

APPROVED MINUTES

**VILLAGE OF ANTIOCH
BOARD OF TRUSTEES, REGULAR MEETING
Municipal Building: 874 Main Street, Antioch, IL
June 19, 2006**

CALL TO ORDER

Mayor Larson called the June 19, 2006 the regular meeting of the Board of Trustees to order at 7:31 PM in the Municipal Building: 874 Main Street, Antioch, IL. She then asked for a moment of silence for the soldiers who were missing in Iraq.

ROLL CALL

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

APPROVE BALANCE OF AGENDA FORM

Trustee McCarty moved, seconded by Trustee Porch to approve the balance of the June 19, 2006 meeting agenda as presented. Upon roll call, the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

JUNE 5, 2006 REGULAR MEETING MINUTES

Trustee McCarty moved, seconded by Trustee Pierce to approve the June 5, 2006 regular meeting minutes as presented. Upon roll call, the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

PETITIONS / BIDS

No report.

MAYOR

Resolution 06-07 – William Oerly, VFW 5th District Commander – Mayor Larson read the resolution and presented it to Mr. William “Bill” Oerly, Illinois 5th District VFW Commander. Mr. Oerly expressed his appreciation for receiving the resolution.

Clerk Rowe IIMC class certifications and recently elected President of the Municipal Clerks of Lake County – Mayor Larson reviewed two of the certificates received by Clerk Rowe for her attendance at the International Institute of Municipal Clerks conference. She also congratulated Clerk Rowe on her recent election as President of the Municipal Clerk’s of Lake County Association.

Other Business – Letter from Dee Dee Palmer, President of the Antioch Chamber of Commerce – Mayor Larson read the letter from Dee Dee Palmer, President of the Antioch Chamber of Commerce, who thanked the village for their assistance and support during Antioch’s Summer Arts and Craft Fair.

CLERK

SWALCO Household Chemical Waste Collection Dates: July 8 – Warren High School in Gurnee; July 22 – Cotton Creek School in Island Lake – Clerk Rowe reviewed the SWALCO event dates and locations.

ADMINISTRATOR

No report.

COMMUNICATIONS

No report.

CITIZENS WISHING TO ADDRESS THE BOARD

There were no citizens wishing to address the board.

LEGISLATIVE AND HUMAN RESOURCES

No report.

APPROVED MINUTES

PLANNING, ZONING AND BUILDING, SENIOR SERVICES

Recommendation from the Planning and Zoning Board; Residential Land Fund, White Tower Farm; PZB05-13; proposed residential PUD within existing R-1 zoning district, 301 single-family homes – Trustee McCarty reviewed the following planning and zoning board letter of recommendation dated May 5, 2006:

The Combined Planning Commission and Zoning Board conducted a public hearing which began on December 8, 2005, following notification as required by State Law and Village Ordinance. The hearing was continued to February 9, 2006 and finally concluded on April 27, 2006.

The property-in-question was annexed and zoned R-1 Single-family residential in February, 1989 by Ordinance Number 89-2-6. That ordinance requires that the property be developed as a Planned Development (PUD).

Originally, the south part of White Tower Farm consisted of 211.29 Acres. However, prior to filing the Special Use – PUD petition, RLF sold 56 Acres near Deer Lake Slough to the Illinois Department of Natural Resources for a total of \$1,525,150.00, (Lake County Doc. #5813039, 7/11/2005). Therefore, the remaining 155.29 Acres is the site area which is the subject of this petition.

The proposal is to provide for a residential subdivision with 300 new single-family homes plus the existing mansion, (on a parcel of 136,445 square feet). The lot sizes for the new homes will range from 11,000 square feet to 25,997 square feet, with an average lot size of 12,154 square feet.

