

**VILLAGE OF ANTIOCH  
BOARD OF TRUSTEES, REGULAR MEETING  
Municipal Building: 874 Main Street, Antioch, IL  
March 21, 2005**

**CALL TO ORDER**

Mayor Marvelas called the regular meeting of the Board of Trustees to order at 7:30 pm in the Municipal Building: 874 Main Street, Antioch, IL.

**ROLL CALL**

Roll call indicated the following Trustees were present: Pierce, Larson, Caulfield, Porch, Hanson and Turner. Also present were Mayor Marvelas, Attorney Long and Clerk Monroe.

**APPROVE BALANCE OF AGENDA**

Trustee Larson asked that the Park Impact Fee Report be moved under the Park and License report.

Trustee Porch made a motion, seconded by Trustee Turner, to approve the balance of the agenda for the March 7, 2005 Board of Trustees Meeting, including the change requested. On roll call, the vote was:

**YES: 6:** Pierce, Larson, Caulfield, Porch, Hanson and Turner

**NO: 0**

**THE MOTION CARRIED**

**MINUTES**

**March 7, 2005** – Trustee Larson made a motion, seconded by Trustee Caulfield, to approve the minutes from the *March 7, 2005* meeting with the following corrections:

- On page 5: Change “will” to “well”
- On page 8: Add “10-year” after audit
- On page 10: Add the vote for Escrow Invoices
- On page 10: Add “Administrator Probst stated that the SBC contract was reduced to a three-year term and with lower rates” after price.
- On Page 11: Change “by” to “why”
- On Page 11: Change “which says that quite a bit will be used for a transfer” to “that says part of it would be used for a transfer, but she clarified that a transfer has not occurred”
- On Page 11: Change “asked if the money has been used” to “verified that the money has not been used”
- On Page 13: Change “form” to “from”
- On Page 13: Change “release” to “released”

Trustee Porch asked if the changes could be researched and then brought to the next meeting for approval at the next meeting. Trustee Caulfield withdrew his second and Trustee Larson withdrew her motion.

Trustee Porch made a motion to table the minutes until the next Board Meeting. Trustee Caulfield seconded the motion. On roll call, the vote was:

**YES: 6:** Pierce, Larson, Caulfield, Porch, Hanson and Turner

**NO: 0**

**THE MOTION CARRIED**

**MAYOR**

**Lake Tranquility** – Clerk Monroe read the letter requesting the Village pay 50% of the treatment cost for Lake Tranquility.

Trustee Pierce made a motion, seconded by Trustee Turner, to authorize payment for the total treatment cost.

Trustee Porch asked if there was money in the budget to pay the entire amount. Administrator Probst stated that it was not budgeted for, but that he would find a way to pay for it.

Trustee Porch asked how long the Village had been paying for half of the treatment. Administrator Probst stated that he was not sure but that the Village did pay half last year.

Trustee Larson asked if Lake Tranquility is a public lake. After some discussion, it was determined that it is a private lake and that the only point of access is through Pederson Park.

Trustee Hanson stated that his concern with covering the full amount is that they are only asking for 50% and that the Board has questioned whether or not there is money for a lot of things over the last couple of months, specifically equipment for Public Works. He stated that this should be researched and if there is money to pay the additional then it should be done. He also stated that they should be careful with the kind of precedent they might be setting for other subdivisions.

Trustee Larson stated that she agrees with Trustee Hanson and that the requested half should be approved and then research the remaining amount.

Trustee Turner amended her second and Trustee Pierce amended his motion to approve the 50% requested.

On roll call, the vote was:

**YES: 5:** Pierce, Larson, Porch, Hanson and Turner

**NO: 0**

**ABSTAIN: 1:** Caulfield

**THE MOTION CARRIED**

#### **CLERK**

**SWALCO** – Clerk Monroe stated that SWALCO would be having an Electronics Collection on April 30, 2005 at the College of Lake County and a Household Chemical Waste Collection on April 23, 2005 at the Fox Lake Public Works.

