

# APPROVED MINUTES

**VILLAGE OF ANTIOCH  
BOARD OF TRUSTEES, REGULAR MEETING  
Municipal Building: 874 Main Street, Antioch, IL  
December 19, 2005**

## **CALL TO ORDER**

Mayor Larson called the December 19, 2005 regular meeting of the Board of Trustees to order at 7:30 PM in the Municipal Building: 874 Main Street, Antioch, IL.

## **ROLL CALL**

Following the Pledge of Allegiance, roll call indicated the following Trustees were present: Hanson, McCarty, Pierce, Porch and Turner. Also present were Mayor Larson, Attorney Magna and Clerk Rowe. Absent: Trustee Caulfield.

**Trustee Caulfield arrived at 7:32 p.m.**

## **APPROVE BALANCE OF AGENDA FORM**

Trustee Pierce moved seconded by Trustee McCarty to approve the balance of the December 19, 2005 meeting agenda as presented. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Pierce, Porch and Turner.

**NO: 0.**

**THE MOTION CARRIED.**

## **DECEMBER 5, 2005 REGULAR MEETING MINUTES**

Trustee Porch moved, seconded by Trustee Pierce to approve the minutes from the December 5, 2005 regular meeting as presented. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Pierce, Porch and Turner.

**NO: 0.**

**THE MOTION CARRIED.**

## **PETITIONS/BIDS**

No report.

## **MAYOR**

**Proclamation – December 2005 as National Drunk and Drugged Driving (3D) Prevention Month** – Mayor Larson read aloud the Mayoral Proclamation entitled, *NATIONAL DRUNK AND DRUGGED DRIVING (3D) PREVENTION MONTH DECEMBER 2005*.

## **CLERK**

**SWALCO Bulletin** – Clerk Rowe reviewed the SWALCO Bulletin stating the Garbage/Recycling collection services will take place a day later than the normal schedule for the weeks following Christmas and New Year's Day.

**Other Business – Village Holiday Hours** – Clerk Rowe said the Village Hall and other departments would be closed on the Monday, December 26 and on January 2 in observance of the Christmas and New Year holidays.

**Other Business – Metra Announcement** – Clerk Rowe reported that we just received notification from Metra stating that expanded service on the North Central Service line will start on January 30, 2006. Schedules and possible weekend service times are pending further notification from Metra. Clerk Rowe will distribute the updated information as soon as she receives it.

**Other Business – Special Census** – Clerk Rowe said that she spoke with representatives from the Census Bureau today who have scheduled our Special Census to begin on January 9, 2006. Those who have picked up applications will be notified to report to the basic skills test being conducted by Census Bureau staff on January 9. Training dates and the census taking of certain areas of the Village would begin sometime after the test date. Clerk Rowe said that we need census takers and those interested in working should contact her office.

## **ADMINISTRATOR**

No report.

## **COMMUNICATIONS**

No report.

## **CITIZENS WISHING TO ADDRESS THE BOARD**

There were no citizens present who wished to address the Board.

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## **LEGISLATIVE AND HUMAN RESOURCES**

No report.

## **PLANNING, ZONING AND BUILDING, SENIOR SERVICES**

**Request from Neumann Homes for approval of Plat of Easement and Vacation; ComEd Trunk Line Easement along Savage Road** – Trustee Turner reviewed the letter dated December 5, 2005 from Rick Dalton, Neumann Homes Division Manager. Robert Silhan, Director of Planning, Zoning and Building reported that he and Village Engineer Keith Fujihara concur with the plat and the easement already exists; it was a matter of making sure that Commonwealth Edison had a right to that easement.

Trustee Turner moved, seconded by Trustee Pierce to accept the Plat of Easement and Vacation dated 6/20/05 and authorize the Mayor to execute the Plat and the Clerk to attest to her signature. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Pierce, Porch and Turner.

**NO: 0.**

**THE MOTION CARRIED.**

**Recommendation from P&Z Board concerning file PZB05-12, variation at Spafford and Filweber, SE Corner** – Trustee Turner moved, seconded by Trustee Pierce to place the Planning and Zoning Board's recommendation concerning file PZB05-12, variation at Spafford and Filweber, SE Corner into committee. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Pierce, Porch and Turner.

**NO: 0.**

**THE MOTION CARRIED.**

## **ENGINEERING, PUBLIC WORKS AND UTILITIES**

No report.

