr. LeMere, which mirrors what was discussed at a previous executive session.

Trustee McCarty moved, seconded by Trustee Crosby to codify the agreement. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Pierce.

THE MOTION CARRIED.

COMMUNICATIONS

Letter from Trustee Scott Pierce – Deputy Clerk Folbrick read aloud a letter from Trustee Scott Pierce which addressed the battle for control between Board members. In his letter, he asked the Board to compromise in order to find a middle ground. Trustee Pierce suggested that they do not change village operations for one year and work together on common ground items.

Email from Mr. John Ustich, Antioch resident - Deputy Clerk Folbrick read aloud the email from Mr. Ustich dated June 27, 2007. Mr. Ustich expressed sympathy to the Mayor for recent Board actions as he was put in a similar situation as Mayor of Capron, Illinois.

Email from Lt. Chris Lienhardt, Antioch Fire Department – Deputy Clerk Folbrick reported that, in an email dated June 30, 2007, Lt. Lienhardt extended an invitation to attend the dedication ceremony for the 1923 Stoughton Fire Truck on July 4, 2007.

Verified Complaint for License Revocation – Deputy Clerk Folbrick read into record the complaint filed against Double Eagle Sports Club Inc. requesting the revocation of their liquor license filed by Kurt Nielsen, James M. Jozwiak, James R. Robellard, Katherine A. Kurth and James L. Freedman.

CITIZENS WISHING TO ADDRESS THE BOARD

Kris Shepard, Antioch resident spoke regarding his passion for the community and the need for everyone to work together.

James Freedman, Rembrandt Drive resident suggested that the board meetings be televised, and expressed the importance of the upcoming holiday, the gift of our independence, and the need for independence among Board members.

Vince Tomasello, Asbury Court resident and local business owner addressed the Board requesting approval of the revised liquor license ordinance to mirror state statutes, and to look at other outdated ordinances.

Brian DeKind, Tiffany Farms resident and local business owner stated that three of the sitting Trustees recently denied accusations of having a hidden agenda, and affirmed their independence as candidates and Trustees. Mr. DeKind explained that he submitted a FOIA request for a recording from the May 7, 2007 Village Board meeting where he heard a conversation between former Mayor Taso Maravelas and a recent candidate in the election for Trustee. He related that when questioned on his future potential to run for office in two years, Mr. Maravelas said, “That’s funny because look at what I’ve got here. These three guys”. Mr. Maravelas continued by stating that, “for two more years we are going to treat everyone else the way they treated us”. He believes that the residents were deceived when voting to elect three independents to the Board, and expressed the need for independence among board members.

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Lorrie Ferguson, local business owner expressed concern with the repaving of the parking lots and the lack of parking and notification to the local business owners. She was aware that the lots would be repaved, but was not notified prior to the commencement of the project. Mayor Larson explained that this project was delayed by Board members, which resulted in a shorter deadline for completion. She stated that with earlier approval the work would have been completed earlier in the year. Trustee Crosby said that the project was delayed because they wanted to ensure that the TIF money was being spent in the best way possible. He continued to say that they were asked the evening they were sworn into office to hold on the item, because they were told specifically that there were people in town that had an answer as to how the money should be spent. After research, they found that the initial recommendation from staff was correct. Assistant Administrator Keim reviewed the paving schedules.

Laurie Stahl, Parks Director spoke about the professional, quality employees of the Village of Antioch and asked the board to do what is in the best interest of the Village. She also asked that everyone go out and enjoy the summer events and festivals that Antioch has to offer and see what this town is truly about.

Mary Turner, Osmond Avenue resident said that she is disappointed with all of the fighting between board members and asked the board to work together for the best interest of the Village.

Kathy Nordmeyer, Indian Trail resident explained that she was an independent candidate in the last election, and stated that she believes her fellow independents that she ran with are continuously under attack. She urged residents to reach out to their elected officials to get the answers to any questions they may have.

Shirley Patterson asked Trustee McCarty if he felt the board was out to get him last week. Trustee McCarty said he feels that the state statute stands clear, and we should alter our local ordinance to match the state statute.

LEGISLATIVE AND HUMAN RESOURCES

No report.

ATTORNEY

First Reading of AN ORDINANCE AMENDING THE PROVISIONS OF PARAGRAPH B. OF SECTION 4-2-3 OF TITLE IV OF THE VILLAGE CODE OF ANTIOCH, ILLINOIS PERTAINING TO QUALIFICATIONS FOR A LIQUOR LICENSE – Trustee McCarty removed himself from the Board table during the discussion of this item.

