

APPROVED MINUTES
VILLAGE OF ANTIOCH
BOARD OF TRUSTEES; REGULAR MEETING
Municipal Building: 874 Main Street, Antioch, IL
June 7, 2010

I. CALL TO ORDER

Mayor Hanson called the June 7, 2010 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 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 Deputy Clerk Folbrick. Absent: Clerk Rowe.

IV. MAYORAL REPORT

Mayor Hanson Announced the passing of Claude Smith, local businessman.

1. **Letter of Commendation; Officer Paul Klem** – Deputy Clerk Folbrick read the letter of commendation to Officer Paul Klem, who was instrumental in the apprehension of a juvenile and recovery of numerous articles of stolen property. Chief Foerster added his appreciation to the Officer for his outstanding work.

2. **GFOA Certificate of Achievement presented to Finance Director Joy McCarthy** - Mayor Hanson presented the GFOA Certificate to Finance Director Joy McCarthy for her outstanding financial reporting for fiscal year ending April 30, 2009.

3. **Letter of Appreciation from David Maish, David's Bistro** – Deputy Clerk Folbrick read the letter of appreciation from David Maish, owner of David's Bistro who thanked the Village for the quick clean up of the road construction on Route 83.

4. **2010 Independence Day Parade Marshal; PM&L Theater** – Mayor Hanson announced this year's Parade Marshal for the July 4th Parade is PM&L Theater, who is celebrating their 50th Anniversary. Representatives from PM&L thanked the Board for recognizing their 50 years of service and the opportunity to represent the town on the 4th of July holiday.

V. CITIZENS WISHING TO ADDRESS THE BOARD

Mike Culat, 532 W Lake Street, attended the Antioch Wine Walk the prior weekend, and commended the work of the staff that produced the event.

VI. CONSENT AGENDA

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

1. Approval of the May 17, 2010 meeting minutes as presented.
2. Approval of a Resolution authorizing a Raffle License to Bankers Kids for a Cure; Relay for Life – *Resolution No. 10-46.*

Trustee Sakas indicated a correction was needed on page 8 of the minutes.

Upon roll call, the vote was:

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

NO: 0

THE MOTION CARRIED.

VII. REGULAR BUSINESS

3. **Consideration of accounts payable as prepared by staff** – Trustee Jozwiak moved, seconded by Trustee Crosby to approve payment of accounts payable as prepared by staff. Upon roll call, the vote was:

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

NO: 1: Pierce.

THE MOTION CARRIED.

4. **Consideration of an Ordinance authorizing and providing for the issuance of not to exceed \$3,000,000 Taxable General Obligation Bonds (Utility Tax Alternate Revenue Source), Series 2010 (Recovery Zone Economic Development Bonds – Direct Payment), of the Village of Antioch, Lake County, Illinois, for the purpose of defraying the cost of certain capital infrastructure costs, authorizing the execution of a bond order and providing for the levy of a direct annual tax sufficient to pay the principal of and interest on said bonds, and for the**

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collection, segregation and distribution of certain utility tax revenues of said Village; Ordinance No. 10-06-19 – Trustee Pierce moved, seconded by Trustee Jozwiak to waive the second reading and approve **Ordinance No. 10-06-19** authorizing and providing for the issuance not to exceed \$3,000,000 Taxable GOB.

Administrator Keim explained that this is the next step in the process to issue the bonds, and he introduced Linda Ciaglia, who explained the bond issue. Ms. Ciaglia stated that this “parameters ordinance” takes everything done so far, puts it into one ordinance and authorizes the designated officers to move forward with the sale of bonds within the parameters outlined. The parameters state that the bonds cannot exceed \$3,000,000, they can be used only for those projects designated, that the utility tax will be the first source of revenues, and that taxes may be assessed as a secondary source. The ordinance also allows for the immediate abatement of those taxes. The ordinance also states that there will be no more than a \$350,000 payment in any one year, and there will never be an interest rate above 8%.

Trustee Crosby asked what follows the passage of this ordinance. Ms. Ciaglia provided a timeline of the steps to come, including a rating call to get the Village rating, obtaining potential rates from investors, and finally the sale of bonds and closing.

Upon roll call, the vote was:

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

NO: 0

THE MOTION CARRIED.

5. Consideration of a Resolution authorizing the Village Administrator to finalize an agreement with Waste Management for waste collection services in the Village of Antioch; Resolution No. 10-47 – Mayor Hanson stated that he received a phone call from another local community who commended staff on their rate negotiation with Waste Management.