## **FINANCE, ECONOMIC AND REDEVELOPMENT**

**Invoices over \$10,000** – Trustee Porch reviewed the informational report dated December 19, 2005 prepared by village staff showing invoices over \$10,000 and totaling \$1,136,623.55. Invoices listed were: Applied Technologies in the amount of \$87,120.00 for WWTP Design; Neumann Homes, Inc. in the amount of \$383,308.56 for Park Impact Fee reimbursement; Payne & Dolan in the amount of \$624,907.46 for 2005 MFT Road Program and Smith Engineering Consultants in the amount of \$41,287.53 for 2005 Road Program and Clublands 1 Observation.

**Summary of Escrow Report** – Trustee Porch reviewed the informational report dated December 19, 2005 prepared by village staff showing escrow payments in the amount of \$27,522.42.

**Authorize payment of SSA accounts payable as prepared by village staff** – Trustee Porch moved, seconded by Trustee Turner to authorize payment of SSA accounts payable in the amount of \$2,533.99 dated December 19, 2005 and as prepared by village staff. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Pierce, Porch and Turner.

**NO: 0.**

**THE MOTION CARRIED.**

**Accounts Payable** – Trustee Porch moved, seconded by Trustee Turner to authorize payment of accounts payable as prepared by village staff and dated December 19, 2005 in the amount of \$1,235,976.52.

## **Comment – Trustee Hanson**

Trustee Hanson asked Administrator Haley if the amount listed to be paid to Payne and Dolan was the total amount due. Administrator Haley said there approximately \$70,000 held back until Spring for seeding. Trustee Hanson expressed his concern over the quality of work done this year. Administrator Haley said that he had discussions with the contractor, the work is complete and we're going to have to pay them and he discussed further the amount held back. Trustee Hanson said that we should look at the projects for next year to eliminate the concerns that occurred with this year's project.

## **Attorney Magna**

Attorney Magna discussed the pre-qualification process. He said the Board should keep in mind that all the law requires is substantial conformity to the contract document where some communities or public entities would have incentives to complete projects early or on time and there are also penalty provisions. Attorney Magna said that whenever a public body puts a penalty provision in the contract, the bid prices ultimately go up.

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## **Comment – Trustee Caulfield**

Trustee Caulfield asked if Attorney Magna's December 1<sup>st</sup> payment and he asked if this was new. Mayor Larson said that the monthly fee had always been split into two payments each month.

**Roll Call Vote** – There being no further discussion, upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Pierce, Porch and Turner.

**NO: 0.**

**THE MOTION CARRIED.**

**Manual Checks** – Trustee Porch moved, seconded by Trustee Turner to approve the manual checks report dated December 15, 2005 as prepared by village staff in the amount of \$21,875.00. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Pierce, Porch and Turner.

**NO: 0.**

**THE MOTION CARRIED.**

**Payroll Expense Report dated December 16, 2005** – Trustee Porch moved, seconded by Trustee Turner to approve the Payroll Expense Report dated December 16, 2005 in the amount \$278,485.28 as presented. This amount includes the village staff holiday bonus. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Pierce, Porch and Turner.

**NO: 0.**

**THE MOTION CARRIED.**

**Financial Report for the month ending November 30, 2005** – Trustee Porch reviewed the informational Financial Report for the month ending November 30, 2005 which shows the ending balance \$13,577,917.01.

**Antioch Business District Fund** – Trustee Porch reviewed the Antioch Business District Fund informational report showing the projected revenue, committed expenses and the balance. To date, including the Marketing Firm, if approved, the committed expenses totaled \$60,000 and show an ending balance of \$171,774. Trustee Porch also reviewed the possible expenses for a façade program and marketing and promotions and reiterated that these funds could not be used without Village Board approval.

**Hire PR and Marketing Firm for the Promotion of the Antioch Business District** - Trustee Porch discussed the recent committee meeting held on December 16, 2005 where two marketing firms gave presentations. She said that representatives from the business community were also present at that meeting. Trustee Porch said the companies TDSM and The Goodness Company fees were comparable, but after the presentations the consensus of the committee was to hire The Goodness Company, an Antioch based business, as the Public Relations and Marketing firm for the promotion of Antioch's Business District.

Trustee Porch moved, seconded by Trustee Turner to approve hiring The Goodness Company at the rate of \$25,000 paid from the Antioch Business District Fund for the services listed in Appendix A of the Agreement.

