

APPROVED MINUTES
VILLAGE OF ANTIOCH
BOARD OF TRUSTEES; PUBLIC HEARING
REGARDING THE ADOPTION OF THE FY 10-11 APPROPRIATION ORDINANCE
Municipal Building: 874 Main Street, Antioch, IL
July 6, 2010

I. CALL TO ORDER

Mayor Hanson called the July 6, 2010 public hearing before the Board of Trustees and regarding the appropriations ordinance to order at 7:05 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 and Jozwiak. Also present were Mayor Hanson, Administrator Keim, Attorney Long and Clerk Rowe. Absent: Trustee Wolczyk.

IV. PUBLIC HEARING – ANNUAL APPROPRIATION ORDINANCE

Annual Appropriation Ordinance for Fiscal Year 2010-2011 – Clerk Rowe read the published public notice and then administered the oath to those who wished to testify. Finance Director McCarthy explained the annual appropriation ordinance, which by State Statute establishes the legal limit of the Village's expenditures during the fiscal year May 1, 2010 through April 30, 2011. The ordinance must be passed within the first quarter of each year. FY11 is significantly higher so we can spend funds in first quarter next year. The appropriation ordinance only establishes the maximum levels of expenditures that can be made if adequate revenues are available. This does not necessarily mean that sufficient revenues will in fact be received to make such expenditures. The village develops an operating budget to establish realistic spending limits, as well as to guide and control all spending. She explained that even though we appropriate approximately \$53,000,000 doesn't mean that we spend it. We have to appropriate more than what we anticipate spending. Finance Director McCarthy also explained that we are also required to certify estimated revenues.

There was a brief discussion regarding the revenue sources with Director McCarthy stating the disbursements are running about five months behind. She also discussed that property tax is not our only revenue source and that sales tax revenues also impact the village.

Public Comment – There was no one present in the audience who wished to address the Board at this time.

V. ADJOURNMENT

There being no further discussion, Trustee Jozwiak moved, seconded by Trustee Pierce to adjourn the public hearing regarding the annual appropriation ordinance at 7:15 p.m. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Wolczyk.

THE MOTION CARRIED.

Respectfully submitted,

Candi L. Rowe, RMC/CMC
Village Clerk

APPROVED MINUTES
VILLAGE OF ANTIOCH
BOARD OF TRUSTEES; REGULAR MEETING
Municipal Building: 874 Main Street, Antioch, IL
July 6, 2010

I. CALL TO ORDER

Mayor Hanson called the July 6, 2010 regular meeting before 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 and Jozwiak. Also present were Mayor Hanson, Administrator Keim, Attorney Long and Clerk Rowe. Absent: Trustee Wolczyk.

IV. MAYORAL REPORT

1. Appoint Hon. Henry "Skip" Tonigan, Ret., as Hearing Officer for Village of Antioch Adjudication Court – Mayor Hanson said the ordinances establishing an adjudication hearing process in the Village of Antioch were approved in April. The first hearing will be held on August 5th at Village Hall.

Retired Judge Tonigan gave a brief presentation regarding his career as a trial attorney and his tenure with Lake County as Circuit Judge. He also discussed the administrative hearing process, which is not a new concept. He said the administrative hearings are set up on an informal basis with relaxed rules of evidence and that both sides have an opportunity to present their case. He explained the type of matters that fit the village code enforcement and non-traffic matters. Judge Tonigan currently is the hearing officer for nine other municipalities in Lake and McHenry County.

Mayor Hanson said that he has heard both pros and cons regarding this process and feels there are more pros and he discussed how branch courts are busy with other more serious matters.

Trustee Pierce moved, seconded by Trustee Jozwiak to confirm the Mayor's appointment of Hon. Henry "Skip" Tonigan, Ret., as the Village of Antioch hearing officer. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Wolczyk.

THE MOTION CARRIED.

Following the appointment, Clerk Rowe administered the Oath of Office to Hon. Henry "Skip" Tonigan, Ret.

V. CITIZENS WISHING TO ADDRESS THE BOARD

There was no one present in the audience who wished to address the Board at this time.

