

APPROVED MINUTES
VILLAGE OF ANTIOCH
BOARD OF TRUSTEES; REGULAR MEETING
Municipal Building: 874 Main Street, Antioch, IL
September 21, 2009

I. CALL TO ORDER

Mayor Hanson called the September 21, 2009 regular meeting of the Board of Trustees to order at 7:30 p.m. in the Municipal Building: 874 Main Street, Antioch, Illinois.

II. PLEDGE OF ALLEGIANCE

Mayor Hanson and the Board of Trustees led in the Pledge of the Allegiance.

III. ROLL CALL

Following the Pledge of Allegiance, roll call indicated the following Trustees were present: Pierce, Poulos, Sakas, Crosby, Wolczyk and Jozwiak. Also present were Mayor Hanson, Administrator Keim, Attorney Long and Clerk Rowe.

IV. MAYORAL REPORT

Attorney Monthly Invoices - Mayor Hanson reported the monthly bills for the Village general legal services are averaging approximately \$5000 under than the previous attorney fees. He said the flat rate system that was implemented when he took office is definitely working to our taxpayer's advantage. Trustee Crosby said that not only are we spending less, we are getting a lot more production from our attorney.

V. CITIZENS WISHING TO ADDRESS THE BOARD

Dave Jefferies, Palmer Court resident and owner of the Joanna Court Apartment complex, expressed his concern regarding the vehicle tax that listed on his water and sewer account. He said that he has been working with the water department trying to give them a current number of vehicles and he doesn't believe that it's his role to collect taxes. Mr. Jefferies asked if the Village would consider issuing stickers that he could give to his tenant. Trustee Crosby explained the reason the Village decided to discontinue issuing stickers and he asked if a letter would work. Mr. Jefferies asked for something official to simplify his situation. Trustee Pierce asked Attorney Long will review the vehicle tax procedures and make a recommendation.

VI. CONSENT AGENDA

Trustee Pierce moved, seconded by Trustee Wolczyk to approve the following consent agenda items as presented:

1. Approval of a Resolution authorizing a Special Event Liquor License to the Village of Antioch for Fall Fest; **Resolution No. 09-89.**
2. Approval of a Resolution authorizing a Special Event Liquor License to St. Peter's Footlights on November 6 & 7, 2009 – **Resolution No. 09-90.**

Upon roll call, the vote was:

YES: 6: Pierce, Poulos, Sakas, Crosby, Wolczyk and Jozwiak.

NO: 0.

THE MOTION CARRIED.

VII. REGULAR BUSINESS

3. Approval of the September 8, 2009 meeting minutes as corrected - Trustee Crosby moved, seconded by Trustee Wolczyk to approve the September 8, 2009 minutes as corrected to include on page 3; Trustee Poulos' statements *"Trustee Poulos said there wasn't any back up documentation to the Potential Gym proposal resolution and he asked staff that in the future, to place resolutions on the agenda with back up documentation. He also asked if the finance director researched the financial impact and he asked the parks director is she had any input"* and *"Director Stahl said that as of last Wednesday, Administrator Keim, Management Analyst Parks and herself decided to ask the Village Board, simply for direction on whether they would like staff to spend any more time and energy looking into this venture by doing a more in-depth analysis. She said this was to be brought up by Trustee Pierce under other business tonight. She said that she had many conversations both by telephone and through email with Management Analyst Parks throughout the day on Friday and imagine her surprise when she picked up her board packet at 5:00 p.m. on Friday to find an agenda item listed as Consideration of a Resolution directing village staff to produce a month to month agreement not to exceed 90 days, to provide a fitness center to the residents of Antioch and a "Request for Board Action" originated from the Parks Department, that she had NO knowledge of. She called Administrator Keim who was out of town and unavailable. She called Mayor Hanson and was told that he had drawn up the RFBA and placed the item on the agenda. Director Stahl said that she thought it was wrong to put the originating department as the Parks Department when she had no knowledge of the item being placed on the agenda."*

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Upon roll call, the vote was:

YES: 5: Poulos, Sakas, Crosby, Wolczyk and Jozwiak.

NO: 1: Pierce.

THE MOTION CARRIED.

4. Approval of payment of accounts payable as prepared by village staff – Trustee Pierce moved, seconded by Trustee Sakas to approve payment of accounts payable as prepared by village staff in the amount of \$446,334.28. Upon roll call, the vote was:

YES: 6: Pierce, Poulos, Sakas, Crosby, Wolczyk and Jozwiak.

NO: 0.

THE MOTION CARRIED.

