

APPROVED MINUTES
VILLAGE OF ANTIOCH
BOARD OF TRUSTEES, REGULAR MEETING
Municipal Building: 874 Main Street, Antioch, IL
November 19, 2007

CALL TO ORDER

Mayor Larson called the November 19, 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, Caulfield, Crosby, Wolczyk and Pierce. Also present were Mayor Larson, Acting Administrator Keim, Attorney Simon and Clerk Rowe. Absent: Trustee McCarty.

APPROVE BALANCE OF AGENDA FORM

Trustee Crosby moved, seconded by Trustee Wolczyk to approve the balance of the meeting agenda removing the August 20, 2007 and September 4, 2007 meeting minutes to allow opportunity for legal review. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: McCarty.

THE MOTION CARRIED.

Trustee McCarty arrived at 7:35 p.m.

JULY 24, 2007 SPECIAL MEETING MINUTES

Trustee Crosby moved, seconded by Trustee Hanson to approve as presented the July 24, 2007 special meeting minutes. Upon roll call, the vote was:

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

NO: 0.

ABSTAIN: 1: Pierce.

THE MOTION CARRIED.

SEPTEMBER 11, 2007 & SEPTEMBER 12, 2007 SPECIAL AND CONTINUED MEETING MINUTES

Trustee Wolczyk moved, seconded by Trustee Crosby to approve as presented the September 11, 2007 and September 12, 2007 special and continued meeting minutes. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

PETITIONS/BIDS

No report.

MAYOR

Mayoral Proclamation – 2007 Tree Lighting Ceremony – Mayor Larson read the 2007 Tree Lighting Ceremony proclamation for the 32nd Annual Antioch Community Tree Lighting Ceremony being held on November 23, 2007.

CLERK

Smoke-Free Illinois – January 1, 2008 – Clerk Rowe discussed the Lake County Public Health Department meeting that she attended regarding the Smoke-Free Illinois act. She said beginning January 1, 2008 smoking is not allowed in any indoor workplace or public place. This includes offices, warehouses, factories, transportation facilities/garages, private clubs and banquet halls, as well as restaurants, bars and bowling alleys. She said that information is listed on the Village's website at www.antioch.il.gov. Attorney Simon discussed ordinances the Board may want to consider and in the event that the policy or community service officers find a violation, having a local ordinance would allow the Village to collect greater share of the applicable fine. The Board directed Attorney Simon to draft an ordinance that mirrors State Law.

Other Business – Holiday Parade – Clerk Rowe reminded the Board that the holiday parade will be on at 6:30 p.m. on Friday, November 23, 2007. Trustees participating in the parade should be at the line-up area by 5:30 p.m.

ADMINISTRATOR

Neumann Homes Development update – Acting administrator Keim said that Cole Taylor Bank is the primary lender in the Clublands subdivision and they have presented a motion for stay relief to the bankruptcy court to take safety measure action on approximately 20 houses. He said they intend to step immediately to try to secure the buildings and properties; they are working on interim financing, "debtor in possession" with Neumann Homes Development to complete those homes with contracts. Acting administrator Keim said there are still some negotiations with Indy Mac, the bank primarily

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involved in NeuHaven. He said that Indy Mac is not as far along as Cole Taylor Bank; they have not completed any negotiations with Neumann Homes Development to take possession of approximately 20 homes to get safety measures in place. Acting administrator Keim said that he believed that Indy Mac would be taking a similar course as Cole Taylor Bank. He said the remainder vacant lots may be taken over by Cole Taylor Bank within six months to make arrangements to complete the subdivision or sell the property to new developers with the latter being more likely. He said that Cole Taylor is also making arrangements to backfill the clubhouse site and some other safety measures. He said Cole Taylor already contacted one company to snowplow Clublands; the Village is prepared to plow, if necessary. Acting administrator Keim reported that he expects Cole Taylor to ask for certificate of occupancies regarding a few homes that were near completion. He said that if asked for the CO's by Cole Taylor, he would recommend approving. Acting administrator Keim said that Cole Taylor also noticed the Village that they are resigning as SSA Trustee and will be recommending Wells Fargo Bank and there is an ordinance later on the agenda for the Board's consideration.

The Board discussed the model homes, the clubhouse, property taxes, homeowner recourse regarding property taxes and the Village website that would have an area devoted to the Neumann Homes Development bankruptcy. Acting administrator Keim will continue to update the Board at upcoming meetings.