VI. CONSENT AGENDA

Trustee Crosby moved, seconded by Trustee Sakas to approve the following consent agenda items as presented:

1. Approval of the May 24, 2010 and June 21, 2010 meeting minutes as presented.
2. Approval of a Resolution authorizing a Raffle License for the Antioch Community High School – **Resolution No. 10-58**
3. Approval of a Resolution authorizing a Raffle License for the Lakes Region Historical Society – **Resolution No. 10-59**
4. Approval of a Resolution approving Employee Policy No. 1.8 relating to Recruitment – **Resolution No. 10-60.** Approved as corrected removing the draft and approval date that was listed and adding "**and may be required**".
5. Approval of a Resolution approving Employee Policy No. 3.1 relating to Paid Holidays – **Resolution No. 10-61**
6. Approval of a Resolution approving Employee Policy No. 3.3 relating to Sick Leave – **Resolution No. 10-62**

Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Wolczyk.

THE MOTION CARRIED.

7. Approval of a Resolution approving Employee Policy No. 3.2 relating to Vacation Leave – Trustee Jozwiak moved, seconded by Trustee Sakas to approve the Employee Policy No. 3.2 resolution as presented. Following a brief discussion regarding the amount of vacation days that

APPROVED MINUTES

employees are allowed to bank, private versus public benefits and union contracts, the motion and second were removed and it was the consensus of those present to place this item back into committee.

VII. REGULAR BUSINESS

8. 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 and in the amount of \$838,753.72. Trustee Pierce noted that \$630,000 of the payables was for the J.J. Henderson and the WWTP. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Wolczyk.

THE MOTION CARRIED.

9. Consideration of the Annual Appropriation Ordinance for FY2010-2011; Ordinance No. 10-07-23 – Administrator Keim said by State Statute the ordinance must be approved within the first quarter and this ordinance was also reviewed during the public hearing held earlier this evening.

Trustee Sakas moved, seconded by Trustee Poulos to waive second reading and approve **Ordinance No. 10-07-23** entitled, *The Annual Appropriation Ordinance for FY2010-2011* and in the amount of \$53,831,400. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Wolczyk.

THE MOTION CARRIED.

10. Consideration of a Resolution authorizing the Village Administrator to execute a Memorandum of Understanding regarding Lake Michigan Water – Administrator Keim reviewed his request for Board action and updated Board members on the status of the Lake Michigan Water project. He discussed the Village's participation to date and the allocation process. He said that Antioch has both deep and shallow aquifers and the timing is now to participate because Illinois has a specific allocation of water that may not be there in the future. He said the Village has made application for allocation and we should have more information in July. Administrator Keim reviewed the different financing options which included general obligation bonds, special service area bonds and alternate bonds using special service or tax levy as the revenue source.

Board members discussed fees, tax for users, possible greater cost if joined at a later time and the desire to have the referenda question on a future ballot versus a special service area being imposed. Board members also discussed their concerns with the current economic conditions and promoting conservation and finding ways to save water. Administrator Keim said the JAWA is looking at a \$250,000,000 project with the average increase per user being \$400 a year. Administrator Keim said that we have \$50,000 budgeted which the Memorandum of Understanding is asking the Village to commit to sometime in July. Administrator Keim said that he is not looking for action tonight and it was the consensus of those present to place this item on the next Committee of the Whole meeting agenda for review with a more detailed budget.

11. Consideration of a Resolution establishing Police or Fire Department Honor Escorts through the Village; Resolution No. 10-63 – Mayor Hanson said this resolution came about due to a number of school and organization events who want escorts when going to a championship tournament. The policy establishes a procedure so all organizations are treated equally and fairly.

Trustee Crosby moved, seconded by Trustee Sakas to approve **Resolution No. 10-63** establishing police or fire department honor escorts through the Village. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Wolczyk.

THE MOTION CARRIED.

12. Consideration of a Resolution Authorizing the Annual Homecoming Parade to be held on Thursday, October 14, 2010; Resolution No. 10-64 – There was a brief discussion regarding the Route 83 road construction and Administrator Keim said the completion date was supposed to be in October; but due to the recent strike, it may be delayed. He said that if that ends up being the case, we can re-route the parade.