The documentation which forms the basis of the Planning and Zoning Board's recommendation includes, but is not necessarily limited to:

- o Letter dated April 5, 2004 from IDNR relative to the Endangered Species Act;
- o Letter dated October 18, 2005 from Community High School District 117 with school impact fee arrangements;
- o Natural Resource Inventory Report #05-2480 from the Lake County Soil and Water Conservation District, date-stamped received October 24, 2005;
- o Letter dated December 8, 2005 from Doug Ehorn, Village's Wetland Consultant;
- o Letter dated December 29, 2005 from Keith Shank, IDNR, relative to the Endangered Species Act;
- o Memo dated 1/16/2005 from Park Board Chairman Chris Lienhardt with approved park plan dated 01/03/2006 as prepared by Ross Kaminsky of the Village's Engineering Department;
- o Warranty Deed recorded with Lake County on 02/08/2006 as Document #5943643, conveying property required for the Michelle (Sandy) Drive street extension;
- o Letter dated February 16, 2006 from Village Administrator Michael J. Haley to Dennis Cortesi, petitioner, concerning potable water and sanitary sewer issues;
- o Letter dated March 16, 2006 from Virginia Pachay of Henderson and Bodwell, LLP concerning Smith Engineering's February 3, 2006 review comments;
- o Revised Preliminary Plan, consisting of two (2) sheets, prepared by Henderson and Bodwell, dated 01/05/06 and revised 03/17/06;
- o Revised Engineering Plan, consisting of two (2) sheets, prepared by Henderson and Bodwell, dated 8/11/05 and revised 03/17/06;
- o Revised Landscape Plan, consisting of five (5) sheets, prepared by Henderson and Bodwell, dated 8/11/05 and revised 03/13/06;
- o Phasing Plan, consisting of one (1) sheet, prepared by Henderson and Bodwell, dated 03/17/06;
- o Letter dated March 15, 2006 from Dennis Cortesi concerning sanitary sewers and water storage tank;
- o Letter dated March 9, 2006 from Brent Coulter, traffic engineer with CEMCON, Ltd, concerning Smith Engineering comments;
- o Updated Traffic Study dated March 10, 2006, prepared by CEMCON, Ltd;
- o Declaration of Covenants, Conditions and Restrictions, (CCR's) 03/06 draft prepared by Irwin E. Leiter, Attorney;
- o FAX letter dated April 19, 2006 from Paul Ulatowski, Henderson and Bodwell, as a follow-up to Village Staff and Consultant comments reviewed at an administrative meeting on April 18, 2006.
- o Letter dated April 20, 2006 from William Navolio, with revised CCR pages 35, 38, and 39.
- o Memo-report dated April 20, 2006 from PZ&B Director Bob Silhan;
- o Memo dated April 20, 2006 from Smith Engineering Consultants;
- o Memo dated April 21, 2006 from PZ&B Director Bob Silhan, concerning pipeline safety.

The presentation and the P&Z Board's deliberation included the usual issues of density-lot size, traffic, school, park and environmental impacts. These basic issues were all appropriately addressed. In addition there were five major concerns specific to this site:

1. UTILITY EASEMENTS. *At the start of the hearing process the status of off-site utilities was in question. The necessary easements for the utility extensions are now in place.*
2. POTABLE WATER. *The need for wells and a water tower were documented by Smith Engineering Consultants. A location for a water storage tank is shown on the revised plans. Dennis Cortesi's March 15th letter documents the commitment to construct that facility.*
3. SANITARY SEWER. *The petitioner requires an approved entitlement (preliminary P.U.D.) plan in order to proceed with a request to annex the Lake County Special Service Area 9 for sanitary sewer service. The proposed development will have a capacity requirement of 1,053.5 population equivalence, (P.E.), based upon the IEPA standard of 3.5 P.E. per single-family home.*

APPROVED MINUTES

4. STREET EXTENSION. The requirement to extend Sandy Drive (aka Michelle Drive) was emphasized by Staff. The drawings indicate the street connection, and the petitioner has obtained the property necessary to complete the work.
5. PIPELINE. The site is traversed from the south-southeast to the north-northwest by a 50-foot wide pipeline easement. The proposed PUD plan shows this area as open space – pedestrian trail, which is consistent with the Village's Comprehensive Plan. The petitioner and Village Staff have been in contact with the West Shore Pipeline Company. In those areas where the underground Village utilities cross the pipeline easement, the developer shall contact the pipeline company, which will require hand-digging through their easement. Safety of the pipeline was one of the issues raised during the hearing. Village Staff distributed information which was helpful in clarifying the minimal level of risk.