## **Mayor Larson**

Mayor Larson asked if the \$25,000 is an annual fee. Trustee Porch said this fee covers the services listed in Appendix A, creating the brand, logo, and tag line. She said she would come back at a later date for approval for additional services.

## **Comment – Trustee Caulfield**

Trustee Caulfield said that he reviewed the draft minutes from the committee meeting and he questioned if the firm had any local references. Trustee Porch said that she hadn't read the draft minutes yet, however, The Goodness Company doesn't have local tourism references, but Mr. Goodness has been a travel writer for 15 years and that's where the PR will come in.

## **Comment – Trustee Pierce**

Trustee Pierce said The Goodness Company left samples from various companies they have worked for and Trustee Caulfield could review that information.

## **Comment – Trustee Hanson**

Trustee Hanson said that he attended the committee meeting and was very impressed with both firms and either firm would do very well for us. He said that we all agreed that the local company had a lot more enthusiasm and you saw that in his presentation. Trustee Hanson said that The Goodness Company came across much stronger with his presentation. Trustee

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Hanson said that he understood that advertising companies cost a lot of money and we have to try this.

### **Mayor Larson**

Mayor Larson said she understood that the two companies who gave presentations were chosen from a larger group interviewed.

### **Comment – Trustee Turner**

Trustee Turner said that she wasn't able to attend the committee meeting, but she would rather go with a local company.

### **Mayor Larson**

Mayor Larson said that she was aware that Trustee Caulfield asked Clerk Rowe if she could put the minutes together for him; she read the draft committee meetings and noticed there were merchant representatives present and it appeared it was the consensus of the majority to go with this firm.

### **Comment – Trustee Porch**

Trustee Porch said that another reason the company was selected was their presentation focused on Antioch where the other firm's presentation emphasis was on other places.

### **Comment – Trustee Caulfield**

Trustee Caulfield said the minutes didn't reflect the Goodness Companies experience with working with a town like Antioch. Trustee Caulfield also discussed the current village payroll for staff that work with the downtown and help promote economic development, and he didn't know if there was some discussion as to how this marketing firm would relate to that staff.

**Roll Call Vote** – There being no further discussion, upon roll call the vote was:

**YES: 5:** Hanson, McCarty, Pierce, Porch and Turner.

**NO: 1:** Caulfield.

**THE MOTION CARRIED.**

**2006 Professional Musky Trail Tournament** – Trustee Porch discussed the successful Walleye Tournament held last year brought a tremendous amount of exposure to Antioch, Fox Lake and the Chain. She said those involved with the Walleye Tournament were thrilled with how we organized the tournament and now other fishing tournaments have now put their eyes on Antioch. She said that Claude LeMere, Director of Community Services, had been approached about a Musky Tournament being held in the Antioch area in November 2006. Trustee Porch said the cost of the tournament to the Village would be \$10,000 and the Antioch Chamber of Commerce approved to pay \$5,000 if the Village approved this event.

Claude LeMere, Director of Community Services, said the Professional Musky Tournament Trail is different than the Walleye Tournament because the musky is a delicate fish and because of its size could not be carried to a weigh in. He said there would be judges out on the body of water where the tournament takes place; as soon as the musky is caught a judge immediately photographs, weighs and measures the fish and it would then be released. Mr. LeMere said the photos would be brought to a facility, such as the VFW, where the measurements are given and the prizes are awarded. He said this would be a Championship Tournament that would involve the top 50 musky teams in the United States, approximately 100 fishermen. He said this would be a three-day tournament Friday – Sunday, the first week in November and he has already checked with the Best Western and they would be thrilled to host this event. Mr. LeMere said the tournament requires that 3 complimentary rooms are provided for tournament staff and that he would be meeting with the VFW on December 20 to review the tournament details. He said that he thought about 500 people would be in attendance at the weigh-in at the VFW, who would benefit from food and beverage sales. Mr. LeMere said the way we handled the Walleye Tournament and the Chain O Lakes being an excellent fishery are reasons why we were approached by the Musky Tournament representatives. Mr. LeMere said the cost to the Village would be \$5,000 if we don't go out and get additional sponsorship.

### **Comment – Trustee Turner**

Trustee Turner asked if there would be a base area to operate from. Mr. LeMere said that he spoke to Halings Resort which would probably be used as a launch site. He said the Musky Tournament had a different launching procedure so there wouldn't be the amount of staff needed as at the Walleye Tournament.