Attorney Magna reviewed the ordinance, noting the changes that have been made. He referred to Section B paragraph 14 where the language was amended to mirror state statute.

Trustee Crosby welcomed questions from any resident and said that he will find an answer to their questions. In regards to the liquor license ordinance, he read a statement which went into detail regarding the research he has done on this issue. He is concerned that it may appear that preference is given to a Board member if this ordinance is passed. He also questioned the legality of the current ordinance. Based on his research, he found that keeping the current ordinance may end in adjudication to determine the legality since it is a grey area.

Attorney Magna responded stating that he spoke with Mr. Fernandez from the Illinois Liquor Control Commission, and was told that in this case the local ordinance cannot be more restrictive than the state statute. Attorney Magna cited the case of Jacobson v. State of Illinois Liquor Control Commission where an ordinance was approved by the local government to prohibit the sale of liquor in any establishment selling gasoline. The local liquor commission upheld the local ordinance, and the decision was reversed on appeal to the circuit court stating that a non-home rule municipality cannot be more restrictive than those provisions in section 6-1, therefore making the local ordinance invalid. He summarized saying that, in this case since 1981, stands for the proposition that if a non-home rule municipality is more strict than the restrictions in the liquor control act, the ordinances are not valid. Attorney Magna advised that it would be prudent to conform with the state statute.

Trustee Wolczyk asked how that case is relevant to the current situation. Attorney Magna replied that the correlation is that the municipality holds the authority to enact legislation by way of grants of power from the State of Illinois. The enabling section gives authority to the local municipalities to legislate and pass ordinances and regulations on liquor matters. At the end of that section, it states that the local municipality may make legislation, but must not legislate beyond that which is contained in section 6-2 which are the restrictions. The case that he cited was invalid because the reason for the ordinance was not one of the specific prohibitions contained in section 6-1, and was not enabled to make legislation.

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Trustee Wolczyk suggested that the section requiring the applicant to be a resident of the Village be removed from the ordinance if it is amended.

Trustee Caulfield asked Attorney Magna to read the ordinance as it exists. Attorney Magna read paragraph 14 of the ordinance as it currently applies.

Trustee Hanson asked Attorney Magna to define the sale of liquor as incidental to food, and asked the importance of the application paperwork being completed properly. Attorney Magna replied that the State had amended their code to say the license could be issued notwithstanding the requirement for incidental sales, so that would no longer need to be defined. An official other than mayor could have a direct interest in a liquor establishment without the sale of food. Attorney Magna stated that he will review the current application for any necessary updates.

Trustee Caulfield asked if the establishment and Village Trustee in question are currently in violation of the local ordinance. Attorney Magna replied that the local ordinance is not complied with, however the local ordinance may be considered invalid in a court of law. Attorney Magna reviewed the possible process this case could take in the court system. Trustee Caulfield asked if the Trustee could still serve on the Board during this process. Attorney Magna replied that the Trustee could still serve until the final court in the process has ruled on the issue. If the local ordinance is found invalid, the Trustee in question would never have been in violation.

Trustee McCarty thanked everyone that spoke on his behalf for their kind words. He stated that he has never voted on an issue that may have been considered a conflict of interest. He related that according to the state statute he has the opportunity to hold a liquor license and continue as a Trustee, and requested approval of the local ordinance amendments which would comply with state statutes.

This item will be placed on the next Village Board agenda for second reading and approval.

First Reading of AN ORDINANCE AMENDING § OF THE MUNICIPAL CODE OF ANTIOCH – Attorney Magna read aloud the ordinance.

Trustee McCarty stated that this ordinance was not discussed at the Committee of the Whole meeting and asked who placed this item on the agenda. Trustee Crosby replied that he asked to have it put on the agenda. Trustee McCarty asked who the author was of this ordinance. Trustee Crosby said that it was his counsel, but would preferred not to answer that question when asked by Trustee McCarty. Trustee McCarty asked why the Board is asked to consider this ordinance. According to Trustee Crosby, most Villages maintain a similar ordinance, and he believes that an insurance policy should be placed in our Village code. Trustee McCarty asked the Village Attorney if he had a chance to review this ordinance. Attorney Magna said that he had only received a copy of the ordinance on Friday, and therefore did not have a chance to review. He also stated that it is not unusual, however this ordinance goes one step further by allowing the opportunity to cover willful or wanton acts. He explained that the public policy of the State of Illinois does not cover willful or wanton acts such as intentional misconduct. Attorney Magna said that it is implied that the Village will consider defending someone who has been accused of intentional misconduct.