Trustee Sakas moved, seconded by Trustee Jozwiak to approve **Resolution No. 10-64** authorizing the annual ACHS Homecoming Parade to be held on October 14, 2010. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Wolczyk.

THE MOTION CARRIED.

APPROVED MINUTES

13. Consideration of a Resolution approving the conditional settlement of a Lawsuit brought by Joseph J. Henderson & Son, Inc.; Resolution No. 10-65 - Attorney Long briefly explained the conditional settlement of the Joseph J. Henderson & Son, Inc. lawsuit. In this particular case, Henderson wasn't for all the work performed on the water treatment plant and well at Clublands and filed a mechanics lien and a lien on public funds act which after a lot of litigation we were unable to get it dismissed. He said as a result we negotiated a settlement of \$50,000 for the \$86,000 claim and money to be paid from escrow funds so they are not coming out of the general fund. The condition is based on the bankruptcy has to approve it. The additional term obtained from Henderson through Administrator Keim's efforts was to waive any interest on payments due for the WWTP. Attorney Long said that we should be in court in mid-August to get final approval from the Bankruptcy court for the release of these funds.

Mayor Hanson discussed Administrator Keim's work on the negotiations and the resulting resolution.

Trustee Sakas moved, seconded by Trustee Crosby to approve **Resolution No. 10-65** approving a conditional settlement of the lawsuit brought by Joseph J. Henderson and Son, Inc. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Wolczyk.

THE MOTION CARRIED.

VIII. ADMINISTRATOR'S REPORT

Administrator Keim discussed the successful July 4th event. He also discussed the labor and operator strike which have affected the Route 83, North Avenue and 2010 Road programs. He said the strike is based on fringe benefits and wages and hopes that it is resolved in a few weeks.

Administrator Keim said the Villages of Wauconda, Libertyville, Lake Villa, Mundelein and Fox Lake assisted with our cleanup after the storm on June 18th. Mayor Hanson will send a thank you letter to the Mayor of these communities.

IX. VILLAGE CLERK'S REPORT

No report.

X. TRUSTEE REPORTS

Trustee Jozwiak recognized Lee Shannon for a great job responding to the circumstances as a result from June storm. Mayor Hanson said that Lee Shannon did a great job and he also complimented staff's team effort and said everyone involved did a great job.

Trustee Crosby gave a brief update on Corporal John Peck and he said the family expressed their continued thanks. He said there is a planning meeting tomorrow night at 7:00 p.m. at the Antioch Senior Center to discuss the fundraising efforts and how the fund has grown larger than expected.

Trustee Sakas said there is a Planning and Zoning Board meeting on Thursday, July 8.

Trustee Poulos said that he attended most of the July 4th events and he thought the day went very well. He asked about a helicopter flight for life that he saw and Fire Chief Nixon reported that it regarded another matter and didn't have anything to do with the events. Trustee Poulos also said that former village resident Mark Abderholden recently passed away.

Trustee Pierce discussed the draft ordinance regarding the Green Action Committee with the Mayor appointing the Chair. He said some of the members were concerned with the duties as outlined in item 6. This item will be placed on the next Committee of the Whole meeting agenda for discussion.

Mayor Hanson discussed resident Mike Babbitz who has done a tremendous job raising money for Corporal Peck. He said that a few thousand dollars were recently collected during an event at the Wilmot Race Track.

XI. EXECUTIVE SESSION

Trustee Crosby moved, seconded by Trustee Sakas for the Mayor and Board of Trustees to go into executive session at 9:20 p.m. to discuss pending litigation and personnel. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Wolczyk.

THE MOTION CARRIED.

APPROVED MINUTES

Trustee Pierce moved, seconded by Trustee Jozwiak for the Mayor and Board of Trustees to return from executive session to the open meeting at 9:40 p.m. with **no action taken**. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Wolczyk.

THE MOTION CARRIED.

XII. ADJOURNMENT

There being no further discussion, Trustee Poulos moved, seconded by Trustee Pierce to adjourn the regular meeting of the Board of Trustees at 9:42 p.m.

Respectfully submitted,

Candi L. Rowe, RMC/CMC
Village Clerk