5. Consideration of Resolution authorizing the Village Administrator to enter into a Lease for the use of Village property located on North Avenue – Administrator Keim updated the Board regarding his conversation with the contractor concerning the \$1000 / per month rental fee which was discussed by the Board at the September 14, 2009 Special Board meeting. He said the contractor provided a cost estimate on the demolition of the buildings and concrete removal which was approximately \$42,000. Administrator Keim said staff verified the cost estimate that was provided is a fair number. He said the agreement before the board is the same agreement that was discussed at the previous meeting. Mayor Hanson updated those present in the audience regarding the construction equipment located on North Avenue and that the construction company is looking for a staging area for their equipment to be help alleviate some of the traffic concerns during the project. He explained that Administrator Keim worked with contractor to lease the Bitner property and in return, they would demolish the buildings located on the site. He said this worked out well for us since we would be looking to demolish those buildings at some time in the future. Trustee Crosby said the initial estimate to demolish the buildings was \$10,000 and he felt that was not adequate for the amount of land and time involved. He said that he appreciated the fact that Administrator Keim reviewed the proposal to get a better estimate and that he also obtained a counter proposal to verify the amounts.

Trustee Pierce moved, seconded by Trustee Jozwiak to approve **Resolution No. 09-91** to authorize the Village Administrator to enter into a lease for the use of the Village property located on North Avenue. Upon roll call, the vote was:

YES: 6: Pierce, Poulos, Sakas, Crosby, Wolczyk and Jozwiak.

NO: 0.

THE MOTION CARRIED.

6. Consideration of a Resolution authorizing the Village Administrator to execute a Commercial Real Estate Purchase and Sale Agreement for the purchase of property located on Depot Street in the amount of \$355,000 – Administrator Keim the discussion from the September 14, 2009 Special Meeting and the Board's direction to move forward with option two for improvements and property purchase within the TIF district. The properties are located at 328, 330, 334, and 342½ Depot Street located on the east end of the property known at the "Pittman Property". Trustee Sakas inquired how many days we have to do due diligence with Attorney Long responding that we had two weeks. Administrator Keim indicated that the environmental report is not yet back yet. Mayor Hanson explained to those present in the audience that our TIF Funds must be used by the end of the year.

Trustee Crosby moved, seconded by Trustee Wolczyk to approve **Resolution No. 09-92** authorizing the Village Administrator to execute a Commercial Real Estate Purchase and Sale Agreement for the purchase of property located on Depot Street in the amount of \$355,000. Upon roll call, the vote was:

YES: 4: Poulos, Sakas, Crosby, and Wolczyk.

NO: 2: Pierce and Jozwiak.

THE MOTION CARRIED.

7. Consideration of an Ordinance Amending Title 7, Chapter 3 of the Antioch Village Code Regarding Permitted and No Parking Areas – Trustee Sakas moved, seconded by Trustee Crosby to waive the second reading and approve as presented **Ordinance No. 09-10-25** amending Title 7, Chapter 3 of the Antioch Village Code regarding permitted and no parking areas. Upon roll call, the vote was:

YES: 6: Pierce, Poulos, Sakas, Crosby, Wolczyk and Jozwiak.

NO: 0.

THE MOTION CARRIED.

8. Consideration of a Resolution authorizing the Village to enter into agreements with Potential Training and Ray Scarpelli to create an Antioch Fitness Center – Management Analyst Parks gave brief presentation updating the Board since the last meeting. He said that a lot of time has been spent on the financial feasibility for the Village of Antioch to provide a fitness center for Antioch residents. He also reviewed the financial data that was distributed to Board members and discussed three year average for fitness centers of that size nationwide. Mr. Parks also updated Board members on some of the discussions that took place at the Park Board meeting where Mr. Roth of Potential Fitness, gave a passionate plea on how this operation should be organized and run and it involved

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selling contract one-year memberships with automatic payments or an upfront full year payment. Mr. Parks said that he spoke with Mr. Roth after that meeting and explained the facility would be used as amenity to residents and is not a business. He said that we would not be in the business in selling memberships and discussed the proposed fee per use basis done on monthly basis. Mr. Parks said the Park Board was asked if they would support or not support a 90-day trial basis which resulted in a lot of good discussion. He said the conclusion was that the Park Board would support a trial basis, and he discussed the important element being the manager in place who would attract enough users to make the fitness center financially feasible. He said Park Board members expressed concerns regarding the ability to hire a qualified manager for only a 90-day period. He also said \$25,000 would purchase all of the equipment including mirrors, mats and computers. He said once the letter of intent was complete, he would bring final contracts to the Village Board for their approval. Mr. Parks further said the success of the fitness center is dependent on whether the Village wants it to be successful or not. He firmly recommended the Board not approve the proposal unless they believed they can make it a success for the residents.

