

APPROVED MINUTES
VILLAGE OF ANTIOCH
BOARD OF TRUSTEES, REGULAR MEETING
Municipal Building: 874 Main Street, Antioch, IL
July 16, 2012

I. CALL TO ORDER

Mayor Hanson called the July 16, 2012 regular meeting of the Board of Trustees to order at 7:30 PM in the Municipal Building: 874 Main Street, Antioch, IL.

II. PLEDGE OF ALLEGIANCE

The Mayor and the Board of Trustees led the Pledge of Allegiance.

III. ROLL CALL

Roll call indicated the following Trustees were present: Pierce, Sakas, Poulos, Crosby, Dominiak and Jozwiak. Also present were Mayor Hanson, Attorney Long, Administrator Keim and Clerk Folbrick.

IV. MAYORAL REPORT

4th of July Parade Trophy Presentation – Due to a scheduling conflict, this item will be presented at a future board meeting.

Proclamation – National Night Out – Clerk Folbrick read aloud the proclamation. Chief Somerville provided an overview of the neighborhood watch program, and the increased involvement of the community. The focus of the night is to bring neighbors together, and provide a fun environment for children. Mayor Hanson announced that it is a tremendous program, and thanked the police department for their efforts in its organization.

Mayor Hanson commended Chief Somerville and his staff for their hard work ending a recent crime spree that hit the area.

Trustee Crosby acknowledged the efforts put forth by Chief Somerville in creating the neighborhood watch program.

Citizens Wishing to Address the Board

Ms. Amy Bell, Joren Trail Resident, discussed her concerns with the environment and the devastation pollution has caused on the resources, and stressed the importance of recycling. She asked the Village Board to consider the banning of plastic bags in the Village of Antioch. She announced that she created a petition on change.org, where she needs 5,000 signatures in order for the state to consider the ban.

V. CONSENT AGENDA

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

1. Approval of the June 18, 2012 public hearing and regular meeting minutes as presented.
2. Approval of a Resolution authorizing the Antioch Community High School to conduct a parade during Homecoming Week; **Resolution No. 12-58**
3. Approval of a Resolution for a Raffle License for the Antioch Garden Club; **Resolution No. 12-59**
4. Approval of a Resolution for a Raffle License for the Antioch Community High School; **Resolution No. 12-60**
5. Approval of a Resolution for a Raffle License for the Antioch Rotary Club; **Resolution No. 12-61**
6. Approval of a Resolution authorizing a Special Event Liquor License to the Antioch Rotary Club for their annual Pork Chop BBQ – **Resolution No. 12-62**
7. Approval of a Resolution authorizing a Special Event Liquor License for the Village of Antioch Fall Fest – **Resolution No. 12-63**

Upon roll call, the vote was:

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

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

VI. REGULAR BUSINESS

8. Consideration of payment of accounts payable as prepared by staff – Trustee Poulos moved, seconded by Trustee Crosby to approve payment of accounts payable as prepared by staff and in the amount of \$461,700.59.

Trustee Sakas asked for an explanation on the first fire protection cell tower. Administrator Keim announced that those expenses are shared with the Village of Antioch and the First Fire Protection

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District. Trustee Sakas asked for a review of the cell tower leases. Staff will review the terms of the leases.

Upon roll call, the vote was:

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

NO: 1: Pierce.

ABSENT: 0.

THE MOTION CARRIED.

9. Consideration of an Ordinance Amending the Rules for Remote Meeting Attendance –

Trustee Jozwiak moved, seconded by Trustee Dominiak to waive the second reading and approve **Ordinance No. 12-07-13** Amending Section 1-4-6 of the Municipal Code of Antioch Adding Rules for Remote Meeting Attendance.

Trustee Pierce asked for a brief explanation of the changes. Attorney Long stated that there will be a specific line item on the agenda allowing absent Trustees to remotely attend the meeting, pending no objections. There will only be a vote if there is an objection.

Upon roll call, the vote was:

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

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

10. Consideration of a Resolution Awarding Bids for the Sprenger Park Phase II OSLAD project and authorizing the Village Administrator to execute a contract with FGB Corporation in the amount of \$425,573.26 – Administrator Keim reviewed the bids received that were opened on July 9, 2012, after the re-bid of the project for the Phase II improvements. There was a better response at the re-bid, and the ranges were significant. He stated that FGB was included in the original bids opened, and had reduced their price significantly. This amount would bring the park total to \$650,000, which is slightly over the anticipated cost of \$590,000.

Trustees discussed the financing of the project, including grant money, Neumann Settlement, and if board approval is needed for the expenses out of the utility tax. Administrator Keim responded that funding will have to be determined when the budget revenues are evaluated. Trustees further discussed the increased cost of asphalt, and that contribution to the increased bids received.