#### **CITIZENS**

**Al Gordon** – Al Gordon, of 311 East Depot, along with Katherine Thompson and Lainie Solie, both also of 311 East Depot, stated that he is coming before the Board to get the ball rolling and ask for help with signage promoting the Depot Station Plaza. He stated that he is asking the Board because permission is needed to place the signs on Village property, at Route 83 and Orchard and Deep Lake Road. He handed out copies of ideas for signs and stated that the signs would be temporary, until more residents were aware of their location.

Ms. Solie provided some other ideas for signs that would be more permanent. She stated that the plaza needs more recognition and that this will help promote business for the Depot Station Plaza.

Mayor Marvelas asked Ms. Solie if she had spoken with the Chamber of Commerce. Ms. Solie stated that they have not. Mr. Gordon added that the majority of the storeowners are chamber members.

Katherine Thompson stated that she wanted to reiterate that they would like recognition and would appreciate being allowed to put up signs.

Trustee Pierce stated that he agrees and that they should work with the Village Economic Development Director and the Chamber of Commerce to come up with an idea for signage that helps them and promotes downtown.

Trustee Caulfield asked if they storeowners have an association. Mr. Gordon stated that they are working on creating one. Trustee Caulfield asked if they thought the storeowners would be willing to pay for the signs. Ms. Thompson stated that they would be willing.

Trustee Caulfield stated that he thinks Trustee Pierce was right that they should work with the Chamber and Economic Development Director to help promote the businesses.

Trustee Larson stated that she saw costs for signs...Ms. Thompson stated that they are not asking the Village to pay for the cost of the signs.

Trustee Porch stated that they might not be aware but that there will be a shoppers guide by Wal-Mart that will include the Depot Station Plaza.

Ms. Thompson asked if a sign could be placed at Deep Lake Road and Depot Street directing people towards the Business District. Trustee Pierce stated that area is all private property. Trustee Larson stated that a sign could be put in the right of way.

Trustee Hanson suggested letting Economic Director Liebson follow up on this issue.

**Bruce Gebert** – Bruce Gebert, of 1470 Main Street, stated that he was involved in an executive session discussion two weeks ago and had not been informed of the outcome. He stated that Attorney Long did approach him before the meeting and informed him that he would be drafting some paper work.

Mr. Gebert also stated that money was approved at the last meeting, which Finance Director Steele had the paper work for in hand for over 5 months and it wasn't released until it was going to be talked about. He stated that this leads him to the point of what has been occurring in the Village and why this election is so important. He stated that it should not matter who you are when you call the Village Hall; you should receive a call back and be respected. He stated that government should keep residents happy and this government is not doing that. He stated that hopefully after the election the Village will have an open, respectful government.

**John Knoll** – John Knoll, of 624 Longview, stated that he is new to Antioch and had a question about the Village water. He stated that his water is rusty and wanted to know if it is an issue with his home or with the Village water.

Mr. Knoll also asked if anything is being done to keep the contaminants from well #4 out of the water system.

Superintendent of Public Works Smith stated that any problem with rusty water should be referred to Public Works so someone can look into the issue. As for the contaminants, he stated that well #4 is sealed and is not in the system and never had contaminants to begin with.

### **PLANNING, ZONING AND BUILDING**

**Purchase of Building Department Permit Management Software** – Trustee Turner asked Senior Planner Sakas to provide an update.

Senior Planner Sakas stated that the memo provided is the second revision and that there have been two Planning, Zoning and Building Committee Meetings related to this issue. He stated that a software package is needed to manage the permits that will be issued, since the Building Department is going to collect around \$5,000,000.00 during the upcoming fiscal year.

Senior Planner Sakas stated that there were three software packages that were reviewed and the BS&A is the preferred package. He stated that the committee asked that it be verified that the software is compatible with the computer network, which was verified, and check into the interface with the finance software, which was determined that a manual process would be more cost effective and easy to use.

Senior Planner Sakas stated that the recommendation is to purchase the BS&A software with the price not to exceed \$10,000.00

Trustee Pierce asked if this software will allow a resident to apply for a permit over the web and pick it up the next day at the Planning, Zoning and Building Department. Senior Planner Sakas stated that is the ultimate goal.

Trustee Turner made a motion, seconded by Trustee Porch, to accept the positive recommendation from staff, to purchase the BS&A software for a cost not to exceed \$10,000.00.

