

**DRAFT MINUTES  
VILLAGE OF ANTIOCH  
BOARD OF TRUSTEES, REGULAR MEETING  
Municipal Building: 874 Main Street, Antioch, IL  
September 4, 2007**

**CALL TO ORDER**

Mayor Larson called the September 4, 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, Caulfield, Crosby, Wolczyk, and Pierce. Also present were Mayor Larson, Acting Administrator Keim, Attorney Simon and Clerk Rowe.

**APPROVE BALANCE OF AGENDA FORM**

Trustee Hanson moved seconded by Trustee Wolczyk to remove the approval of the August 20, 2007 meeting minutes and the approval of temporary salary increase for the Acting Administrator from the agenda.

Trustee Pierce said that Trustee Hanson referred to the August 20, 2007 meeting minutes as a "non-meeting" and he wanted to clarify that there was a meeting but no action was taken due to a lack of quorum.

**Roll Call Vote** – There being no further discussion and upon roll call, the vote was:  
**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.  
**NO: 0.**  
**THE MOTION CARRIED.**

**JULY 2, 2007 REGULAR MEETING MINUTES**

Trustee Wolczyk moved, seconded by Trustee Crosby to approve the minutes from the July 2, 2007 regular Village Board Meeting as presented. Upon roll call, the vote was:

**YES: 5:** Hanson, McCarty, Caulfield, Crosby and Wolczyk.  
**NO: 0.**  
**ABSTAIN: 1:** Pierce.  
**THE MOTION CARRIED.**

**JULY 16, 2007 REGULAR AND PUBLIC HEARING MEETING MINUTES**

Trustee McCarty moved, seconded by Trustee Wolczyk to approve the minutes from the July 16, 2007 Village Board regular meeting and public hearing as presented. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.  
**NO: 0.**  
**THE MOTION CARRIED.**

**PETITIONS/BIDS**

Clerk Rowe read into the record the following bids received for the purchase of two new 1-ton dump trucks. Bids were opened on August 3, 2007 at 11:00 a.m.

Name and Address	Amount
Sutton Ford Inc. 21315 Central Avenue Matteson, IL 60443	\$48,955.50 each
Oakfield Ford 443 E. St. Charles Road Villa Park, IL 60181	\$53,855.00 each
Lyons & Ryan Ford 104 Route 173 Antioch, IL 60002	\$47,808.00 each
Pedersen GMC Truck 19588 Hwy 173 Antioch, IL 60002	\$54,239.00 each

Clerk Rowe said that staff reported that the bidders had difficulty meeting the specifications and they bid on completely different vehicles. She said that staff is recommending that the bids are rejected and the purchase of the 1-ton trucks be re-bid.

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Trustee Crosby moved, seconded by Trustee Wolczyk to reject the bids received for the purchase of two new 1-ton dump trucks, opened on August 3, 2007. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

### **MAYOR**

**Officer Thompson G. Thompson – Oath of Office** – Clerk Rowe, along with Mayor Larson administered the oath of office to Officer Thompson.

**Officer Paul J. Klem – Oath of Office** – Clerk Rowe, along with Mayor Larson administered the oath of office to Officer Klem.

**Approve SWALCO Resolution** - Mayor Larson read aloud the SWALCO Resolution appointing James Keim as Director to SWALCO until April 30, 2009 or until such successor is appointed.

Trustee Crosby moved, seconded by Trustee McCarty to approve **Resolution No. 07-11**, appointing James Keim as Director to SWALCO until April 30, 2009 or until such successor is appointed as presented. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

**Approve Antioch High School Homecoming Parade Resolution** – Trustee Hanson moved, seconded by Trustee McCarty to approve as presented **Resolution No. 07-12**, for the Antioch High School Homecoming Parade. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

**Approve Façade Moratorium Resolution** – Trustee McCarty moved, seconded by Trustee Hanson to approve as presented **Resolution No. 07-13** regarding the Façade Improvement Application moratorium.

Trustee Crosby asked if there could be a date certain that the moratorium would be in place. Planning and Zoning Director Nilsen said the next committee of the whole meeting is scheduled for September 25, 2007 and it could be discussed further at that time.