Trustee Crosby provided an overview of the settlement agreement, and the costs that have been saved from other projects, and urged the board to move forward with the project before other costs increase. Trustee Pierce encouraged transparency with the costs of the project.

Trustee Jozwiak moved, seconded by Trustee Crosby to approve **Resolution No. 12-64** Awarding bids for the Sprenger Park Phase II OSLAD project and authorizing the Village Administrator to execute a contract with FGB Corporation in the amount of \$425,573.26. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

11. Consideration of a Resolution Awarding the Bids for the Aqua Center Construction and authorizing the Village Administrator to execute a contract with Stuckey Construction Company for the renovation of the Antioch Aqua Center in the amount of \$2,240,500.00 - Administrator Keim reviewed the request to award the bid for the aqua center project. He explained the complexity of the bid tab for the project, which included additions and deductions for alternate jobs included in the project. This resulted in an amount slightly different than the base-bid amount. Administrator Keim acknowledged Director Roby for his hard work on the project so far. He hopes to have the facility open by the 2013 swim season.

Trustee Pierce asked how much of the funding is from the loan. He replied there is \$2.6 million in the ERZ bond, of which some monies are committed. He anticipates using \$2.24 million of the ERZ bond for the pool project. Trustee Pierce asked what amenities are included in that amount. Administrator Keim replied that it includes many amenities, but does not include a play or splash structure for the pool, which is anticipated to be paid for through fundraising efforts. Fencing alternates were included in the bid project to include a rod-iron frontage and coated surrounding fence.

Trustee Crosby expressed concern with future change orders on the project. Administrator Keim replied that the possibility for change orders exist, but he feels they are not likely; however unforeseen conditions cannot be predicted. Trustee Crosby asked if it is wise to remove the old pool before obtaining a state permit for the new construction. Administrator Keim said that certain

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demolitions could be done without the permit. Director Roby discussed the demolition of the project as a whole. The exterior will be done by public works and will move forward as planned.

Trustee Sakas reviewed the narrow margins of the bids received, being within \$500,000 of each other, and stated that it is indicative of a very good bid package, and instills confidence. Administrator Keim stated that there will be compliance with the Virginia Graham Baker law.

Trustee Sakas moved, seconded by Trustee Jozwiak to approve **Resolution No. 12-65** Awarding bids for the Aqua Center Construction project and authorizing the Village Administrator to execute a contract with Stuckey Construction Company in the amount of \$2,240,500. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

12. Consideration of an Ordinance Amending Section 8-4-1 Changing the hours for public parks – Director Roby reviewed the proposed changes for park hours. The current ordinance allows parks to be open from dusk until dawn. The proposed amendment will change the parks hours to 7am-10pm April 1-October 31, and 8am-6pm November 1 through March 31. Additionally, there will be a parking ban when the park is closed.

Trustee Dominiak asked if certain exceptions will be allowed with Village approval. Director Roby replied that certain circumstances could be allowed with Village approval.

Trustee Crosby asked if 8 am is necessary for the winter hours, or if it could remain 7 am. Director Roby said that enforcement will be subjective to the Antioch police department. Those present agreed that 7 am is a better opening time.

Trustee Dominiak moved, seconded by Trustee Jozwiak to waive the second reading and approve **Ordinance No. 12-07-14** Amending Section 8-4-1 of the Municipal Code of Antioch Changing the hours for public parks, and changing the opening winter time to 7am.

Upon roll call, the vote was:

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

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

13. Consideration of an Ordinance amending several sections of Title 5, Chapter 2 of the Municipal Code of Antioch Dealing with Outdoor Burning Regulations – Director Nilsen reviewed the code revision to allow residents to have fire pits for recreational usage. The ordinance still prohibits the use of burning trash material, and includes a provision for an open burn permit for stormwater maintenance.

Trustee Crosby discussed the other restrictions included in the amendment, such as materials allowed to be burned. Director Nilsen added that atmospheric conditions are included as well as hours allowed.

Trustee Pierce moved, seconded by Trustee Crosby to waive the second reading and approve **Ordinance No. 12-07-15** Amending Several Sections of Title 5 Chapter 2 of the Municipal Code of Antioch dealing with Outdoor Burning Regulations.

Upon roll call, the vote was:

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

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

14. Consideration of a Resolution Authorizing the Village Administrator to execute a contract for Emergency Services with Antioch Rescue Squad – Administrator Keim reviewed the proposed contract, and the meetings between Antioch Rescue Representatives in order to discuss contracts. The subcontractor contract was not included in the packet, but was provided to the attorney at a later date. He discussed the reporting requirements included in the contract as outlined in the ordinance.