Director Parks reviewed the contract expiration and bids received. He said that he asked for senior rates, the cost to vacuum leaves in November, and other items including large item pickup. Staff recommended an award to Waste Management for a 5 year contract, and to give the Administrator the opportunity to negotiate certain items including no charge for Village Waste Pickup, the opportunity for the Village to provide Bagsters to hold construction debris/heavy materials, and port-o-potty rates for Village events. He asked Board members if they would be interested in offering leaf vacuuming in the fall. Director Parks explained that the cost would be approximately \$0.88 per household per month for the service.

Trustee Pierce moved, seconded by Trustee Jozwiak to approve **Resolution No. 10-47** authorizing the Village Administrator to finalize an agreement with Waste Management for waste collection services in the Village of Antioch, including leaf vacuuming.

Trustee Wolczyk asked if there were any concerns from the Public Works Department for leaf vacuuming and sewer implications. Director Liveris replied that they do not have any concern at this time, but would like to ensure they are clear in case of a rain event. Administrator Keim explained that the storm sewers are currently cleaned on an as-needed basis, and when there is a significant source of debris. He believes this program would provide a greater avenue to remove the leaves and lessen the chances of them going into the storm sewers.

Trustees discussed the cost implications to homes without trees and leaves, and decided that the cost of \$0.88 per household is worth the benefit to the town, as well as reducing wear and tear on the street sweeper. With vacuuming, the net cost to residents would increase only \$0.35 per month. Vacuuming would be held weekly throughout the month of November, and residents would still have the opportunity to bag their landscaping materials each month. Mayor Hanson asked if brush pickup would still be a service provided by Waste Management. Director Parks replied that it will be provided, as well as the spring clean up day.

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 three year contract with Lauterbach & Amen LLC to provide auditing services to the Village of Antioch; Resolution No. 10-48 - Director McCarthy provided a history of the auditing firm, stating that they were engaged by the Village in 2004 to audit financial statements. She provided a history of negotiated contracts with this firm, and the proposed contract with a current rate of \$28,000 for 2010 and 2011, and an increase of \$800 for 2012. There would be additional costs for the TIF audit, and the single Audit Act required when municipalities spend more than \$300,000 in federal funds. She indicated that she did not request proposals from other firms because of the changes that will be made to the entire fund balance

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structure as a result of GASB 54 reporting requirements. She said she would like to retain the same firm during that reporting transition.

Trustee Jozwiak moved, seconded by Trustee Wolczyk to approve **Resolution No. 10-48** authorizing the Village Administrator to execute a three year contract with Lauterbach & Amen LLC to provide auditing services to the Village of Antioch.

Trustee Poulos asked if there were any grants the Village received that may require a single audit. Director McCarthy replied that the IEPA loan will require a separate audit. Trustee Poulos encouraged staff to obtain requests for proposals from various firms for contracts such as these regardless of any upcoming changes or transitions. Mayor Hanson asked if an RFP could be done at this time. Director McCarthy responded that it is too late at this time to request proposals, and a preliminary review has already been done. Trustee Crosby agreed that staff should request proposals, and added that he does not like the necessity to approve contracts without other options provided. Director McCarthy explained that she believes an auditing firm should be reconsidered every ten years, not three. She said that continuity is needed, and intends to look at proposals at the end of this 3-year contract.

Upon roll call, the vote was:

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

NO: 0

THE MOTION CARRIED.

7. Consideration of a Resolution for Acceptance of Off-Site Watermain Improvements for the Antioch Corporate Center; Resolution No. 10-49 – Trustee Pierce moved, seconded by Trustee Crosby to approve **Resolution No. 10-49** for the acceptance of off-site watermain main improvements for the Antioch Corporate Center.

Engineering Supervisor Heimbrodt reviewed the IDI project approved in 2007, and explained that one of the items stated in the agreement was to extend the watermain to their site. Staff is asking for acceptance of the watermain now that the work is complete and has been approved by staff and Smith Engineering Consultants. He further stated that the Village will now be responsible for the watermain, with the exception of a 1 year maintenance agreement with IDI, where they will be held responsible for any necessary repairs.

Trustees discussed the maintenance costs and obligations associated with the watermain. Supervisor Heimbrodt explained that a majority of the cost was paid by the developer to extend the main to the site. Administrator Keim added that this and the water tower are related to the TIF that was done at the property, and acceptance of the watermain does not obligate the Village to accept Phase 1 of the park.