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

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

### **CLERK**

**Authorize Trick-or-Treat hours 4:00 PM to 7:00 PM on Wednesday, October 31, 2007** – Trustee Wolczyk moved, seconded by Trustee McCarty to authorize the Trick-or-Treat hours in the Village of Antioch to be between the hours of 4:00 PM and 7:00 PM on October 31, 2007.

Trustee Pierce reminded Police Chief Foerster of the annual parade held in the Oakwood Knolls subdivision.

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

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

### **ADMINISTRATOR**

**Other Business – Clark Mosquito** - Trustee Pierce said that he's received complaints regarding the number of mosquitoes and he asked acting administrator Keim to look into the cost of an additional village wide treatment. Acting administrator Keim will review the contract to see if the last application has been done and what the costs would be to have an additional application done.

### **COMMUNICATIONS**

No report.

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

**Michelle Reiser, regarding home based business** – Mayor Larson said that Michelle Reiser asked to be placed on the agenda. Ms. Reiser was not present.

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**Nicola Beisel, Silver Lake Road resident**, read her letter regarding the Antioch Market Place and the upcoming public hearing. She discussed her concerns regarding the out lots and nationwide restaurant chains. She also asked why the village is holding public hearings for a proposal that violates the building codes and asked if the independent restaurants have been told of the national chain restaurants. She also discussed her private conversations with some board members who told her they would not approve the development unless their property values are protected and also asked why a revised plan has not yet been submitted.

**Tom Kessell, Aspen Way resident and Park Commission member**, read his statement regarding the need for a new pool. He also reviewed the timeline of events and research involved in the proposed aquatic center and the ultimate purchase of the Bitner property. He encouraged the board to move forward on the proposed pool.

**Cindy Skrkrud, Sierra Club member**, said that she has been working with the village regarding the WWTP upgrades and is interested in hearing Jim Keim's presentation later in the meeting regarding banning the use of phosphorus fertilizer in the village.

**Peter Grant, Crawford Avenue resident and candidate for Lake County Board**, urged the Board to support banning phosphorus fertilizer in the village.

### **FINANCE: CHAIRMAN: CROSBY; CAULFIELD, PIERCE**

**Payment of invoices over \$10,000 Informational Report** – Finance director Joy McCarthy reviewed the informational report of payment of invoices of \$10,000 and over dated August 20, 2007 and September 4, 2007 prepared by village staff. Invoices included were: Antioch Township in the amount of \$45,193.47 for Tim Osmond Park expense; ComEd in the amount of \$15,464.69 for street lights; Daniel Dugenske in the amount of \$10,000 for façade payout; DK Contractors Inc. in the amount of \$ 111,091.59 for Tim Osmond Park; Smith Engineering Consultants, Inc, in the amount of \$26,129.18 for the Lake Street project and parking lot resurface; and People's Energy Services Corp in the amount \$12,502.78.

**Summary of Escrow payment report** – Finance director Joy McCarthy reviewed the informational reports dated August 20, 2007 and September 4, 2007 as prepared by village staff and totaling \$7,630.29.

**Accounts Payable** – Trustee Crosby moved, seconded by Trustee Wolczyk to approve as amended on pages 6, 9 and 20 the payment of accounts payable as explained by Finance Director McCarthy, dated August 20, 2007 and in the amount of \$217,121.04. Upon roll call, the vote was:

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

**NO: 1:** Pierce.

**THE MOTION CARRIED.**

**Accounts Payable** – Trustee Crosby moved, seconded by Trustee Wolczyk to approve payment of accounts payable as prepared by village staff, dated September 4, 2007 and in the amount of \$151,360.87. Upon roll call, the vote was:

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

**NO: 1:** Pierce.

**THE MOTION CARRIED.**

**Payroll Expense Report dated July 27, 2007** - Trustee Crosby moved, seconded by Trustee Wolczyk to approve as presented the Payroll Expense Report dated July 27, 2007 in the amount of \$288,830.87. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

**Payroll Expense Report dated August 10, 2007** - Trustee Crosby moved, seconded by Trustee Wolczyk to approve as presented the Payroll Expense Report dated August 10, 2007 in the amount of \$283,880.21. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**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 August 20, 2007 and in the amount \$113,641.59. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

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### **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 August 30, 2007 and in the amount \$2,021.00. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

**Financial Report for the month ending July, 2007** – Finance Director McCarthy reviewed the monthly financial report for the month ending July, 2007 showing an ending balance of \$12,847,320.22.