Trustee Caulfield asked Director Steele to comment on her feelings of how this will work with the finance software. Director Steele stated that she thinks it will work well and that she has spent a lot of time with the Planning, Zoning and Building Department (PZ&B) working on the process. Trustee Caulfield asked if there is a process in place to receive money on a daily basis. Director Steele stated that they are working on it and that PZ&B has been learning the finance process to ensure that the process works. Trustee Caulfield asked if PZ&B will be utilizing a cash register so the money is accounted for. Director Steele stated that they have the Finance Department accounting in their system but that PZ&B tracks the information differently. She explained the process and stated that staff is working very well on this.

Trustee Porch thanked PZ&B for doing the additional researched requested by the committee.

On roll call, the vote was:

**YES: 6:** Pierce, Larson, Caulfield, Porch, Hanson and Turner

**NO: 0**

**THE MOTION CARRIED**

#### **INDUSTRIAL, RETAIL, REDEVELOPMENT, CIVIC AND COMMUNICATIONS**

**Resolution 05-07** – Trustee Porch stated that a committee meeting was held to discuss this resolution and a memo from Administrator Probst regarding the resolution.

Attorney Long read the resolution.

Trustee Porch made a motion, seconded by Trustee Turner, to approve resolution 05-07, entitled A Resolution Setting Aside A Portion of Sales Tax Revenue for An Antioch Business District Fund and to make a separate account.

Trustee Porch stated that this money is intended to promote the Antioch Business District, not just Main Street.

Trustee Caulfield stated that he applauds the efforts to help the downtown business district; he knows that there are several programs in place to help the business district and even a large amount of unused TIF money. He stated that he has not seen a plan and the Village is coming up on budget time and that until he is fully apprised of all of the Village needs he is not ready to commit this amount of money to a single source. He stated that it is a great idea but premature.

Trustee Caulfield also stated that the resolution sets out lofty goals and talks of 25%, which doesn't equate to a dollar amount, it also talks of accomplishing a task but doesn't define the task and doesn't reference any policies or procedures to distribute the funds.

Trustee Caulfield stated that he is not opposed to anything that would help the downtown but does think that it should be a part of the budget discussion.

Trustee Hanson stated that it appeared after the committee meeting that everyone agreed that this would be a part of the budget. He stated that the budget would supersede this resolution, so this is premature. He agreed that there were discussions about putting more money into the downtown but as a part of the budget in the capital projects fund. He stated that the motion requested a separate fund and in the last couple of months two more accounts have been opened and the idea was to reduce the number of accounts.

Trustee Hanson stated that he will abstain, since he runs a business in downtown, but he thinks that this should be a part of the budget, which will ensure that all residents' needs are reviewed.

Mayor Marvelas asked Trustee Hanson if he was a member of TIF. Trustee Hanson stated the he was and that TIF is bricks and mortar and that an identity is needed for downtown. Trustee Hanson stated that in order to do that a plan is needed and Director Liebson is capable of doing that.

Trustee Porch stated that the resolution gives direction to Administrator Probst to include this in the budget.

Trustee Turner stated that at a previous Redevelopment meeting Trustee Hanson asked if a percentatge of revenue from Wal-Mart could be used for the downtown. She also stated that TIF money can only be used for certain things and that this money from Wal-Mart could be used for anything that the Village Board approved. She stated that this is proof positive that the Board is concerned about downtown.

Trustee Caulfield stated that it is not a matter of whether or not the Board wants to help the downtown but that the amount of money is unsure and other Village needs haven't been discussed. He reiterated that this should be a part of the budget discussions.

Trustee Pierce stated that he is dismayed since all of the Trustees stated that they would be willing to commit money to the downtown. He also stated that the 72-page report, that Director Steele referenced last meeting, stated that co-mingling money is bad and that is what they are being asked to do. He stated that money for separate items should be kept separate.

