

**APPROVED MINUTES
VILLAGE OF ANTIOCH
BOARD OF TRUSTEES, REGULAR MEETING
Municipal Building: 874 Main Street, Antioch, IL
January 7, 2008**

CALL TO ORDER

Mayor Larson called the January 7, 2008 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, Caulfield, Wolczyk and Pierce. Also present were Mayor Larson, Acting Administrator Keim, Attorney Simon and Clerk Rowe. Absent: Trustee Crosby.

APPROVE BALANCE OF AGENDA FORM

Trustee Caulfield moved, seconded by Trustee Hanson to approve the balance of the meeting agenda moving the petition and bids and two Public Safety and Community Services agenda items to the beginning of the meeting and moving the first reading of the ordinance amending the Village Liquor Code to conform to State Law on the eligibility of elected officers to hold liquor licenses to January 15, 2008 Committee of the Whole meeting. The two Public Safety and Community Service items are the authorization to hire an evaluator regarding Antioch's emergency services and the memo dated January 2, 2008 awarding the bid for the purchase of outdoor warning sirens in the amount of \$56,742.24 to the responsible bidder. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Crosby.

THE MOTION CARRIED.

PETITIONS/BIDS

Accept into the record the bids received for the purchase of Outdoor Warning Sirens. Bids were opened at 2:00 p.m. on December 19, 2007 - Clerk Rowe read the following bids received for the purchase of Outdoor Warning Sirens into the record.

Name and Address	Amount
American Signal Corporation 4801 W. Woolworth Avenue Milwaukee, WI 53128	\$56,842.00
Braniff Communications, Inc. 4741 W. 136ths Street Crestwood, IL 60445	56,742.24 before 3/1/08 \$49,945.24 for 3 additional sirens after 6/1/08

Trustee Wolczyk moved, seconded by Trustee Caulfield to accept into the record the bids received for the purchase of Outdoor Warning Sirens. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Crosby.

THE MOTION CARRIED.

PUBLIC SAFETY AND COMMUNITY SERVICES: CHAIRMAN: CAULFIELD; McCARTY, CROSBY

Authorization to hire evaluator regarding Antioch's emergency services – Lee Shannon said at this time he would like to get clarification and then present a list of costs at the next Committee of the Whole meeting. This item will be placed on the January 15, 2008 Committee of the Whole meeting agenda and then the January 22, 2008 Regular Board meeting agenda for consideration.

Memo dated January 2, 2008 awarding the bid for the purchase of outdoor warning sirens in the amount of \$56,742.24 to the responsible bidder – Lee Shannon reviewed his memorandum dated January 2, 2008 and recommended awarding the bid to Braniff Communications, Inc., in the amount \$56,742.24 which also included the cost for the three additional sirens installed after June 1, 2008 in the amount of \$49,945.24. Lee Shannon explained Braniff Communications, Inc. met the bid specifications and included the budgetary amount for the three additional sirens. He said that American Signal Corporation did not meet the bid specifications. He also explained that the sirens are strictly a siren and does not have voice communication and he expects installation to be completed by March 1, 2008. The sirens will be located at Williams Park, Fire Station #2 and the Clublands Well house. The location of the three additional sirens to be installed in the next fiscal budget will be depicted on a map.

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Trustee Caulfield moved, seconded by Trustee Pierce to award the bid for the purchase of the outdoor warning sirens to Braniff Communications, Inc as presented and in the amount of \$56,742.24.

Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Crosby.

THE MOTION CARRIED.

Other Business; Wheatland WI Tornado – Lee Shannon gave a brief update regarding the tornado that hit the Wheatland, Powers Lake and Pleasant Prairie Wisconsin area earlier today. He said there were at least twelve homes affected by the tornado and all fire stations are manned and on call. Lee Shannon said that although the tornado watch was cancelled for this evening, we are under a flood watch until 4:00 p.m. on Tuesday, January 8, 2008.

OCTOBER 15, 2007 REGULAR MEETING MINUTES

Trustee Pierce moved, seconded by Trustee McCarty to approve the October 15, 2007 regular meeting minutes as presented. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Crosby.

THE MOTION CARRIED.

MAYOR

Planning and Zoning Board member Carol Keller letter of resignation – Mayor Larson reviewed the resignation from Planning and Zoning Board member Carol Keller and said that she has regretfully accepted her resignation. Ms. Keller recently returned to full time employment and felt that she no longer had the time needed to devote to the Board.

Appoint Becky Weber as Planning and Zoning Board member, replacing Carol Keller, term expire 2011 - Trustee McCarty moved, seconded by Trustee Wolczyk to appoint Becky Weber as Planning and Zoning Board member, replacing Carol Keller and with a term expiring 2011.

Trustee Caulfield wanted the record to show that Becky Weber had been arguing a position before the Planning and Zoning Board and felt the timing was awkward. Mayor Larson thanked Trustee Caulfield for his comment and said the Planning and Zoning Board is an advisory board and as a citizen she would have the right to approach the Board. She felt the covenant issue Trustee Caulfield was referring to was before the Village Board and she hopes the Board base their decisions on the facts presented to them.

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

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

NO: 0.

ABSENT: 1: Crosby.

THE MOTION CARRIED.

Discussion regarding Lindenhurst aquatic center and possible partnership – Mayor Larson reviewed the letter she received from Dean Parkman, President of the Lindenhurst Board of Park Commissioners, requesting to formally inform the LPD whether or not the Village will actively participate in the planning and financing of a joint public aquatic facility. Mayor Larson discussed the LPD meeting that she and Trustee Hanson attended last winter and said that unless it's the Board's decision, she was not looking a decision this evening. She said the LPD would like a written response by February 15. Trustee Pierce discussed the circumstances regarding the Lakes Area High School and the Antioch Township center and felt that residents would want an aquatic center for Antioch and not for another community. Attorney Simon said that he also serves as the Attorney for the Lindenhurst Park District. Following further discussion, this item will be placed on the January 15, 2008 Committee of the Whole meeting agenda.