Mayor Larson commented that our existing liability policy expressly excludes acts of fraud or dishonesty, willful violation of penal statute or ordinance committed by or with the knowledge or consent of the member, and any violation of civil or constitutional rights. She believes that a change to those terms as proposed by this ordinance permits the opportunity for this Board to engage in mischief, or at the very least experimentation with the government process at the taxpayers expense, and stated that she will not support the ordinance as it is currently written.

Trustee Caulfield moved to waive the second reading.

THE MOTION DIED FOR LACK OF A SECOND.

Trustee McCarty asked Attorney Magna to review the ordinance further.

First Reading of AN ORDINANCE ADDING §1-5-11 OF THE MUNICIPAL CODE OF ANTIOCH AUTHORIZING THE CORPORATE AUTHORITIES TO ENTER INTO A CONTRACT FOR LEGISLATIVE COUNSEL SERVICES – Attorney Magna read aloud the ordinance.

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Trustee McCarty reminded the Board that the State's Attorney's office has the ability to offer their services to the Trustees at no charge, and suggested that the Board utilize that free service.

Mayor Larson stated that she believes an additional attorney would place a financial burden on the taxpayers of Antioch. She also believes that there will be an opportunity for conflict when deciding which legal opinion to consider.

Attorney Magna cited the Village of Westmont v. James Lenihan which decided that it would be an encroachment on executive power by the legislative branch of government to go beyond what the code provided for as far as legal advice to the village. He advised the Board to review their current ordinance regarding additional counsel.

Second Reading of AN ORDINANCE REZONING PROPERTY FROM RURAL ESTATE (R-3) DISTRICT TO THE LIMITED MANUFACTURING (M-1) DISTRICT ON THE PETITION OF INDUSTRIAL DEVELOPMENTS INTERNATIONAL, INC. (IDI) AND GRANTING PRELIMINARY PLANNED UNIT DEVELOPMENT PLAT APPROVAL AND SPECIAL USE; PZB 06-14; PIN 03-18-100-001, 03-18-100-002, 02-13-200-002, 02-13-200-003, 02-13-200-006 – Attorney Magna explained that the petition has been filed for the rezoning of this property, and that the Planning and Zoning Board provided a favorable recommendation with certain conditions which are listed in section V of the ordinance. He explained that if the developer does not meet the conditions in section V of the ordinance, the Board will have no obligation to give final plat approval. Attorney Magna reviewed the outlined conditions.

Trustee McCarty moved, seconded by Trustee Crosby to approve **AN ORDINANCE REZONING PROPERTY FROM RURAL ESTATE (R-3) DISTRICT TO THE LIMITED MANUFACTURING (M-1) DISTRICT ON THE PETITION OF INDUSTRIAL DEVELOPMENTS INTERNATIONAL, INC. (IDI) AND GRANTING PRELIMINARY PLANNED UNIT DEVELOPMENT PLAT APPROVAL AND SPECIAL USE; PZB 06-14; PIN 03-18-100-001, 03-18-100-002, 02-13-200-002, 02-13-200-003, 02-13-200-006.**

Trustee Caulfield asked if there was any update from the Illinois Department of Transportation regarding a signal operating on Route 173 at the development. Director Nilsen replied that there has been no additional correspondence from IDOT. Trustee Caulfield urged the Board to use their power and insist that this item be held until a light is approved at that intersection. Trustee Crosby said that in this case, the developer has committed to installing a light at that location which would be ready to operate once it is approved by IDOT. He also related that State Senator Michael Bond said that he already spoke with IDOT and feels that this issue will be resolved.

Trustee McCarty suggested that the approval of this item will place pressure on IDOT, and the Board should use their power to add pressure.

Attorney Magna recommended adding a seventh condition to section V which would state that no building permits for the development shall be approved unless the traffic signal at the intersection of the entrance to the development at State Route 173 is installed and operational. Director Nilsen related that the developer is concerned in terms of dealing with IDOT, and therefore hesitates to bind the developer to this governmental agency.

Trustee McCarty said that he would amend his motion to add a seventh condition to hold occupancy until a light is installed and operational if it is stretched out during the construction process. Trustee Crosby amended his second.