**Authorize payment of invoice to Harold Warren for services rendered** – Acting administrator Keim reviewed the breakdown of fees and said that he is satisfied that the services were performed. Trustee Crosby moved, seconded by Trustee McCarty to authorize payment to Harold Warren for services rendered and in the amount \$32,500.00. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

**Extend the DeKind Computer Services contract for additional month** - Trustee Pierce reported that staff has isolated three firms and at their request, he is meeting with them next week to review the information and he expects a recommendation going to the Board in the near future. He said in the meantime, we have to continue computer services and he recommends the Board extend the contract for one more month.

Trustee McCarty moved, seconded by Trustee Crosby to extend the DeKind computer services contract for an additional month. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

**Other Business – Finance Committee meeting** - Trustee Crosby said that he is going to call a finance committee meeting some time next week to review the budget presentation. Trustee Crosby will contact Finance Director McCarthy on September 5, 2007 with a meeting date and time.

### **LEGISLATIVE AND HUMAN RESOURCES: CHAIRMAN: McCARTY; CAULFIELD, HANSON**

**Create a Selection Committee to hire new Village Administrator** - Human Resources Director Winegarner discussed selection teams and reviewed her report and survey from 21 municipalities regarding selection committees. Following discussion, the board consensus was to have the legislative and human resources committee represent the elected officials and Jennifer Winegarner, Jim Keim, Joy McCarthy and Dustin Nilsen represent the staff selection committee. Trustees indicated they would like to include former administrator Haley in the interview process.

**Override Veto** - Trustee Caulfield moved, seconded by Trustee Crosby to override Mayor Larson's veto of the legislative counsel ordinance. Mayor Larson explained that the override must be done at the next regularly scheduled meeting which was August 20, 2007. She considered the motion to be out of order and will not entertain the motion and she asked attorney Simon to explain. Attorney Simon explained the municipal code and that the August 20<sup>th</sup> meeting was the next regularly scheduled meeting following the veto, and that was the time for the board to override the Mayor's veto. He also explained the differences between the majority of a quorum and the majority of a board and the calendar of posted regularly scheduled meeting. Attorney Simon further explained that once he learned this item had been placed on the agenda, he proactively tried to correspond with members of the Board to explain the opinion that he expressed this evening and apologized for not being able to explain this directly in advance to some of the Board. He also said that he can't correspond with all Board members at the same time because deliberating via email can become a meeting. Attorney Simon explained that the legislative counsel ordinance can be introduced at the next meeting; the second reading waived and the ordinance adopted that same meeting. Following discussion, Mayor Larson stated the village attorney represents the village, not just the Mayor's office and they are trying to do what is in the best interest of the village. Trustee Crosby briefly discussed how the trustee's attorney workload would be determined and how he would get a small prorated share of what the village attorney would be paid; which would have been easy to do on flat rate and very difficult to do under the current circumstances.

**Reconsideration of appointment of Village Attorney** - Trustee Wolczyk moved, seconded by Trustee Caulfield to reconsider the appointment of the village attorney. Mayor Larson said there was no legal standing for this motion to be reconsidered. Attorney Simon explained that the reconsideration of an action had to be taken at the next regularly scheduled meeting and the time to take such action had lapsed. Attorney Simon also explained that the

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Mayor is granted the power to appoint and the power to remove, subject to the consent of the Board, but that the Board may not initiate the removal of an appointed officer independently. There was discussion about the appointment of the village attorney and the contract presented at that time. It was further explained that the Board can remove the appointment of the attorney only with the Mayor making that recommendation and with their consent and approval. Trustee Crosby suggested not paying the attorney fees and Trustee McCarty said that he wouldn't recommend that kind of action.

**Ban on Phosphorus in fertilizer** – Acting administrator Keim reviewed his memorandum dated August 31, 2007 and recommended using Twin Lakes Wisconsin ordinance as a basis for an ordinance in conjunction with a public education initiative.