### **Comment – Trustee Pierce**

Trustee Pierce asked if this event would be shared with other areas such as Fox Lake. Mr. LeMere said that we are not participating with other communities at this time it would only

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be the Village and the Chamber of Commerce. Mr. LeMere said this is a smaller tournament than the Walleye Tournament and it's a tremendous tourism opportunity for Antioch.

### **Mayor Larson**

Mayor Larson said that she was impressed with how the Walleye Tournament was handled and the amount of people that it brought to our area.

Trustee Porch moved, seconded by Trustee Turner to authorize the expenditure up to \$5,000 for the **2006 Professional Musky Trail Tournament** with the funds being paid from the Antioch Business District Fund.

### **Comment – Trustee Pierce**

Trustee Pierce said he would like to see us sell sponsorship to help defray the cost. Mayor Larson said that since that was done with the Walleye Tournament; this would be handled in a similar way. Trustee Porch said there would be sponsorships available.

### **Comment – Trustee Hanson**

Trustee Hanson would like to see a budget for the Business District Fund. He said this budget seems to be becoming a slush fund for everything. Trustee Porch referred to the informational report presented earlier. Mayor Larson said this event would qualify being paid for from that fund.

### **Comment – Trustee Caulfield**

Trustee Caulfield said that while he understands we have approximately \$140,000 in the Business District Fund, he thinks it would be a good idea if somebody would outline what the projected use for that money is since its taxpayer dollars. He went on to say that he knows that it comes under the general terms of 'promote the downtown' but he has had some discussion with other folks that live in our community that have a business in the community that isn't downtown and it seems like a very specialized use of a serious amount of tax dollar coin for a finite group. At least at this point, he's not aware of a written plan that describes exactly what types of uses, the goals and purposes are for all this money. He said that we seem to be spending this money because we have it. Trustee Caulfield said that while he thinks it's a good idea to promote the community, he thinks it's better to promote the community in a planned way. He discussed the various approvals for expenditures from the Business District Fund and he wondered how all these are coordinating together.

### **Mayor Larson**

Mayor Larson said that we haven't had the funds specifically earmarked and we now have 25% of sales tax money to promote Antioch businesses. She said this is a new fund and we have some new uses that we haven't had the funding to do before. Mayor Larson said that although it appears we are spending a lot of money, these are things that we never had the money to do before. When we approved Wal-Mart and Mendards we committed to protecting the downtown businesses so they stay vital; this event is one of the ways promote our community.

### **Comment – Trustee McCarty**

Trustee McCarty said this is cutting edge territory and something that not a lot of communities have been working with. He said we have the TIF District Fund which is great for bricks and mortar and to revitalize very specific funding for very specific spaces. Trustee McCarty said the Business District Fund had a little more broad based range to it and gives us an opportunity to reach out and bring in different and innovative ways of promoting our community. Trustee McCarty also discussed there would be a little learning curve as we go along and we are starting to put together some type of a budget to help work with this fund as we go through it. He said that he doesn't see this as a slush fund where the money is just being spent to be spent. It's being spent on very specific promotional ideas for this community and he absolutely supports it.

### **Comment – Trustee Porch**

Trustee Porch said that Trustee Caulfield uses the word *downtown* and she said that we do not have an Antioch *Downtown* Fund, we have an Antioch Business District Fund and it's for all the businesses in the Village of Antioch, not for those located only in the downtown area. She also said that as far as the specific budget so we could tell you what we would be spending next month is not possible. She explained that is one of the reasons we hired the Goodness Company so they could sit down with staff and committees and help us come up with a marketing plan. She said that she and other members of the Board are not professionals in this area and that's why we are hiring professionals to assist us.

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## **Administrator Haley**

Administrator Haley said that some of the Board members think the money that we are spending is not budgeted; in the approved budget we have \$150,000 budgeted for the downtown fund. He said that while there isn't a line item for the Goodness Company or Lake County Convention and Visitors Bureau, there is a budgeted amount.

## **Comment – Trustee Caulfield**

Trustee Caulfield said that he didn't believe the promoting is a bad idea; however, the word *downtown* is what has been referred to by fellow board members. He said it should be clear and emphasized that this is to promote the whole community and not only Main Street. He thinks that it would be important for giggles to show on paper what we intend to do because as we rip through this money, he doesn't know how many meetings we have where we can spend that kind of money without some sort of plan to get us to the end and to know that we're using those dollars wisely.