On roll call, the vote was:

**YES: 4:** Pierce, Larson, Porch and Turner

**NO: 1:** Caulfield

**ABSTAIN: 1:** Hanson

**THE MOTION CARRIED**

**Authorization to Utilize Monies from the Antioch Business District Fund** – Trustee Porch made a motion to utilize monies from the Antioch Business District Fund for the Route 83 Corridor Study in the event that the state grant is not forthcoming. Trustee Pierce seconded the motion.

Trustee Hanson stated that the TIF could also be used if the grant does not come through.

Trustee Pierce amended his second and Trustee Porch amended her motion to utilize Antioch Business District Funds and TIF funds, should the grant not be forthcoming.

Trustee Caulfield asked exactly how much would come from TIF and how much from the Antioch Business District Fund.

Trustee Porch asked Director Liebson how much the Redevelopment Commission was willing to pay when everyone thought the grant was not going to happen. Director Liebson stated that when the study was broken out, the cost for the downtown section was \$77,000.00.

Trustee Caulfield stated that big spending decisions are being made without knowing the actual amounts.

On roll call, the vote was:

**YES: 4:** Pierce, Larson, Porch and Turner

**NO: 1:** Caulfield

**ABSTAIN: 1:** Hanson

**THE MOTION CARRIED**

**Route 83 Corridor Study Update** – Trustee Porch stated that a memo was included in the agenda packet regarding the original grant application. She stated that she did not find a copy of the survey that was mentioned in the memo. She also stated that the third bullet point on page 2 should say “2007” and that it should say “redevelopment along Lake and Orchard”. She asked Senior Planner Sakas if on page 3 Depot and Anita should also be referenced. Senior Planner Sakas replied yes.

### **FINANCE AND ADMINISTRATOR**

**Fiscal Year 02/03 Audit** – Trustee Caulfield made a motion to accept into the record the Fiscal Year 02/03 Audit as prepared by Dam, Snell and Taveirne. Trustee Hanson seconded the motion.

Trustee Caulfield stated that he is bringing it up again because it is important to accept the audit into the record since it is the Village audit and it is complete. He stated that it would be wise to accept it into record so that it can be distributed into the public.

Trustee Pierce stated he thinks it would be better advised to acknowledge receipt and then meet with the 02/03 auditor. He stated that once that is done then they can acknowledge receipt of the 03/04 audit and meet with that auditor and then accept them into record.

Trustee Caulfield stated that the motion is to accept the audit into the record as prepared and that he would like the motion to stand as it is. He stated that a disservice is being done to the residents if the financial records are not released, which is one of the main fiduciary responsibilities of the Board. He stated that if anyone has a problem with the audit that there have been many meetings that they could have been addressed at as well as discussing them with Director Steele.

Trustee Pierce stated that he thinks it is a bigger disservice to the community and the tax payers to take and distribute it to the public before it is approved, since there could be information that might need to be corrected and if not corrected could impact the Village’s bond rating.

Trustee Hanson asked Director Steele if the audit could be changed. Director Steele stated that the audit is complete and that the auditor judges and accepts the Village’s report, not the Village judging the auditor.

Trustee Larson stated that they should have a comfort level with the audit before it is accepted into the record, which is what would occur if they could meet with the auditor. She stated that she has a list of questions and she would prefer that they be answered before it becomes a public document.

Director Steele stated that the auditor has evaluated the Village’s books and has given the Village an unqualified audit. She stated that they judged the Village’s records, which is why the Village hires an independent auditor. She stated that the auditor has standards they have to meet to judge the Village’s financial records and that they have been tested and evaluated and are saying that the records are fairly stated. She stated that she suggests they be accepted into the record but that it is also important to have the Board’s questions answered; she stated both auditors are willing to meet with the Board.

Trustee Pierce asked how late the audits are. Director Steele replied that they are due within 6 months of the close of the fiscal year. She also stated that she has been in contact with the State Comptroller’s Office to make sure that the Village isn’t penalized, which is why she was pleased to report that the Village received unqualified audits.

Trustee Pierce stated that one audit says it is a restatement and the other doesn’t, he wants to understand the difference before it is distributed to the public. He stated that they should meet with the auditors and get their questions answered so that the audits can be approved.

Trustee Caulfield stated that in the interest of fair and open government that they need to get the audit out to the public; the audit “ is what it is”.