Following extensive deliberation, Member Baba moved, Member Keller seconded, to approve PZB05-13 as presented. Member Ipsen inquired about a possible amended motion to include fencing along the north and northwest property lines adjacent to the Blake and IDNR properties. Mr. Baba declined. Upon roll call vote: YES: 4: Baba, Keller, LaReese and Kaiser. NO: 2: Ipsen and Cole. The motion carried with four affirmative votes. Therefore, the Planning and Zoning Board recommends approval of PZB05-13.

Director of Planning, Zoning and Building Robert Silhan gave a brief report and reiterated discussions that took place at the recent committee meeting. He said that all of the issues that have been brought forward have been answered and he asked the Village Board take positive action on the Planning and Zoning Board's recommendation.

Trustee McCarty moved, seconded by Trustee Porch to approve Preliminary Plat P.U.D. for PZB05-13 with the recommendations from the committee meeting.

Comment – Trustee Pierce

Trustee Pierce wanted to reconfirm that at the committee meeting the developer agreed to pay for the expenses should IDOT approve improvements at the intersection. The developer present in the audience indicated their agreement.

Comment – Trustee Hanson

Trustee Hanson asked if the school impact fees increase over time. Robert Silhan, Director of Planning and Zoning indicated the impact fee is 3% compounded annually and is the only impact fee that is determined by another governmental body.

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

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

Downtown and Route 83 Corridor Study – Director Silhan said the Downtown and Route 83 Corridor Study was reviewed in committee. Trustee Pierce moved, seconded by Trustee Porch to accept the Downtown and Route 83 Corridor Study into the record with the minor revisions as noted in the memo dated June 15, 2006 from Robert Silhan, Director of Planning, Zoning and Building. Upon roll call the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

Trustee Pierce moved, seconded by Trustee McCarty to direct staff to proceed with the public hearing before the Combined Planning Commission and Zoning Board on July 13, 2006. Upon roll call, the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

Proposed amendments to Subdivision Code Section, Title 11 of the Village Code –

Robert Silhan, Director of Planning, Zoning and Building said this was reviewed in great detail at the last weeks committee meeting and there have been a few revisions suggested that are in the draft included in the agenda packet. He asked the Board approve this in principle and noted that under the Village Attorney's report there is a draft ordinance for first reading.

APPROVED MINUTES

Trustee McCarty moved, seconded by Trustee Porch to approve in principle the proposed amendments to the Subdivision regulations, Title 11 of the Antioch Village Code with changes as read. Upon roll call, the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

ENGINEERING, PUBLIC WORKS AND UTILITIES

Mailbox Replacement Resolution – Trustee Pierce reviewed the resolution stating the Village Board policy concerning replacement of mailboxes in the village damaged by the plowing of snow. He said after the committee meeting, staff was directed to look into policies from other municipalities. Trustee Pierce said other municipalities had a range of \$25.00 - \$75.00 for mailbox replacement. Following a brief discussion, the consensus was to establish a flat rate reimbursement policy of \$75.00 to replace mailboxes that were damaged during snowplowing.

Trustee Porch moved, seconded by Trustee Pierce to authorize the Village Attorney to draft a resolution regarding mailbox replacement fee of \$75.00 for damage during snow plowing with damage by the weight of the snow not being a reimbursable expense. Upon roll call, the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

FINANCE, ECONOMIC, REDEVELOPMENT AND BUSINESS DISTRICT FUND

Invoices over \$10,000 – Trustee Porch reviewed the informational report dated June 19, 2006 prepared by village staff showing invoices over \$10,000 and totaling \$144,858.49. Invoices listed were: Antioch Police Pension Fund in the amount of \$85,011.28 for PR Tax Distribution; Baxter and Woodman, Inc. in the amount of \$19,771.85 for Pretreatment Program Development; ComEd in the amount of \$40,075.36 for street lights and Depot Pump.