COMMUNICATIONS

C. Yelden, Beach Grove Road resident – Clerk Rowe read into the record the letter received November 16, 2007 from C. Yelden regarding the Central Auto Body proposal. Mr. Yelden said that the lot is small and not properly zoned. He also mentioned another body shop that is proposed across the street from Central Auto Body proposal and said that he is against this project location. He said there are other locations better suited for an auto body shop establishment.

CITIZENS WISHING TO ADDRESS THE BOARD

Karl Kurth, Netherlands Drive resident and president of Windmill Creek Homeowner Association, read his statement regarding Homeowner Associations and referred to his letter previously distributed to the Board. Mr. Kurth said the Village may be liable if HOA and CCR's are not enforced. He also disputed comments made by Planning and Zoning Director Nilsen and feels the individual HOA are the first line of defense in the community. He asked that a HOA approval letter be submitted with the building permit request, before the permit issued.

Nicola Beisel, Silver Lake Avenue resident, read her statement regarding Antioch Marketplace and the zoning change request from Central Auto Body and what she heard at the last meeting. She said that is the Village's duty to protect the neighborhoods and the homeowner and you don't do that by allowing irresponsible developers to come and do whatever they want and ignore whatever codes they find inconvenient. She said that she hopes the Board would uphold the zoning codes and protect the residents.

FINANCE: CHAIRMAN: CROSBY; CAULFIELD, PIERCE

Accounts Payable – Finance Director McCarthy reviewed the accounts payable report. Trustee Crosby moved, seconded by Trustee McCarty to approve the payment of accounts payable dated November 15, 2007 and in the amount of \$427,922.24. Upon roll call, the vote was:

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

NO: 0.

ABSTAIN: 1: McCarty.

THE MOTION CARRIED.

Approve payment of manual checks written to date - Trustee Pierce moved, seconded by Trustee Wolczyk to approve payment of manual checks written to date totaling \$302,896.34. Upon roll call, the vote was:

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

NO: 0.

THE MOTION CARRIED.

Payroll Expense Report dated October 19, 2007 and October 26, 2007 – Finance Director McCarthy reviewed the payroll reports. Trustee Crosby moved, seconded by Trustee Wolczyk to approve as presented the Payroll Expense Reports dated October 19 & 26, 2007 in the amount of \$382,030.01. Upon roll call, the vote was:

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

NO: 0.

ABSTAIN: 1: Wolczyk.

THE MOTION CARRIED.

Other Business – Credit card and gasoline card report - Trustee Crosby asked to see a report showing everyone who has credit and/or gasoline cards.

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

No report.

PLANNING, ZONING AND BUILDING: CHAIRMAN: WOLCZYZ; CROSBY, McCARTY

PZB 07-09; Central Auto Body request for zoning code amendment – Attorney Simon reviewed his memorandum dated November 16, 2007 regarding Central Auto Body options for form of zoning relief. He summarized stating that if it is the Board's desire to grant permission for Central Auto Body to operate an auto body repair shop and to tailor the scope, it can be done by requiring a text amendment to the B-3 District and limiting the special use permit to the individual owners for a defined term.

Andrew Kasin, Lakeview Terrace resident, read his statement regarding the Central Auto Body shop zoning request. He reviewed studies concerning the painting process used by the auto body industry. He also discussed form base zoning versus Euclidian zoning and reviewed an OSHA report regarding air particles.

Steve Strezo, Central Auto Body, discussed the misconception of current body shop practices and the 24 concessions they have committed to. He discussed current technology, the controlled environment and proper disposal practices of his business. He said that he believed they had a good product that would be an asset to the community and that they have been sensitive to residents needs.

Dan Robison, Architect for Central Auto Body reviewed the site and building designs. He also reviewed an analysis regarding auto body shop zoning requirements in other communities.

There was a brief discussion regarding another auto body request for the property located across the street. Director Nilsen explained that the request requires annexation and although there are levels of discretion, it would not be as high as in Special Use.

Trustee Wolczyk moved, seconded by Trustee Hanson to deny Central Auto Body map amendment request for a B-3 District. Following discussion, the motion and second was removed.

Trustee Caulfield moved, seconded by Trustee McCarty to approve a text amendment to B-3 District regarding the Central Auto Body request.