Trustee Porch stated that she would like to meet with the auditors and that she thought that they would be in attendance at the Committee of the Whole Meeting held earlier this evening.

On roll call, the vote was:

**YES: 4:** Caulfield and Hanson

**NO: 2:** Pierce, Larson, Porch and Turner

**THE MOTION FAILED**

**Fiscal Year 03/04 Audit** – Trustee Caulfield made a motion to accept into the record the Fiscal Year 03/04 Audit as prepared by Lauterbach and Amen. Trustee Hanson seconded the motion. On roll call, the vote was:

**YES: 4:** Caulfield and Hanson

**NO: 2:** Pierce, Larson, Porch and Turner

**THE MOTION FAILED**

**Recommendation for Financial Investment Service Provider** – Trustee Caulfield made a motion to accept staff's recommendation and approve PMA as the Village's Financial Investment Service Provider. Trustee Hanson seconded the motion.

Director Steele stated that two responses were received after the Request For Proposal (RFP) went out and that both were well qualified. She stated that one of the most important criteria included in the RFP was a firm that could ensure that the Village would meet state statutes, since there have been recent changes in the statutes. She stated that both of the firms met the criteria but that one firm's focus was more in line with what the Village currently needs.

**Trustee Porch left the meeting.**

On roll call, the vote was:

**YES: 5:** Pierce, Larson, Caulfield, Hanson and Turner

**NO: 0**

**ABSENT: 1:** Porch

**THE MOTION CARRIED**

**Invoices Over \$10,000** – Trustee Caulfield made a motion, seconded by Trustee Hanson, to authorize a payment to Commonwealth Edison, in the amount of \$30,162.45 and \$14,868.20 for pumping stations and another payment to Commonwealth Edison, in the amount of \$14,608.91 for street lights. On roll call, the vote was:

**YES: 5:** Pierce, Larson, Caulfield, Hanson and Turner

**NO: 0**

**ABSENT: 1:** Porch

**THE MOTION CARRIED**

**Accounts Payable** – Trustee Caulfield made a motion to approve the accounts payable, dated March 17, 2005, in the amount of \$140,585.88, as prepared by Village staff. Trustee Hanson seconded the motion.

Trustee Larson stated that she didn't see that Manning Silverman was paid and asked for a status. Director Steele stated that wanted to make sure the audit was complete before resolving the final issues.

On roll call, the vote was:

**YES: 5:** Pierce, Larson, Caulfield, Hanson and Turner

**NO: 0**

**ABSENT: 1:** Porch

**THE MOTION CARRIED**

**Manual Checks** – Trustee Caulfield made a motion to approve manual checks written to date in the amount of \$97,384.96. Trustee Hanson seconded the motion.

On roll call, the vote was:

**YES: 5:** Pierce, Larson, Caulfield, Hanson and Turner

**NO: 0**

**ABSENT: 1:** Porch

**THE MOTION CARRIED**

**Trustee Porch returned to the meeting.**

**Payroll** – Trustee Caulfield made a motion to approve payroll in the amount of \$206,367.20 for March 11, 2005. Trustee Hanson seconded the motion.

On roll call, the vote was:

**YES: 6:** Pierce, Larson, Caulfield, Porch, Hanson and Turner

**NO: 0**

**THE MOTION CARRIED**

**Other Business** – Trustee Pierce stated that according to the 2004 audit the Village has \$548,000.00 and just approved approximately \$450,000.00.

**Other Business** – Trustee Porch made a motion to acknowledge receipt of the Fiscal Year 02/03 audit and the Fiscal Year 03/04 audit. Trustee Pierce seconded the motion. On roll call, the vote was:

**YES: 6:** Pierce, Larson, Caulfield, Porch, Hanson and Turner

**NO: 0**

**THE MOTION CARRIED**

**Other Business** – Trustee Porch asked for an update on the Manning Silverman issue. Trustee Larson stated that it had just been addressed.

**Other Business** – Trustee Porch asked for an update on the utility tax issue. Director Steele stated that she has not had a chance to get it done. Trustee Porch asked for it at the next meeting.