He also reviewed the following points to consider:

- *Fertilizers containing phosphorus have been demonstrated to be detrimental to the lakes.*
- *The soil in this area does need additional phosphorus.*
- *The phosphorus free product is available for a little higher cost than regular fertilizer.*
- *Phosphorus free product will produce the same results on lawns.*
- *Exemptions can be given to the establishment of new lawns or to those that show a need.*
- *Antioch could be in a position to lead the charge on this issue in Illinois.*
- *Environmental advocates will view this as a positive.*

Following discussion, Trustee Pierce moved, seconded by Trustee McCarty to authorize the village attorney to draft the appropriate ordinance banning the use of phosphorus in fertilizer including signage requirements. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

### **PLANNING, ZONING AND BUILDING: CHAIRMAN: WOLCZYK; CROSBY, McCARTY**

No report.

### **ENGINEERING: CHAIRMAN: HANSON; McCARTY, WOLCZYK**

**Quiet Zone Intergovernmental Agreement** – Acting administrator Keim reviewed the draft *Intergovernmental Agreement between and Among the County of Lake and the Village of Antioch, the Village of Lake Villa, the Village of Round Lake Beach, the Village of Grayslake, the Village of Libertyville, the Village of Mundelein, the Village of Vernon Hills, the Village of Buffalo Grove and the Village of Wheeling with Respect to Establishing and Maintaining a Quiet Zone Corridor along the Canadian National Railroad Right-of-Way*. Acting administrator Keim discussed the quiet zone and that the ICC can retract the quiet zone at any time and the village also has the opportunity to opt out of the quiet zone at any time. He explained that the village would have to post signs along the corridor. Trustee Crosby discussed his concerns regarding mechanical failure and the gates not working properly and he hopes that for safety reasons everyone takes the time to look before crossing the tracks.

**Trustee Caulfield left the meeting at 9:15 p.m.**

Trustee Hanson moved, seconded by Trustee Wolczyk to approve the Quiet Zone Intergovernmental Agreement as presented. Upon roll call, the vote was:

**YES: 5:** Hanson, McCarty, Crosby, Wolczyk and Pierce.

**NO: 0.**

**ABSENT: 1:** Caulfield.

**THE MOTION CARRIED.**

**Authorize expenditure to complete the repair of the Village Hall roof** - Acting administrator Keim discussed the circumstances regarding the village hall complex roof and the quote received for repairs. He explained that C.I.C. had the lowest proposal in the amount of \$129,291.00 and only repaired one-third of the roof in the amount of \$55,000. Acting administrator Keim explained the requisition included in the agenda packet is for the remaining portion of the contract and that it is prudent to use the same contractor to complete the roof repair.

**Trustee Caulfield returned to the meeting at 9:26 p.m.**

Following discussion, Trustee Hanson moved, seconded by Trustee Wolczyk to approve C.I.C. continue re-roofing the Village Hall complex in the amount of \$73,856. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

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### PUBLIC SAFETY AND COMMUNITY SERVICES: CHAIRMAN: CAULFIELD; McCARTY, CROSBY

**Approve purchase of site furnishings for Lake and Main Streets** – Trustee Caulfield referred to the memorandum dated August 15, 2007 outlining the purchases of benches, waste receptacles and planters in the amount of \$45,850.00 and said this was discussed in committee. There was brief discussion regarding the locations of these items and Planning and Zoning Director Nilsen stating that the benches would be situated appropriately and that staff is working on a provision for live flowers.

Trustee Caulfield moved, seconded by Trustee Wolczyk to approve the purchase of the furnishing as outlined for Lake and Main Streets in the amount of \$45,850.00. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

**Trustee Caulfield left the meeting at 9:29 p.m.**

**Approve an amendment to alarm monitoring contract with ADT** - Acting administrator Keim reviewed the memo dated August 9, 2007 from Lee Shannon regarding the current ADT contract to include wireless alarm monitoring & change village buildings alarm monitoring from telephone to wireless. He also discussed the benefits to the village including residences and businesses that may benefit from the village system.