## **Mayor Larson**

Mayor Larson said that we don't spend any money from the Business District Fund without Village Board approval. She said that these expenditures go through committee meetings and go before the Village Board. Mayor Larson thanked Clerk Rowe for putting minutes that Trustee Caulfield asked for one day after the committee meeting. Mayor Larson said that all the committee meetings are posted and she understood Trustee Caulfield can't make those meetings. She said that there are a lot of people who make a concerted effort to get to these meetings, they work hard on these things and make recommendations and she said that it sounds like Trustee Caulfield is publicly accusing other board members of spending taxpayer money cavalierly and she thinks this is wrong.

## **Comment – Trustee Caulfield**

Trustee Caulfield said "I don't think it's accused I believe that's the way it is". He said that he knows there is a thought process here in some particular folks head about what they're going to do with that money and he doesn't think it's down on paper. He thinks that it would be good for the community to see that this Board had a budget and plan for that money.

## **Comment – Trustee Porch**

Trustee Porch reiterated this is one of the purposes for hiring a marketing firm so that we could sit down with them and develop a marketing plan. Trustee Porch also reviewed the timeline indicated on the Antioch Business District Fund report versus the fiscal budget timeline.

## **Comment – Trustee Pierce**

Trustee Pierce said that he doesn't believe the village staff runs around for giggles and he doesn't run around for giggles; the future of this village is deadly important in promotion of the downtown area as well as all the businesses within our community. He said that all of us are working very hard to make sure the future of village is rosy and for Trustee Caulfield to use the term 'for giggles' is uncalled for. Trustee Pierce said the Board should be thanking staff for trying to come up with inventive things to promote the village as a whole. He said when we approved Wal-Mart and Menards we said we would work on promoting the village and it sounds like if we try to do things we're being criticized and he wants all the village businesses to survive and we have to move forward.

**Roll Call Vote** - There being no further discussion, upon roll call the vote was:

**YES: 4:** McCarty, Pierce, Porch and Turner.

**NO: 1:** Caulfield.

**PASS: 1:** Hanson.

**THE MOTION CARRIED.**

## **PUBLIC SAFETY, PARKS AND LICENSE**

No report.

## **DELINQUENT ESCROW ACCOUNTS**

No report.

## **ATTORNEY**

Attorney Magna reviewed the following ordinances.

**An Ordinance Granting Variance from Regulations contained in Section 10-5G-3 of the Antioch Municipal Code to allow a Home to be Constructed with the Required Rear Yard Setback for Lot 146; Heron Harbor Unit 7; 1118 Pinehurst Court (PZB05-10) – Trustee Pierce moved, seconded by Trustee McCarty to waive the second reading and to approve and publish in pamphlet form Ordinance 05-12-26 entitled, *AN ORDINANCE GRANTING VARIANCE FROM REGULATIONS CONTAINED IN SECTION 10-5G-3 OF THE ANTIOCH MUNICIPAL CODE TO ALLOW A HOME TO BE CONSTRUCTED WITHIN THE REQUIRED***

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**REAR YARD SETBACK FOR LOT 146, HERON HARBOR UNIT 7; 1118 PINEHURST COURT (PZB05-10).** Upon roll call the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Pierce, Porch and Turner.

**NO: 0.**

**THE MOTION CARRIED.**

**Ordinance Amending the Village Code and Establishing a New Title Entitled Development and Construction Fees** – Trustee Turner moved, seconded by Trustee Pierce to approve and publish in pamphlet form Ordinance **05-12-27**, entitled, **AN ORDINANCE AMENDING THE VILLAGE CODE AND ESTABLISHING A NEW TITLE ENTITLED DEVELOPMENT AND CONSTRUCTION FEES.**

### **Comment – Trustee Pierce**

Trustee Pierce thanked Robert Silhan, Director of Planning, Zoning and Building for responding to his list of questions regarding the above ordinance and for getting back to him in a timely manner.

### **Comment – Trustee McCarty**

Trustee McCarty thanked staff for working on this ordinance and he recognized all the hard work that went into this.

**Roll Call Vote** – There being no further discussion upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Pierce, Porch and Turner.

**NO: 0.**

**THE MOTION CARRIED.**

**Ordinance providing for the Levy of Taxes for the Village of Antioch, Lake County, State of Illinois, for the Fiscal Year Beginning May 1, 2005 and ending April 30, 2006** – Trustee Turner moved, seconded by Trustee Pierce to waive the first reading of the ordinance. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Pierce, Porch and Turner.