Trustee Wolczyk asked if this amendment would create a possibility for litigation. Attorney Magna replied that there is no liability. He asked Director Nilsen if the developer may not continue with their project if that condition is added. Director Nilsen asked that the Board give careful consideration to the condition. Assistant Administrator Keim stated that he attended a meeting with IDOT, and they have agreed to the signal, and see the need for the signal, but will not approve it until the warrants are met. Director Nilsen suggested that the condition require an updated traffic study before final plat approval.

Trustee McCarty amended his motion to add a seventh condition in section V to state that prior to final plat approval, the petitioner submit an updated traffic signal warrant study for Phase I. Trustee Crosby amended his second. Upon roll call, the vote was:

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

NO: 1: Caulfield.

ABSENT: 1: Pierce.

THE MOTION CARRIED.

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Second Reading of AN ORDINANCE AMENDING § OF THE MUNICIPAL CODE OF ANTIOCH – Attorney Magna read aloud the ordinance.

Trustee McCarty expressed his concerns with a one person committee structure, and asked that the ordinance be amended before it becomes a part of the Village Code. He suggested adding one additional Board member to each committee in order to avoid violations of the open meetings act.

Trustee Caulfield said that he would like to support the Mayor and go back to the original committee structure. Trustee McCarty said that he likes the department selections, but would prefer the original committee structure as well.

Mayor Larson said that the new committees could be narrowed down to from seven to six since there are six Trustees, and thanked Trustee Caulfield for his willingness to compromise.

Trustee Hanson stated that he would like the Board to move on and stop fighting, so he supports the Board's decision to keep the current committee structure. He added that he supports the staff and they should be highly respected.

Trustee McCarty moved, seconded by Trustee Caulfield to refer this item to the Committee of the Whole for further discussion.

Trustee Crosby said that he is surprised by the decision that has been made at the other end of the table this evening. He said that this is an issue that has been discussed for a long time, and the only issue that he had with the old committee structure was the feeling that the decisions were made before the meeting starts. He expressed concern with 7:00 am meetings and that decisions were made outside of the Committee of the Whole. Mayor Larson replied that for the past two years, Committee of the Whole meetings have been regularly scheduled on the second and fourth Tuesday of each month at a designated time.

Upon roll call, the vote was:

YES: 3: Hanson, McCarty, and Pierce.

NO: 2. Crosby and Wolczyk.

ABSENT: 1: Pierce.

THE MOTION CARRIED.

Trustee Crosby withdrew his vote.

PLANNING, ZONING AND BUILDING, SENIOR SERVICES

No report.

ENGINEERING, PUBLIC WORKS AND UTILITIES

Authorize the advertisement for bid for Phase 2 of the Lake Street project –

Trustee Hanson moved, seconded by Trustee Caulfield to authorize the advertisement for bid for Phase 2 of the Lake Street project. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Pierce.

THE MOTION CARRIED.

Authorize the advertisement for bid for the purchase of two 1-ton dump trucks -

Trustee McCarty moved, seconded by Trustee Caulfield to authorize the advertisement for bid for the purchase of two 1-ton dump trucks. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Pierce.

THE MOTION CARRIED.

FINANCE, ECONOMIC AND REDEVELOPMENT

Payment of invoices over \$10,000 Informational Report – Director McCarthy reviewed the informational report of payment of invoices of \$10,000 and over dated July 2, 2007 and prepared by village staff. Invoices included were: Blue Cross Blue Shield in the amount of \$89,329.75 for employee health insurance, HD Supply Waterworks in the amount of \$12,348.40 for meters, Illinois EPA Bureau of Water in the amount of \$15,000.00 for NPDES Permit Fee, and Lake County MEG in the amount of \$15,600.00 for the annual assessment fee.

Trustee Hanson asked if any of the figures have increased from the previous year. Chief Foerster replied that Lake County MEG charges \$600 for each sworn officer, and there are the

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same amount of officers this year, so that amount has not increased. Assistant Administrator Keim replied that the permit fee for NPDES has not increased.

Summary of Escrow – Director McCarthy reviewed the informational report dated July 2, 2007 prepared by village staff showing escrow payments in the amount of \$9,315.45.

Accounts Payable - Trustee Hanson moved, seconded by Trustee McCarty to remove the developer escrow and Liberty Tattoo from the payment to the Law Offices of Rudy Magna. Attorney Magna said that the amount for Liberty Tattoo was for litigation, which is consistent with the letter of agreement for litigation matters. Upon roll call, the vote was:

YES: 2: Hanson and McCarty.