Trustee McCarty moved, seconded by Trustee Crosby to approve the amendment to the current ADT contract to include wireless alarm monitoring in the amount of \$12,427.00. Upon roll call, the vote was:

**YES: 5:** Hanson, McCarty, Crosby, Wolczyk and Pierce.

**NO: 0.**

**ABSENT: 1:** Caulfield.

**THE MOTION CARRIED.**

**Trustee Caulfield returned to the meeting at 9:35 p.m.**

**Authorize the purchase of alarm equipment** – Trustee McCarty moved, seconded by Trustee Crosby to authorize the purchase of alarm equipment in the amount of \$11,440.00. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

**Authorize staff to hire a financial consultant and look at possible properties for the Antioch Aquatic Center** – Trustee Caulfield moved, seconded by Trustee Wolczyk to authorize staff to hire a financial consultant and to look at possible properties for the Antioch Aquatic Center.

Trustee Pierce asked if the motion was authorizing staff to hire financial consultant or are we authorizing staff to go out for bid and compile a list and what the cost would be. Mayor Larson said that the motion was to authorize. Trustee McCarty asked if this was in the budget and acting administrator Keim responded that it was not. Trustee Pierce asked that the motion be changed to limit the cost to \$5,000 unless further approved by the Board. Trustee Caulfield said that he would amend his first and Trustee Wolczyk amended his second to include limiting the cost to \$5,000. Trustee Crosby said the motion included looking at financing options and to look at other possible properties. He said that it was discussed at the committee meeting that once we announce that we are looking for other sites the price goes up, so it may be an effort in futility to do that. He said that he believed that we need to layout some kind of plan to get the aquatic center on the books and figure out how to fund it and move on with it. He said this Board has the opportunity to bring in more sales tax revenue and we need to make this a priority. Mayor Larson said the funding would be the most difficult part.

Trustee Caulfield amended his motion to authorize the finance director to bring recommendations of a financial consultant to determine funding mechanisms with associated costs for the Antioch Aquatic Center. Trustee Wolczyk seconded this amended motion. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

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**Tag Day Request: You Can Make It; December 13-15, 2007** – Trustee Caulfield moved, seconded by Trustee Hanson to approve the You Can Make It tag day request for December 13-15, 2007. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

**Approve Special Event Liquor Licenses for St. Peter Church; September 8, 2007; Antioch Rescue Squad for Oktoberfest on October 8, 2007; and Antioch Rotary Pork Chop BBQ and Auction; October 6, 2007** - Trustee Caulfield moved, seconded by Trustee Wolczyk to approve the Special Liquor Licenses for St. Peter Church on September 8, 2007; Antioch Rescue Squad on October 8, 2007 and Antioch Rotary Club on October 6, 2007, waiving any fees. Upon roll call, the vote was:

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

**NO: 0.**

**ABSTAIN: 1:** McCarty.

**THE MOTION CARRIED.**

**Approve Raffle License Request for St. Peter Church, drawing to be held on September 8, 2007** - Trustee Caulfield moved, seconded by Trustee Crosby to approve the raffle license request for St. Peter Church on September 8, 2007. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

**Approve ACHS request to have a bon-fire as part of the Homecoming Celebration on October 11, 2007** - Trustee Caulfield moved, seconded by Trustee Hanson to approve ACHS request to have a bon-fire on October 11, 2007. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

**Façade Application for Steve Moulis at 400-408 Lake Street from TIF Fund** – Trustee Caulfield moved, seconded by Trustee Crosby to approve the façade application for 400-408 Lake Street with the village portion being \$9,791.00 paid from the TIF fund. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

**Façade Application for Martin Ciebien at 1130-44 S. Main Street from the Antioch Business District Fund** – Trustee Caulfield moved, seconded by Trustee Wolczyk to *deny* the façade application for 1130-44 S. Main Street. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.

**NO: 0.**

**THE MOTION CARRIED.**

**Other Business – Override Veto** – Trustee Caulfield attempted to move and call for the roll call vote regarding the override of the Mayor's veto and reconsideration of the village attorney. Mayor Larson did not recognize Trustee Caulfield's motions; refused to call the question and said several times that Trustee Caulfield is out of order. Following continued attempts to make motions and call the roll by Trustee Caulfield and with Mayor Larson stating that Trustee Caulfield's motions were not recognized and that he was out of order, Trustee Caulfield was asked to be removed from the meeting at 9:49 p.m.