**NO: 0.**

**THE MOTION CARRIED.**

Trustee Turner moved, seconded by Trustee Pierce to waive the second reading, approve and publish in pamphlet form Ordinance **05-12-28**, entitled, **AN ORDINANCE PROVIDING FOR THE LEVY OF TAXES FOR THE VILLAGE OF ANTIOCH, LAKE COUNTY, STATE OF ILLINOIS, FOR THE FISCAL YEAR BEGINNING MAY 1, 2005 AND ENDING APRIL 30, 2006.** Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Pierce, Porch and Turner.

**NO: 0.**

**THE MOTION CARRIED.**

**Ordinance Creating a New Section of the Antioch Village Code to Create a Permit to Allow Wine to be Brought onto the Premises of a Restaurant** – Following Attorney Magna's review of the ordinance, Trustee Pierce moved, seconded by Trustee Porch to waive the first reading of the ordinance.

### **Comment – Trustee Porch**

Trustee Porch questioned item number 12 listed on page 3 regarding traffic laws and asked if this would be verbal or written information. Attorney Magna said that it could be verbal and that his office is working on drafting an information sheet that could be distributed, however verbal information would suffice. He said this ordinance, like any other ordinance, if it doesn't work can be repealed by this Board.

**Roll Call Vote** – There being no further discussion upon roll call the vote was:

**YES: 5:** Hanson, McCarty, Pierce, Porch and Turner.

**NO: 1:** Caulfield.

**THE MOTION CARRIED.**

Trustee Porch moved, seconded by Trustee Turner to waive the second reading, approve and publish in pamphlet form Ordinance **05-12-29** entitled, **AN ORDINANCE CREATING A NEW SECTION OF THE ANTIOCH VILLAGE CODE TO CREATE A PERMIT TO ALLOW WINE TO BE BROUGHT ONTO THE PREMISES OF A RESTAURANT.**

### **Comment – Trustee Hanson**

Trustee Hanson asked what liability laws pertain to this type of permit versus a regular liquor license. Attorney Magna said the Dram Shop Act applies to purveyors of alcohol that means an entity that sells alcohol. This ordinance refers to a "bring your own" and they are not selling it; once they charge the corkage fee, it would fall under the Dram Shop insurance if there

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is a liability as a result of over consumption. He said for those who don't charge a corkage fee, it's no different than someone having an alcoholic beverage in your home and going out. There would be no Dram Shop liability.

Trustee Hanson questioned the section of the ordinance that states one bottle per person. Attorney Magna said this is one bottle per person of not more than 1000 ml in volume. He explained in theory there could be two bottles of wine for a couple. Attorney Magna further explained there could be circumstances where one person of the couple would have white wine and the other red depending on their preferences.

### **Mayor Larson**

Mayor Larson said that Attorney DeMartini did extensive research on this ordinance and some of the verbiage is taken from ordinances approved in different areas. She said that we're not the first village considering this type of permit.

### **Comment – Trustee Hanson**

Trustee Hanson asked if we have a definition of restaurant this permit would qualify for and he asked who is giving out these licenses. He asked if a hot dog or sandwich type establishment could be permitted. Mayor Larson said the permit is approved by the Village Board which would be done on a case by case basis. Attorney Magna discussed what would qualify an establishment as a restaurant versus a "McDonald" type establishment and that is why they put in the provision for approval by the Village Board. Trustee Hanson said that he was concerned on how we totally monitor the person getting the license. Attorney Magna discussed the Village Board reviewing the requests on a case by case basis and the Board could revisit and amend this ordinance if needed.

### **Comment – Trustee Turner**

Trustee Turner said she believed the Village Board makes decisions based upon research and recommendations by village staff and not based on whether we like someone.

### **Comment – Trustee Caulfield**

Trustee Caulfield pointed out the Drunk and Drugged Driving Prevention Month Proclamation on the agenda earlier and he believed approving this ordinance tonight is poor timing. He discussed we shouldn't promote drinking at the same meeting we proclaim December 2005 as National Prevention month.

### **Mayor Larson**

Mayor Larson said this is not promoting drinking, this ordinance would allow businesses wider latitude to bring customers in and she is sure none of the businesses would make their patrons finish the bottle they brought in. She said to have a glass of wine with nice meal is fine and the majority of the people are responsible.