Management Analyst Parks read the following letter of recommendation from Park Board Chairman, Jim Weber:

*I have received the recommendation from all the Park Board members that were present at the September 16th meeting. The Park Board was to consider a resolution directing Village staff to produce a month to month agreement not to exceed 90 days, to provide a fitness center to the residents of Antioch. The Park Board unanimously agreed that they would like to see a fitness center for the citizens of Antioch. A fitness center was part of our original plans for the Antioch Rec Center. However, the month to month agreement with Potential Fitness not to exceed 90 days is not recommended. The Park Board did not like the short time to evaluate the 90 day proposal, and also the means to acquire sufficient and accurate information regarding the records of Potential Fitness. The proposal only gives the Village 90 days to figure out if the fitness center will work. The Park Board agreed that 90 days is not enough time to know if Potential Fitness is going to work or not. We as a Village cannot hire a qualified professional manager to work for only 90 days, with the possibility to work more if the fitness center succeeds. The Park Board agreed that the proposal has a lot of gray areas and unanswered questions. **We regret that the Park Board cannot go forward with this recommendation.***

Village Board members discussed several topics including the number of required users, hiring a qualified manager, fees, not being a budget item for this year and, if the Board were in favor moving forward with a fitness facility program, that this type of proposal should be included during the budget process. There was also a discussion regarding the SWOT analysis, current revenues and budget revisions, and the financial risk at this time considering the number of nearby fitness facilities.

Trustee Crosby expressed his disappointment regarding comments made toward Mayor Hanson during this process and the comments from past elected officials, past employees and current employees. He said that he was sorry that it happened and at the same time he is sorry that he won't be voting for this because it's a risk to taxpayers that we can't afford.

Trustee Pierce asked that the names and numbers in the report provided by Management Analyst Parks be removed from the report.

Mayor Hanson thanked everyone for looking into the idea of providing a fitness facility for the residents of Antioch however; the timing is unfortunate. He said this may open up other areas of our budget that might be scrutinized based on these programs. He said the Park Board indicated they would love to see a facility, but as many know, we don't have the money that it would take to give this community any type of facility like this. He said that he thought this was a great opportunity and we may not have another chance to purchase equipment and membership information for this amount and that he supports the Board's decision. He asked Trustee Pierce to look at our current park program expenses and revenues. Mayor Hanson also cautioned Board members who may be put to task on items and they will have to make decisions and vote on something that is not in budget; we have no control emergency situations or infrastructure situations.

CITIZENS WISHING TO ADDRESS THE BOARD

Wanda Utter, Lakewood Drive resident and Park Board member, discussed the value of the equipment and her worries that Mr. Roth couldn't answer basic questions about membership when he was before the Park Board and that was one of the Park Board's major concerns.

Sandy Shule, Johelia Trail resident said that she was surprised to hear Board members tell residents to get services out of town. She said that she tries to support businesses in town. Trustee Crosby said that he absolutely supports every business in town that he can, his point was that although he is not happy with the fact that we are not going to have a fitness facility here assuming it's not approved there are other similar centers close to Antioch; unfortunately it's not our doing that the current owner is taking his business in a different direction.

Dee Reeves, Fox Drive resident, said the fitness facility became a political issue and that is bad for Antioch. She said the facility already exists and by not moving forward, we all lose.

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Trustee Crosby moved, seconded by Trustee Jozwiak approve **Resolution No. 09-93**, directing village staff to negotiate Letters of Intent with Potential Training, Ray Scarpelli and all other concerned parties to create an Antioch Fitness Center and return to the Board for authorization to sign resulting contract. Upon roll call, the vote was:

YES: 0.

NO: 6:

THE MOTION FAILED.

Trustee Sakas moved, seconded by Trustee Wolczyk that as a matter of personal privacy to strike from the public record exhibit D1-4 from the financial analysis providing a fitness center as prepared by staff dated September 15, 2009. Upon roll call, the vote was:

YES: 6: Pierce, Poulos, Sakas, Crosby, Wolczyk and Jozwiak.

NO: 0.

THE MOTION CARRIED.

VIII. ADMINISTRATOR'S REPORT

No report.

XIV. VILLAGE CLERK'S REPORT

Clerk Rowe asked Board members to contact her if they will be participating in the Homecoming Parade on October 1, 2009.

Clerk Rowe reviewed SWALCO's Mobile Household Chemical Waste collection event being held in Lake Forest on September 26, 2009.

XV. TRUSTEE REPORTS

Trustee Sakas asked that a discussion regarding Video Gaming be placed on a future Committee of the Whole meeting agenda.

Trustee Poulos met with Deputy Economic Development Laures regarding development opportunities and gave him contact information.

Trustee Pierce reported that John Ruffin, who did a lot of volunteer activities on behalf of the community, passed away last week. He said the Village will miss Mr. John Ruffin.

Trustee Pierce said that we received a letter today that Julie Konvalinka resigned from the Park Board, so the Mayor will be looking for a replacement.

Trustee Pierce thanked Mayor Hanson for bringing the fitness center proposal forward, it may not have been the right time, but he appreciates him looking out and trying to find things for the village.

XVI. EXECUTIVE SESSION

The Mayor and Board of Trustees did not go into executive session.

ADJOURNMENT

There being no further discussion, Trustee Crosby moved, seconded by Trustee Pierce to adjourn the regular meeting of the Board of Trustees at 8:45 p.m.

Respectfully submitted,

Candi L. Rowe, RMC/CMC
Village Clerk