### **INFORMATION TECHNOLOGY: CHAIRMAN: PIERCE; WOLCZYK, HANSON**

No report.

### **ATTORNEY**

**First reading of AN ORDINANCE AMENDING §1-8-8 OF THE MUNICIPAL CODE OF ANITTOCH** - Attorney Simon reviewed the ordinance and said that statutory law already exists and this ordinance can do more than echo what that law already calls for and to the extent where it goes beyond that it is either unauthorized or on shaky legal ground. There was a brief discussion regarding item (C) of the ordinance and the consensus to amend the section to state "...the village *shall not* hold harmless." There was also discussion amending item (D) and to keep the language "...subject to division (C) hereof.

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Trustee Crosby moved, seconded by Trustee Hanson to approve and publish in pamphlet form **Ordinance No. 07-09-17**, entitled, **AN ORDINANCE AMENDING § 1-8-8 OF THE MUNICIPAL CODE OF ANTIOCH** as amended. Upon roll call, the vote was:

**YES: 5:** Hanson, McCarty, Crosby, Wolczyk and Pierce.

**NO: 0.**

**ABSENT: 1:** Caulfield.

**THE MOTION CARRIED.**

**First reading of AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT ON THE PETITION OF VLAND ANTIOCH LLC FOR PROPERTY 41520 W. ROUTE 173, ANTIOCH, ILLINOIS; FILE NO. PZB 07-04** – Attorney Simon reviewed the ordinance. Trustee Crosby moved, seconded by Trustee Wolczyk to waive the second reading of the ordinance. Upon roll call, the vote was:

**YES: 5:** Hanson, McCarty, Crosby, Wolczyk and Pierce.

**NO: 0.**

**ABSENT: 1:** Caulfield.

**THE MOTION CARRIED.**

Trustee Crosby moved, seconded by Trustee Wolczyk to approve and publish in pamphlet form **Ordinance No. 07-09-18**, entitled, **AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT ON THE PETITION OF VLAND ANTIOCH LLC FOR PROPERTY 41520 W. ROUTE 173, ANTIOCH, ILLINOIS; FILE NO. PZB 07-04**. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Crosby, Wolczyk, Pierce and Mayor Larson.

**NO: 0.**

**ABSENT: 1:** Caulfield.

**THE MOTION CARRIED.**

**First reading of AN ORDINANCE ANNEXING TERRITORY TO THE VILLAGE OF ANTIOCH LOCATED ON THE NORTHWEST CORNER OF STATE ROUTE 173 AND DEEP LAKE ROAD COMMONLY KNOWN AS 41520 W. ROUTE 173, PERMANENT INDEX NUMBER 02-16-200-034, ON THE PETITION OF THE OWNER, VLAND ANTIOCH I LLC; FILE NO. PZB 07-04** – Attorney Simon reviewed the ordinance. Trustee Crosby moved, seconded by Trustee Wolczyk to waive the second reading of the ordinance. Upon roll call, the vote was:

**YES: 5:** Hanson, McCarty, Crosby, Wolczyk and Pierce.

**NO: 0.**

**ABSENT: 1:** Caulfield.

**THE MOTION CARRIED.**

Trustee Wolczyk moved, seconded by Trustee Crosby to approve and publish in pamphlet form **Ordinance No. 07-09-19**, entitled, **AN ORDINANCE ANNEXING TERRITORY TO THE VILLAGE OF ANTIOCH LOCATED ON THE NORTHWEST CORNER OF STATE ROUTE 173 AND DEEP LAKE ROAD COMMONLY KNOWN AS 41520 W. ROUTE 173, PERMANENT INDEX NUMBER 02-16-200-034, ON THE PETITION OF THE OWNER, VLAND ANTIOCH I LLC; FILE NO. PZB 07-04**. Upon roll call, the vote was:

**YES: 5:** Hanson, McCarty, Crosby, Wolczyk and Pierce.

**NO: 0.**

**ABSENT: 1:** Caulfield.

**THE MOTION CARRIED.**

**First reading of AN ORDINANCE REZONING PROPERTY FROM THE RE-1 RURAL ESTATE ZONING DISTRICT TO THE GENERAL RETAIL BUSINESS (B-2) DISTRICT ON THE PETITION OF VLAND ANTIOCH I LLC AND SPECIAL USE FOR A PLANNED UNIT DEVELOPMENT (PZB07-04; PIN 02-16-200-034)**. Attorney Simon reviewed the ordinance. Trustee Crosby moved, seconded by Trustee Wolczyk to waive the second reading of the ordinance. Upon roll call, the vote was:

**YES: 5:** Hanson, McCarty, Crosby, Wolczyk and Pierce.

**NO: 0.**

**ABSENT: 1:** Caulfield.

**THE MOTION CARRIED.**

Trustee Wolczyk moved, seconded by Trustee Crosby to approve and publish in pamphlet form **Ordinance No. 07-09-20**, entitled, **AN ORDINANCE REZONING PROPERTY FROM THE RE-1 RURAL ESTATE ZONING DISTRICT TO THE GENERAL RETAIL BUSINESS (B-2) DISTRICT ON THE PETITION OF VLAND ANTIOCH I LLC AND SPECIAL USE FOR A PLANNED UNIT DEVELOPMENT (PZB 07-04; PIN 02-16-200-034)**. Upon roll call, the vote was:

**YES: 5:** Hanson, McCarty, Crosby, Wolczyk and Pierce.

**NO: 0.**

**ABSENT: 1:** Caulfield.

**THE MOTION CARRIED.**

## DRAFT MINUTES

**First reading of AN ORDINANCE APPROVING FINAL SUBDIVISION PLAT FOR CLUBLANDS COMMONS, ON THE APPLICATION OF ANTIOCH EAST END DEVELOPMENT LLC; (PZB 07-07)** - Attorney Simon reviewed the ordinance. Planning and Zoning Director said there would be improvements along Savage Road; widened the full width and additional widening as depicted on the plat to make provisions for dedicated turn lanes. Trustee Crosby moved, seconded by Trustee Pierce to waive the second reading of the ordinance. Upon roll call, the vote was:

**YES: 4:** Hanson, Crosby, Wolczyk and Pierce.

**NO: 0.**

**ABSTAIN: 1:** McCarty.

**ABSENT: 1:** Caulfield.

**THE MOTION CARRIED.**

Trustee Crosby moved, seconded by Trustee Wolczyk to approve and publish in pamphlet form **Ordinance No. 07-09-21**, entitled, **AN ORDINANCE APPROVING FINAL SUBDIVISION PLAT FOR CLUBLANDS COMMONS, ON THE APPLICATION OF ANTIOCH EAST END DEVELOPMENT LLC; PZB 07-07**. Upon roll call, the vote was:

**YES: 4:** Hanson, Crosby, Wolczyk and Pierce.

**NO: 0.**

**ABSTAIN: 1:** McCarty.

**ABSENT: 1:** Caulfield.

**THE MOTION CARRIED.**

**Executive Session; Personnel and Litigation** - Trustee Pierce moved, seconded by Trustee McCarty for the Mayor and Board of Trustees to go into executive session at 10:05 p.m. to discuss personnel and litigation. Upon roll call, the vote was:

**YES: 5:** Hanson, McCarty, Crosby, Wolczyk and Pierce.

**NO: 0.**

**ABSENT: 1:** Caulfield.

**THE MOTION CARRIED.**

*Trustee Caulfield rejoined the Board meeting in executive session at 10:05 p.m.*

**Return from Executive Session** – Trustee McCarty moved, seconded by Trustee Pierce for the Mayor and Board of Trustees return from executive session to the open meeting at 10:35 p.m. **with no action taken.** Upon roll call, the vote was:

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

**NO: 0.**

**ABSENT: 1:** Wolczyk.

**THE MOTION CARRIED.**

### **ADJOURNMENT**

There being no further discussion, Trustee McCarty moved seconded by Trustee Crosby to adjourn the regular meeting of the Board of Trustees at 10:36 p.m.

Respectfully submitted,

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Candi L. Rowe, RMC/CMC  
Village Clerk