Summary of Escrow Report – Trustee Porch reviewed the informational report dated June 19, 2006 prepared by village staff showing escrow payments in the amount of \$630.00.

Accounts Payable – Trustee Porch moved, seconded by Trustee Pierce to approve as presented the accounts payable report dated June 19, 2006 in the amount of \$261,938.96 as prepared by village staff. Upon roll call, the vote was:

YES: 4: McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSTAIN: 1: Hanson.

ABSENT: 1: Turner.

THE MOTION CARRIED.

Approve Manual Checks Written to Date – Trustee Porch moved, seconded by Trustee Pierce to approve as presented the manual checks written to date in the amount of \$460.29. Upon roll call, the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

Payroll Expense Report dated June 2, 2006 – Trustee Porch moved, seconded by Trustee McCarty to approve the payroll expense report dated June 2, 2006 as presented in the amount of \$231,085.26 and as prepared by village staff. Upon roll call, the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

Financial Report for the month of ending May 31, 2006 – Trustee Porch reviewed the financial report as prepared by the Village Treasurer showing an ending balance of \$10,826,597.67.

10-week Retail Promotion and request to authorize \$5,000 expenditure from Business District Fund – Trustee Porch discussed the Community Development Department's co-op promotion with restaurants and merchants for radio advertisement in conjunction with the "It's Thursday" concert series.

APPROVED MINUTES

Trustee Porch moved, seconded by Trustee Pierce to approve the 10-week retail promotion and authorized the \$5,000 expenditure from the Business District Fund. Upon roll call, the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

Other Business – 52-week program; Business District Fund – Trustee Hanson said that at Chamber/Merchant meeting he felt the merchants needed to try to market the community. He suggested that if we did a 52-week program based on the formula discussed above, it would be a \$25,000 expense from the Business District Fund, which is really not a lot considering the budget. He asked if the Board would commit to that amount so they could start selling this program to the merchants. Following a brief discussion, this item will be placed on the next Village Board agenda for consideration.

PUBLIC SAFETY, PARKS AND LICENSE

Raffle License: Issue Raffle License to Antioch Rotary Club; Raffle being held on October 7, 2006 – Trustee McCarty moved, seconded by Trustee Pierce to issue a raffle license to Antioch Rotary Club with the drawing to be held on October 7, 2006, waiving fee. Upon roll call, the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

Liquor License Request: Issue one-day liquor license to Antioch Rotary on October 7, 2006 for their annual Pork Chop BBQ and Auction – Trustee McCarty moved, seconded by Trustee Hanson to issue a one day liquor license to Antioch Rotary on October 7, 2006 for their annual Pork Chop BBQ and Auction at St. Peter's Church Father Hanley Center. Upon roll call, the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

Block Party Request: Alana Flatley, Cameron Drive on August 5, 2006 – Trustee McCarty moved, seconded by Trustee Hanson to approve the block party request from Alana Flatley on Cameron Drive with the block party being held on August 5, 2006. Upon roll call, the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

Other Business – Fences – Trustee Caulfield asked about village codes regarding fences and pools. Robert Silhan, Director of Planning, Zoning and Building said that he believed it's regulated by State Statute. Mr. Silhan will place a report in the Mayor and Trustees mail slots regarding pools and fence regulations.

Other Business – Antioch Pageant – Trustee Pierce said he attended the Miss Antioch Pageant and he complimented Laurie Stahl, Parks and Recreation Director, staff and volunteers for the wonderful job they did with this event.

DELINQUENT ESCROW ACCOUNTS

No report.

ATTORNEY

Attorney Magna reviewed the following ordinances:

Second reading and passage of AN ORDINANCE ESTABLISHING A FAÇADE IMPROVEMENT PROGRAM FOR QUALIFYING BUSINESS PROPERTIES AND QUALIFYING IMPROVEMENTS – Attorney Magna reviewed changes to ordinance as previously discussed.