### **Comment – Trustee Turner**

Trustee Turner said she thought this was perfect timing. We've hired a marketing firm to promote our community, the business requested this provision and the ability to have wine brought into their establishment and the ability to uncork the bottle and serve it. She said we are not asking for a liquor license, this is a perfect opportunity during the holiday season to enhance their business.

### **Comment – Trustee Hanson**

Trustee Hanson asked if this type of service is being done elsewhere. Attorney DeMartini said this is being done in other areas including Chicago. He also asked if there is a limit on how many permits would be issued. Attorney Magna said the Board would have control and we could see how many come forward to request a permit.

### **Comment – Trustee Porch**

Trustee Porch said that we had several committee meetings with our Village Attorneys who made the recommendation regarding the language in the ordinance, approving the requests on a case by case premise and she thought this is a wonderful benefit to offer our businesses.

**Roll Call Vote** – There being no further discussion upon roll call, the vote was:

**YES: 5:** Hanson, McCarty, Pierce, Porch and Turner.

**NO: 1:** Caulfield.

**THE MOTION CARRIED.**

There was a discussion regarding permit request from infini-tea. Attorney Magna discussed the ordinance would not take effect until 10 days after it's published in pamphlet form. The application from infini-tea would be placed on the next Village Board agenda for consideration.



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**An Ordinance Extending a Moratorium by Amending Ordinance Number 03-08-35 being “An Ordinance Instituting a Planning Period and Moratorium for the Downtown Area and Illinois Route 83 Corridor”** – Trustee Pierce moved, seconded by Trustee Turner to waive the first reading of the ordinance. Upon roll call the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Pierce, Porch and Turner.

**NO: 0.**

**THE MOTION CARRIED.**

Trustee Pierce moved, seconded by Trustee McCarty to waive the second reading, approve and publish in pamphlet Ordinance **05-12-30**, entitled, ***AN ORDINANCE EXTENDING A MORATORIUM BY AMENDING ORDINANCE NUMBER 03-08-35 BEING “AN ORDINANCE INSTITUTING A PLANNING PERIOD AND MORATORIUM FOR THE DOWNTOWN AREA AND ILLINOIS ROUTE 83 CORRIDOR”***. Upon roll call the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Pierce, Porch and Turner.

**NO: 0.**

**THE MOTION CARRIED.**

### **Administrator Haley**

Administrator Haley said that he wasn't sure if the Tax Levy Ordinance was approved and for clarification purposes the following motion was made:

Trustee McCarty moved, seconded by Trustee Caulfield to approve and publish in pamphlet form Ordinance **05-12-28**, entitled, ***AN ORDINANCE PROVIDING FOR THE LEVY OF TAXES FOR THE VILLAGE OF ANTIOCH, LAKE COUNTY, STATE OF ILLINOIS, FOR THE FISCAL YEAR BEGINNING MAY 1, 2005 AND ENDING APRIL 30, 2006***. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Pierce, Porch and Turner.

**NO: 0.**

**THE MOTION CARRIED.**

**An Ordinance Abating Special Service Area Taxes for Village of Antioch Special Service Areas Number One and Two** – Trustee Turner moved, seconded by Trustee Pierce to waive the first reading of the ordinance. Upon roll call, the vote was:

### **Comment – Trustee Caulfield**

Trustee Caulfield asked if it was appropriate to list both Special Service Areas on the same ordinance. Attorney Magna said that you could combine them on the same ordinance.

**Roll Call Vote** – There being no further discussion upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Pierce, Porch and Turner.

**NO: 0.**

**THE MOTION CARRIED.**

Trustee Pierce moved, seconded by Trustee McCarty to waive the second reading, approve and publish in pamphlet form Ordinance **05-12-31**, entitled ***AN ORDINANCE ABATING SPECIAL SERVICE AREA TAXES FOR VILLAGE OF ANTIOCH SPECIAL SERVICE AREAS NUMBER ONE AND TWO***. Upon roll call, the vote was:

**YES: 6:** Hanson, McCarty, Caulfield, Pierce, Porch and Turner.

**NO: 0.**

**THE MOTION CARRIED.**

### **ADJOURNMENT**

There being no further discussion, Trustee Pierce moved seconded by Trustee Turner to adjourn the regular meeting of the Board of Trustees at 8:50 p.m.

Respectfully submitted,

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Candi L. Rowe RMC, CMC  
Village Clerk