#### **PUBLIC SAFETY, PUBLIC WORKS AND UTILITIES**

Trustee Hanson stated that he has no written report but that he wanted to respond to the statement made earlier about the Village's customer service. He stated that Public Works has excellent customer service and do respond to customer's needs.

**Other Business** – Trustee Porch asked for an update on the railroad safety issue.

Administrator Probst stated that a meeting date hasn't been set yet to meet with Canadian National (CN) but that the concerns have been addressed with a level above his normal contact. He explained that CN is saying the problem is related to alternating current interference from power lines and that an expert is coming in from out of state. He also stated that there have been more problems since the last meeting and he has faxed copies of the police reports to CN.

Trustee Caulfield suggested getting documentation of all of the conversations and asked that the documentation be provided to the Board.

**Other Business** – Trustee Porch stated that Antioch Crossings Plaza will be having it's grand opening on Saturday, March 26, 2005 at 9:00 am.

**Other Business** – Trustee Pierce stated that he received information in his box, estimates and a plan for a SSA in Oakwood knolls to put in sidewalks and curbs.

Engineer Fujihara stated that he would be providing information to all of the Trustees and that only Trustee Pierce received it because he asked for an update. He also stated that there was a meeting with some of the residents of Oakwood Knolls and the Homeowners Association (HOA) will take the Village estimate and go door to door and get a vote as to whether or not the residents want to move forward. He stated that if the residents don't want to go forward, then the Village is not going to force them to pay into the program.

Trustee Porch asked for Engineer Fujihara to explain what would be done. He responded that it will be to put sidewalks and curbs on every street in Oakwood Knolls, which would end up being about \$500 or \$600 per home per year for twenty years. He also stated that the decision will be completely up to the residents and if they don't get a majority vote then it won't happen.

Trustee Pierce asked how this was brought up. Engineer Fujihara stated that it came from a meeting that he was at with some of the Oakwood Knolls residents. Mayor Marvelas added that he was also at the meeting.

Trustee Pierce asked if it was explained to them that all residents would have to vote on it. Mayor Marvelas stated that they are aware of that.

### **PARKS AND LICENSE**

**Tag Day Request** – Trustee Larson motioned to approve the tag day request from the Antioch American Legion Auxiliary # 748, May 27, 2005 and May 28, 2005. Trustee Hanson seconded the motion. On roll call, the vote was:

**YES: 6:** Pierce, Larson, Caulfield, Porch, Hanson and Turner

**NO: 0**

**THE MOTION CARRIED**

Trustee Larson motioned to approve the tag day request from the Misericordia Heart of Mercy's Fannie May Candy Days, April 30, 2005 and May 1, 2005. Trustee Porch seconded the motion. On roll call, the vote was:

**YES: 6:** Pierce, Larson, Caulfield, Porch, Hanson and Turner

**NO: 0**

**THE MOTION CARRIED**

**Park Impact Fee Report** – Trustee Larson stated that in the future that a copy of the park impact fee report also be provided to Parks Director Stahl. She also stated that a copy was included in all of the agenda packets and the balance of the account, as of February 28, 2005, is \$347,603.17.

### **ENGINEERING AND SENIOR SERVICES**

**Paratransit** – Trustee Pierce stated that a copy of the paratransit survey was provided in the agenda packet. He stated that meetings discussing paratransit started in January and that it was decided that this survey is needed to determine the transportation needs of residents before any further action can be taken. He also stated that a Township and a County representative were present and that the survey will be sent to all residents of Antioch – Village and Township. He stated that the Township is paying for the survey to be sent to the Township residents.

Trustee Porch asked if this will be going in the Newsletter that goes to the Township every June. Trustee Pierce stated that they would like to have it go out sooner, in the April Newsletter. He also stated that they offered to send the Newsletter to the Township residents, with the Township paying for half of the postage but the Township declined.

Trustee Porch asked if there is a due date. Director Liebson stated that there is. Trustee Porch stated that she doesn't see it so it needs to be added.

**Other Business** – Trustee Hanson stated that he wanted to say something else about the Oakwood Knolls SSA. He stated that the Oakwood Knolls HOA asked for this at the first meeting that was held with

the HOA. He stated that they asked the Village to research it since they didn't know how to go about doing it.