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 for Acceptance of Water Tower Improvements for the Antioch Corporate Center; Resolution No. 10-50 - Trustee Pierce moved, seconded by Trustee Wolczyk to approve **Resolution No. 10-50** for the acceptance of the water tower improvements for the Antioch Corporate Center. Upon roll call, the vote was:

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

NO: 0

THE MOTION CARRIED.

9. Consideration of a Resolution authorizing use of NeuHaven Surety Bond Proceeds for OSLAD Grant Application, Transfer to General Fund and Escrow Account Reimbursement; Resolution No. 10-51 – Administrator Keim stated that the Village Board was notified of the settlement for NeuHaven Subdivision, and this resolution authorizes the use of the settlement money. The proposed uses include reserving money and reimbursing the Village for expenses related to bankruptcy of Neumann Homes, as well as using the funds for an OSALD Grant for the completion of Sprenger Park.

Trustee Jozwiak moved, seconded by Trustee Crosby to approve **Resolution No. 10-51** authorizing the use of NeuHaven Surety Bond Proceeds for OSLAD Grant Application, transfer to general fund and escrow account reimbursement.

Trustee Pierce asked if the Osmond Park OSLAD Grant would interfere with this grant application. Administrator Keim responded that the Osmond Park Grant was applied for by the Antioch Township and not the Village, and should not interfere with this grant application.

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Mayor Hanson added that the Village also anticipates letters of support from state representatives for the grant application.

Trustees further discussed the use of funds and total spent in relation to what will be reimbursed. Staff explained that some of the amounts are projections and are dependent on grant approval. Administrator Keim related that the OSLAD Grant application must be filed by July 1, and the Village will need to schedule a public meeting in order to get opinions on what amenities and improvements the residents would like included.

Mr. Will Martino, President of the NeuHaven Homeowners Association, thanked Administrator Keim and the Village Board for allowing the residents to have an opportunity to provide input. He wanted to emphasize that NeuHaven and Clublands are separate entities, and that this money is intended for NeuHaven. He remarked that this will be the first Village owned park east of Deep Lake Road, and many amenities will be needed. He also requested that reporting and transparency of funds should be clear and detailed, and added that he has been very happy with Village representation of residents in NeuHaven Subdivision. Mayor Hanson replied that the reporting will be as transparent as possible, but cannot jeopardize future legal proceedings or settlements.

Trustee Pierce asked the Board to consider possible savings on infrastructure costs, and use any money saved towards the park. Administrator Keim indicated that staff will come back to the Board if there are any extra funds available to be spent.

Upon roll call, the vote was:

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

NO: 0

THE MOTION CARRIED.

10. Consideration of an Ordinance Annexing Certain Property and Amending the Zoning Map of the Village of Antioch regarding property located at 23109 W. Route 173; Ordinance No. 10-06-20 – Director Nilsen said that this item was discussed at the May 17, 2010 Village Board Meeting, and reviewed costs and zoning associated with this request.

Trustee Pierce moved, seconded by Trustee Jozwiak to approve **Ordinance No. 10-06-20** annexing certain property and amending the zoning map to include the property located at 23109 W. Route 173.

Trustee Pierce asked which fees the petitioner is requesting be reimbursed. Director Nilsen responded that the petitioner is requesting a reduction in annexation fees. He explained that the site development fee is \$1,000, and the annexation fee is \$3,750. Julie Jelinek, attorney for the petitioner, stated that they are asking that the total site development fee of \$1,000 be credited against the \$3,750 annexation fee.

Trustee Pierce amended his motion to include a \$1,000 credit against the site development fee. Trustee Jozwiak amended his second.

Trustee Sakas stated that there are three fees assessed during the petitioner's process, including electronic filing fees, site development fees, and annexation fees. He indicated that he is unsure how the annexation fee is determined, and suggested that those fees be researched and reviewed at a later date.

Trustee Pierce amended his motion to include a \$1,000 credit against the annexation fee. Trustee Jozwiak amended his second.

Upon roll call, the vote was:

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

NO: 0

THE MOTION CARRIED.