Trustee Pierce moved, seconded by Trustee Porch to approve and publish in pamphlet form **Ordinance No. 06-06-22**, entitled, **AN ORDINANCE ESTABLISHING A FAÇADE IMPROVEMENT PROGRAM FOR QUALIFYING BUSINESS PROPERTIES AND QUALIFYING IMPROVEMENTS**.

APPROVED MINUTES

Comment – Trustee Caulfield

Trustee Caulfield asked about section 4-11-3 and if the area is well defined. Attorney Magna said that we do not have legal descriptions for it but we do have the districts defined on the zoning map.

Comment – Trustee Hanson

Trustee Hanson asked which funds the façade grant money would be coming from. Trustee Porch said that \$60,000 is from the TIF District Fund and \$30,000 from the Business District Fund. Trustee Hanson asked if the redevelopment buy down program was still in place. Director of Community Services Claude LeMere said that both programs are in place and the merchant could use one program or the other and not use both programs.

Comment – Trustee Caulfield

Trustee Caulfield asked what procedures are in place if a local contractor is not available. Attorney Magna said there may be instances where there is a specialized trade needed and so this ordinance was written not to exclude someone who may need technical or specialized services that may not be available locally.

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

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

First reading of AN ORDINANCE ADDING A NEW SECTION 4-3-5 OF CHAPTER 3 OF THE ANTIOCH VILLAGE CODE PERTAINING TO THE LICENSING OF AMUSEMENT RIDES AND ATTRACTIONS – Village Attorney DeMartini reviewed the ordinance that requires sponsoring organizations to apply for the license, submit a bond and the names and dates of birth of employees working the carnival. Trustee Porch moved, seconded by Trustee McCarty to waive the second reading of the ordinance. Upon roll call, the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

Trustee Porch moved, seconded by Trustee Pierce to approve and publish in pamphlet form **Ordinance No. 06-06-23**, entitled, **AN ORDINANCE ADDING A NEW SECTION 4-3-5 OF CHAPTER 3 OF THE ANTIOCH VILLAGE CODE PERTAINING TO THE LICENSING OF AMUSEMENT RIDES AND ATTRACTIONS**. Upon roll call, the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

Trustee Porch said the Antioch Chamber of Commerce has a carnival for the Taste of Summer event and she called them to tell them they would be expected to apply for a license in Antioch. She said that she was told by the contact person that a lot of municipalities are implementing ordinances regulating amusement rides, but Antioch was the first in the Midwest area to require a bond.

First reading of AN ORDINANCE AMENDING SECTIONS 11-1-6, 11-2-3, 11-2-4, 11-4-7 AND 11-4-8 OF THE ANTIOCH MUNICIPAL CODE – Following Attorney Magna's review of the ordinance, Trustee Porch moved, seconded by Trustee McCarty to waive the second reading of the ordinance. Upon roll call, the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

Trustee Porch moved, seconded by Trustee McCarty to approve and publish in pamphlet form **Ordinance No. 06-06-24**, entitled, **AN ORDINANCE AMENDING SECTIONS 11-1-6, 11-2-3, 11-2-4, 11-4-7 AND 11-4-8 OF THE ANTIOCH MUNICIPAL CODE**. Upon roll call, the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

At the request of Trustee Porch, the meeting recessed at 8:39 p.m. and resumed at 8:40 p.m.

APPROVED MINUTES

Executive Session – Possible Purchase of Property, Pending Litigation and Personnel – Trustee Pierce moved, seconded by Trustee McCarty for the Mayor and Board of Trustees to go into executive session at 8:40 PM to discuss possible purchase of property, pending litigation and personnel. Upon roll call, the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

Return from Executive Session – Trustee McCarty moved, seconded by Trustee Pierce for the Mayor and Board of Trustees to return from executive session to the open meeting at 8:59 p.m. with **no action to be taken**. Upon roll call, the vote was:

YES: 5: Hanson, McCarty, Caulfield, Pierce, and Porch.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

ADJOURNMENT

There being no further discussion Trustee Pierce moved, seconded by Trustee McCarty to adjourn the regular meeting of the Board of Trustees at 9:00 p.m.

Respectfully submitted,

Candi L. Rowe CMC
Village Clerk