NO: 3: Caulfield, Crosby and Wolczyk.

ABSENT: 1: Pierce.

THE MOTION FAILED.

Trustee McCarty moved, seconded by Trustee Caulfield to authorize the payment of accounts payable as prepared by village staff in the amount of \$244,881.02. Upon roll call, the vote was:

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

NO: 1: Hanson

ABSENT: 1: Pierce.

THE MOTION CARRIED.

Payroll Expense Report dated June 15, 2007 - Trustee Caulfield moved, seconded by Trustee McCarty to approve as presented the Payroll Expense Report dated June 15, 2007 in the amount of \$257,468.37. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Pierce.

THE MOTION CARRIED.

Approve façade application for Raymond Kia Service Building located at 115 Route 173- Director Nilsen reviewed the application. Trustee Caulfield moved, seconded by McCarty to approve the Raymond Kia Service Building façade application in the amount of \$9,510.00 from the Antioch Business District fund. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Pierce.

THE MOTION CARRIED.

Letter dated June 14, 2007 from Redevelopment Commission recommendation concerning 924 Main Street – Assistant Administrator Keim reviewed the letter from Redevelopment Commission Co-Chairman Gregg Henning regarding the deannexation of 924 Main Street. The only cost associated with the deannexation of the property was in the amount of \$49.50 for the publication of Ordinance No. 06-11-44. Trustee Caulfield moved, seconded by Trustee Wolczyk to enter the letter into the record. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Pierce.

THE MOTION CARRIED.

PUBLIC SAFETY, PARKS AND LICENSE

Special Event Liquor License Application for the Antioch Firefighter's Association Softball Tournament to be held on August 11, 2007 – Assistant Administrator Keim reviewed the application. Trustee Hanson moved, seconded by Trustee Caulfield to approve the special event liquor license application waiving all fees.

Trustee Caulfield asked why special event liquor licenses are approved by the Board when other liquor licenses are not. Attorney Magna replied that the Board makes a decision on what to approve. Trustee Caulfield suggested that this be added to the discussion regarding liquor licenses.

Upon roll call, the vote was:

YES: 4: Hanson, Caulfield, Crosby and Mayor Larson.

NO: 0.

ABSTAIN: 2: McCarty and Wolczyk.

ABSENT: 1: Pierce.

THE MOTION CARRIED.

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Raffle License Request for the Sequoit Ladies Auxiliary to VFW Post #4551 – Trustee Caulfield moved, seconded by Trustee McCarty to approve the raffle license for the Sequoit Ladies Auxiliary, drawing to be held during the “It’s Thursday” concert series, the Antioch Independence Day Celebration and the Antioch Taste of Summer July 19-22, 2007, waiving all fees. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Pierce.

THE MOTION CARRIED.

Raffle License Request for the American Cancer Society Relay for Life – Trustee Caulfield moved, seconded by Trustee McCarty to approve the raffle license for the Antioch Relay for Life, drawing to be held on July 28-29, 2007, waiving all fees. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Pierce.

THE MOTION CARRIED.

July 4, 2007 Safety Plan – Emergency Management Director Lee Shannon reviewed the safety plan for the Independence Day Celebration, including maps for the different events, and a cooling center located at the senior center from 8:00 a.m. to 4:00 p.m.

ATTORNEY

Executive Session – Pending Litigation – Trustee Caulfield moved, seconded by Trustee McCarty for the Mayor and Board of Trustees to go into executive session at 11:30 p.m. to discuss pending litigation. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Pierce.

THE MOTION CARRIED.

Return from Executive Session – Trustee McCarty moved, seconded by Trustee Caulfield for the Mayor and Board of Trustees to return from executive session to the open meeting at 11:45 p.m. **with action taken.** Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Pierce.

THE MOTION CARRIED.

Approve Settlement Agreement – Trustee Caulfield moved, seconded by Trustee McCarty, to approve a settlement agreement between Liberty Tattoo, Inc. and the Village of Antioch, Illinois #07 C 2236, and authorize the Mayor to execute the agreement on behalf of the Village. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Pierce.

THE MOTION CARRIED.

ADJOURNMENT

There being no further discussion, Trustee McCarty moved seconded by Trustee Caulfield to adjourn the regular meeting of the Board of Trustees at 11:48 p.m.

Respectfully submitted,

Lori K. Folbrick
Deputy Clerk