**ATTORNEY**

**Ordinance 05-03-04** – Attorney Long stated that this ordinance pertains to the building code and suggested waiving the second reading, the first reading was passed at the last meeting, and passing the ordinance as presented. He stated that this ordinance keeps the building code as good as or better than the County's code and help keeps the insurance rates low in Antioch.

Trustee Turner made a motion, seconded by Trustee Porch, to waive the second reading and approve and publish in pamphlet form an ordinance 05-03-04, entitled **ORDINANCE AMENDING SECTIONS 9-1-1, 9-1-2, AND 9-1-3-2 (A) OF THE VILLAGE CODE; BUILDING AND RELATED TECHNICAL CODES (ICC 2003 AND NFPA-NEC 2002)**. ON roll call, the vote was:

**YES: 6:** Pierce, Larson, Caulfield, Porch, Hanson and Turner

**NO: 0**

**THE MOTION CARRIED**

**Ordinance 05-03-05** – Attorney Long stated that this ordinance is mandated by the USEPA and since there is a time restraint he suggested waiving the first and second reading and passing as presented.

Trustee Hanson made a motion, seconded by Trustee Caulfield, to waive the first and second readings and approve and publish in pamphlet form an ordinance 05-03-05, entitled **AN ORDINANCE AMENDING ARTICLE 8-2A OF THE MUNICIPAL CODE OF ANTIOCH PROVIDING ADDITIONAL CLARIFICATION TO CERTAIN REMEDIES AND THE SLUG CONTROL PLAN RELATIVE TO OPERATION OF THE VILLAGE SEWAGE TREATMENT PLANT.**

Trustee Porch asked Engineer Fujihara if he has reviewed the ordinance and if he is okay with the language. He replied yes and that one of the changes is related to penalties and also explained what a "slug" is.

On roll call, the vote was:

**YES: 6:** Pierce, Larson, Caulfield, Porch, Hanson and Turner

**NO: 0**

**THE MOTION CARRIED**

**Executive Session** – A motion was made by Trustee Porch for the Mayor and the Board of Trustees to move into executive session, at 9:14 pm. Trustee Turner seconded the motion. On roll call, the vote was:

**YES: 6:** Pierce, Larson, Caulfield, Porch, Hanson and Turner

**NO: 0**

**THE MOTION CARRIED**

Trustee Turner stated that in the future she would like to announce her vote before the Mayor states whether or not the motion has carried or failed.

**Return** – Trustee Porch made a motion for the Mayor and the Board of Trustees to return from Executive Session to the open meeting at 9:30 pm, with action having been taken. Trustee Turner seconded the motion. On roll call, the vote was:

**YES: 6:** Pierce, Larson, Caulfield, Porch, Hanson and Turner

**NO: 0**

**THE MOTION CARRIED**

**Resolution 05-08** – Attorney Long read the resolution.

Trustee Porch made a motion, seconded by Turner, to approve resolution 05-08, entitled Resolution Regarding the Release and Non-Release of Certain Minutes of Executive Sessions.

Trustee Caulfield stated that he doesn't have proof because he isn't privy to what is occurring at the States Attorney's Office but this could be under consideration and that it could be under consideration because it was not a legal meeting. He stated that he remembers being called about the meeting and remembers choosing not to attend because he didn't think an emergency meeting, without proper notice, on this subject was appropriate or a legal reason to have an executive session, let alone an emergency meeting.

Trustee Caulfield stated that he also objects to these minutes being released because individuals that were involved in the discussion and shared information about potential business ventures that may detrimentally affect them in a financial manner if printed prematurely. He stated that he will be abstaining since he wasn't at the meeting but that he felt it was important for people to know this information.

On roll call, the vote was:

**YES: 4:** Pierce, Larson, Porch and Turner

**NO: 0**

**ABSTAIN: 1:** Caulfield and Hanson

**THE MOTION CARRIED**

### **ADJOURNMENT**

A motion was made by Trustee Porch and seconded by Trustee Turner to adjourn the regular meeting of the Board of Trustees at 9:35 pm.

Respectfully submitted,

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Amy S. Monroe, Village Clerk

03/21/05