Trustee Pierce asked Administrator Keim if he is seeking approval on the lease, and an extension of the approval for a contract. Administrator Keim replied that there are a number of motions that could be made for approval. He suggested staying away from a 30-day time frame, and suggested 60 or 90 day terms in order to go over further details in the interim. The lease will need to coincide with the contract, and is also involving the fire district.

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Trustees discussed the details included in the contract and lease agreement. Trustee Crosby expressed concern with the ambiguity with the cross utilization of the rescue squad and fire department. It would require additional equipment on the fire trucks, as well as the certification of fire district employees. He suggested that further discussions be held regarding the cross utilization of the fire department employees before a contract is approved.

Trustee Sakas expressed concern with the right to terminate clause in the lease agreement. Attorney Long explained that the license drives the lease. They further discussed causes for contract termination. Administrator Keim explained that the lease and contract are intended to work in tandem.

Trustees Sakas and Poulos expressed concern with the absence of the subcontractor agreement.

Trustee Crosby asked if the Village should be named as additionally insured on the contract. Attorney Long replied that they will need to supply us with insurance, but it should be included. Trustee Crosby stated that he was contented to see the equal opportunity and harassment policies in place, but suggested they are not limited to those items. He indicated the need to include the opportunity for trained firefighters first on the scene to provide the necessary services required for each response.

Trustee Pierce asked that the policies be enforced village wide. He also asked that it be tabled for 30 days, and be resolved after all issues have been addressed. Trustee Crosby said he was disturbed at the delay of the subcontractors contract. Trustee Jozwiak asked what issues were present with the metric requirements. Attorney Long responded that the format of the financial documents were an issue.

Antioch Rescue Squad Member Brian DeKind replied that the timeline was adjusted from monthly to quarterly, and the only difference was between the volunteers and subcontractors. He explained that collections are happening 60-90 days out which could be done quarterly. Trustee Jozwiak expressed concern with the timing of reports.

Trustee Dominiak struggles with the focus on metrics, when statements have been made in the past on the levels of services provided, and is ok with quarterly reports. She agreed to table the issue, but sees the need to fulfill the ordinance.

Trustees discussed the frequency of metric data compilation, the delay in a subcontractor contract agreement, and the need for more information before approval. Trustee Sakas asked Trustees to be mindful of the fact that this will be revisited approximately one year after a contract is awarded. Mr. DeKind responded that they are working on improving the reporting.

Trustee Pierce moved, seconded by Trustee Jozwiak, to table the item 30 days to the August 20, 2012 Village Board Meeting, and to have all contracts in place by that time.

Ms. April Soulak, former rescue squad employee, asked for removal of binding arbitration included in the contract. She read her statement aloud into the record regarding allegations currently in litigation.

Upon roll call, the vote was:

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

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

Mayor Hanson expressed concern with any liability not enforcing the ordinance. Attorney Long asked for input from board members regarding more specific directions in order to achieve a finished product on a more timely basis. Trustee Poulos suggested starting with quarterly reporting with the intention of moving towards monthly reports. He requested more information on necessary equipment and training for the fire department to be able to respond first in issues.

Trustee Pierce asked if the State's Attorney could provide input on the issue. Attorney Long will draft a letter requesting his comments. Mayor Hanson said the goal is to work together towards a common good for the people.

VII. ADMINISTRATOR'S REPORT

Administrator Keim reported on a meeting he had for payment of Metra parking fees through a phone application. Trustees discussed monthly parking stickers, and solar powered parking solutions.

VIII. VILLAGE CLERK'S REPORT

No report.

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IX. TRUSTEE REPORTS

Trustee Pierce invited everyone to attend the next Environmental Commission meeting where the community garden will be discussed. Mayor Hanson asked Trustee Pierce to have the Environmental Commission discuss the banning of plastic bags. Trustee Pierce indicated he will also ask them to create a tree committee.

Trustee Sakas announced that there is a Metra open house tomorrow for their strategic plan at the Libertyville Village Hall.

Trustee Crosby discussed the drowning in White Lake over the past weekend. He appreciates the efforts of rescue, police and fire departments.

X. EXECUTIVE SESSION – Personnel, Pending/Probable Litigation, Sale or Lease of Village Property, Executive Session Minutes

XI. ACTION ON EXECUTIVE SESSION ITEMS

XII. ADJOURNMENT

There being no further discussion, Trustee Pierce moved, seconded by Trustee Crosby to adjourn the regular meeting of the Board of Trustees at 9:23 p.m.

Respectfully submitted,

Lori K. Folbrick, RMC/CMC
Village Clerk