11. Consideration of an Ordinance Amending Section 4-2B-10 of the Municipal Code of Antioch expanding Wine Shop Sales to include Beer; Ordinance No. 10-06-21 – Trustee Jozwiak moved, seconded by Trustee Wolczyk to approve **Ordinance No. 10-06-21** amending Section 4-2B-10 of the Municipal Code expanding wine shop sales to include the sale of Beer. Upon roll call, the vote was:

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

NO: 0

THE MOTION CARRIED.

12. Consideration of a request to authorize the Village Attorney to draft the appropriate ordinances establishing the Village of Antioch Green Advisory Committee – Trustee Pierce asked

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that this be placed on the agenda for discussion. The ad-hoc Green Advisory Committee (GAC) has met several times and he would like to formally amend the code to properly establish their committee.

Trustee Pierce moved, seconded by Trustee Wolczyk to authorize the Village Attorney to draft the appropriate ordinances establishing the Village of Antioch Green Advisory Committee.

Trustee Pierce asked that the committee has formally appointed members, and a clear direction on how the committee should be run. Attorney Long related that he would like input on how to setup the committee, and what would work for the members.

Upon roll call, the vote was:

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

NO: 0

THE MOTION CARRIED.

VIII. ADMINISTRATOR'S REPORT

Lake Michigan Water – Administrator Keim announced that a meeting will be held on June 22, 2010 at 4:30 pm in Libertyville for elected officials to discuss funding alternatives for Lake Michigan Water.

Plant Allegations – Administrator Keim discussed the recent allegations of plant violations in Saturday's newspaper, and assured members that no violations exist. He said that he has not received any notices of violations from the IEPA, and the plant is operating just fine without any issues.

IX. VILLAGE CLERK'S REPORT

No report.

X. TRUSTEE REPORTS

Trustee Pierce announced that he will be celebrating his 25th wedding anniversary and will not be here during the last half of June.

Trustee Pierce said that a neighboring property in Oakwood Knolls has taken a pile of branches and placed them in the roadway, where they have been for approximately 2-3 weeks, and asked that staff or Waste Management could look into the pickup of those branches.

Trustee Pierce asked if any steps have been taken to clean up the property next to the Limerick on Toft Street. Administrator Keim replied that the property owner has been notified, and the necessary steps are being taken to clean up the property.

Trustee Pierce expressed concern with the low elevation at the intersection of North Avenue and Oakwood Drive and the potential for flooding. Administrator Keim responded that it will be filled with rock and brought up to avoid flooding.

Trustee Pierce said that an apartment at the East side of Main Street has orange cones on the property, and is concerned with any safety issues. Director Nilsen replied that the owner has been contacted.

Trustee Poulos announced that there will be four items up for discussion at the next Committee of the Whole meeting regarding personnel policies.

Trustee Sakas asked when the adjudication court was scheduled to begin. Administrator Keim said that it could begin as early as July, and they have already interviewed judges.

Trustee Sakas asked if there staff will be present at the homeowners association meeting scheduled for Monday for the Woods of Antioch. Administrator Keim said that there is a meeting scheduled for 7pm at the State Bank of the Lakes, and there will be Village representation.

Trustee Crosby announced that the Antioch High School girls softball team in a part of the final 8 teams competing for the state championship this weekend. Mayor Hanson suggested that staff coordinate their return to town on Sunday.

Trustee Crosby provided an overview of the most recent meeting with the Senior Council, and looks forward to working with them.

Trustee Crosby asked staff to look at the tall grass throughout the Village, particularly NeuHaven and Clublands subdivisions.

Trustee Crosby asked for the status on the letter to Canadian National regarding the Route 173 crossing. Administrator Keim said that staff will draft the letter and reference all crossings.

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Trustee Wolczyk discussed the upcoming meeting regarding the Lake Michigan funding mechanisms and stated that he plans on attending. He urged other board members to attend as well.

Trustee Wolczyk thanked the Public Works Department for main Street cleanup on Memorial Day weekend.

Trustee Wolczyk announced that the pool is now holding water and thanked all of the staff for their hard work in making the pool available to residents this year.

Trustee Jozwiak welcomed back finance director McCarthy, and commended staff on their work with Waste Management.

Mayor Hanson asked that the compact car zone parking in the downtown areas be addressed and defined.

XI. EXECUTIVE SESSION

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

XII. ADJOURNMENT

There being no further discussion, Trustee Wolczyk moved, seconded by Trustee Jozwiak to adjourn the regular meeting of the Board of Trustees at 9:17 pm.

Respectfully submitted,

Lori K. Folbrick, RMC/CMC
Deputy Clerk