Trustee Wolczyk discussed the good impression he had of Central Auto Body and their business practices and the only problem he had with this situation is the location. He said he would welcome them in the Village anytime as long as it had the appropriate zoning. Trustee Caulfield said that he believed this business would raise the bar for future businesses in the area and said it was difficult for him to understand why we wouldn't want to encourage this type of business in that location. He discussed his personal experience with auto body industry and the current technological business practices. Trustee Pierce discussed the current building condition instead of the overall plan and felt approving the request is piecemeal method to get rid of an eyesore. He said that he would rather wait and develop a proper plan. Trustee Crosby concurred with Trustee Pierce statement. Trustee McCarty said that he sees the issue as spot development and planning, but it allows the Board to put conditions in place that sets the bar at a higher position and control over what happens with the parcel. The planning and larger picture that we have in place, such as the Corridor Studies that are working documents that we would change as we see things come forward.

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

YES: 1: Caulfield.

NO: 5: Hanson, McCarty, Crosby, Wolczyk and Pierce.

THE MOTION IS DENIED.

ENGINEERING: CHAIRMAN: HANSON; McCARTY, WOLCZYZ

No report.

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

Special Event Liquor License Request: St. Peter School Casino Night – Trustee Caulfield moved, seconded by Trustee Wolczyk to approve the special event liquor license application for St. Peter School Casino Night for January 26, 2008, waiving fee. Upon roll call, the vote was:

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

NO: 0.

ABSTAIN: 1: McCarty.

THE MOTION CARRIED.

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Authorize the advertisement for bid for the purchase of three outdoor warning sirens – Trustee Caulfield moved, seconded by Trustee Pierce to authorize the advertisement for bid for the purchase three outdoor warning sirens including the bid three additional sirens in the next budget year. Upon roll call, the vote was:
YES: 6: Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.
NO: 0.
THE MOTION CARRIED.

Other Business – Condition of Route 83 – Trustee Caulfield discussed the condition of the main roads, Route 83 and Route 173, and he encouraged staff to be creative in getting some attention from the State. A recommendation from staff regarding weight and speed limits on Route 173 and Route 83 until they get repaired. Attorney Simon indicated that the Village does not have the authority to regulate these limits on the State highways. Acting administrator Keim said that he could request the State to do a speed study and that staff shares the same safety concerns. Trustee Caulfield said that he would like to get documentation that we have been asking the State for the roads to be approved. There was a brief discussion regarding truck traffic enforcement setting up scales; Police Chief Foerster explained the process. Acting administrator Keim said that he would take the proper course of action once the Board gives him direction. The condition of Route 83 will be placed on the next committee of the whole and regular meeting agenda for further discussion.

INFORMATION TECHNOLOGY: CHAIRMAN: PIERCE; WOLCZYK, HANSON

No report.

ATTORNEY

First reading of AN ORDINANCE APPROVING THE APPOINTMENT OF A SUCCESSOR TRUSTEE FOR CERTAIN SPECIAL SERVICE AREA BONDS OF THE VILLAGE – Attorney Simon reviewed the ordinance. Trustee Hanson moved, seconded by Trustee Crosby to waive the first and second reading of the ordinance. Upon roll call, the vote was:
YES: 6: Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.
NO: 0.
THE MOTION CARRIED.

Trustee McCarty moved, seconded by Trustee Crosby to approve and publish in pamphlet form **Ordinance 07-11-32**, entitled, **AN ORDINANCE APPROVING THE APPOINTMENT OF A SUCCESSOR TRUSTEE FOR CERTAIN SPECIAL SERVICE AREA BONDS OF THE VILLAGE.** Upon roll call, the vote was:
YES: 6: Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.
NO: 0.
THE MOTION CARRIED.

Second reading and approval of AN ORDINANCE ESTABLISHING A CABLE/VIDEO SERVICE PROVIDER FEE - Attorney Simon reviewed the ordinance. Trustee McCarty moved, seconded by Trustee Crosby to approve and publish in pamphlet form **Ordinance 07-11-33**, entitled, **AN ORDINANCE ESTABLISHING A CABLE/VIDEO SERVICE PROVIDER FEE.** Upon roll call, the vote was:
YES: 6: Hanson, McCarty, Caulfield, Crosby, Wolczyk and Pierce.
NO: 0.
THE MOTION CARRIED.

Other Business – Executive Session - Trustee Pierce asked that executive session for the purposes of personnel, pending litigation and purchase of property is placed on the next regular meeting agenda.

ADJOURNMENT

There being no further discussion, Trustee Hanson moved seconded by Trustee McCarty to adjourn the regular meeting of the Board of Trustees at 9:35 p.m.

Respectfully submitted,

Candi L. Rowe, RMC/CMC
Village Clerk