CLERK

Change January 8 Committee of the Whole meeting to January 15 – Clerk Rowe reminded those present that the January 8 Committee of the Whole meeting had been rescheduled to January 15, 2008.

ADMINISTRATOR

Neumann Homes Development update – Acting administrator Keim reported that Cole Taylor and Indy Mac banks are attempting to market the undeveloped properties. He said that bankruptcy council for Neumann Homes has requested that we not provide information to potential buyout until Neumann Homes and the lenders work out who should have the responsibility for marketing the properties. He said that Smith Engineering, Inc., the Village's consulting engineers have created a punch lists, identifying all remaining site work to be done in the NeuHaven and Clublands subdivisions. The punch lists have been sent to Neumann Homes and the Sureties and have declared them in

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default. Attorney Simon said Attorney Moelmann, who represents the Village in the Neumann Homes bankruptcy filed a motion to lift the stay with respect to the subdivision bonds and it is being continued by agreement. He said they are hoping to reach an agreement on that order. Acting administrator Keim said the Village has the work identified and will continue to work toward getting the subdivision improvements done. He said that our goal is to get the final asphalt done, the curbs and parks completed. He said that as soon as the asphalt is available in the spring, he would like to be in the position to get that work done. Acting administrator Keim discussed the delinquent taxes and the rate established on the SSA at the maximum amount. He said they are researching if any amendment can be done and said that if allowed, it would have to happen in the next few weeks. He said that according to the trust indenture, we have to proceed and specifically levy what the Tausig report indicated. He said that we are doing all that we can to make sure the bonds do not end up in default and we will pursue, if there is an opportunity to abate a portion of the taxes to lower the increase affecting the Clublands residents. Cole Taylor has issued a letter requesting that a new trustee be designated for the SSA Bonds, citing a conflict. The Board authorized Wells Fargo to be the successor trustee and to date the Bond holders have not approved this change. Acting administrator Keim also discussed the informational meeting that will be held at the Antioch High School at 7:00 p.m. on January 23, 2008.

Applied Technologies Report and update regarding WWTP - Acting administrator Keim discussed the Wastewater Treatment Plant project stating this is a crucial piece of Antioch's infrastructure that began in October 2004. Frank Tiefert and Jim Smith from Applied Technologies reviewed the handout that outlined the project events from the planning, design, approvals and construction timeline. Mr. Tiefert also reviewed the summary of the existing facility, project benefits and the construction costs. He also discussed the 2.5% approved IEPA loan.

Acting administrator Keim briefly discussed the current user rates and suggested that the rates get reviewed yearly and that we need to revise our rates to keep up with the county rate. There was a discussion regarding the user rate and acting administrator Keim's suggestion to revisit the rates based on the current economy. Trustee Caulfield said that he thought a complete new rate study should be done. Acting administrator Keim suggested that a new rate study done at this point could jeopardize the project and that he was not sure if a new study could be completed before awarding the bid deadline.

Acting administrator Keim said that he has solicited proposals from other firms to look at the rate study and that Harold Warren submitted a revised study earlier today. Trustee Caulfield said that he thought the finance department could come up a recommendation regarding the user rate. Mayor Larson discussed the need to upgrade the plant and if we fail to get going on this plant, we may not be able to provide our residents the service. She said that we need to award the bid which has come in under what the engineering studies were. She said that it's time to make the critical decision. Frank Tiefert, Applied Technologies said that loan application package included the Village showing the ability to repay the loan and the rate study that was submitted with the package was determined to be appropriate. Acting administrator Keim reviewed the specific numbers and reiterated that the study Harold Warren completed is a valid and has been approved by the IEPA. Acting administrator Keim said that he didn't understand the hesitation to award the project.

Treatment Plant operator, Jim Gutowski referred to his letter that he previously sent to the Board and said the plant has design flaws and is antiquated. He also discussed being on the critical review list and the new plant would address these concerns. Attorney Simon discussed the approved IEPA loan rate of 2.5% and possible cost increases if the project is not awarded and re-bid.

Following further discussion, Trustee Pierce moved, seconded by Trustee Caulfield to place the Wastewater Treatment Plant project bid award is placed on the January 22, 2008 Regular meeting agenda. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Crosby.

THE MOTION CARRIED.

Trustee Caulfield moved, seconded by Trustee McCarty to authorize Harold Warren to revise his rate study reflecting current village conditions at a cost not to exceed \$10,000. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Crosby.

THE MOTION CARRIED.

COMMUNICATIONS

Letter from Robert McCarty – Clerk Rowe read into the record the letter written to Mayor Larson and the Board of Trustees regarding his legal expenses incurred due to the liquor hearing.

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CITIZENS WISHING TO ADDRESS THE BOARD

Bruce Grant, Kimberly Drive resident, commended the village and staff for snowplowing efforts in NeuHaven subdivision. He also discussed his concerns regarding a tenant and other circumstances at rental unit in his neighborhood and asked if the Village could do something to address the situation. Mayor Larson will discuss the situation further with acting administrator Keim and Police Chief Foerster. Mr. Grant distributed copies of a document to Attorney Simon and Police Chief Foerster.

James Hironimus, Route 173 resident, showed photographs regarding stormwater pollution. Photographs shown were Wal-Mart construction site, Sequoit Creek and Osmond Park. Mr. Hironimus also reviewed his letter dated January 7, 2008.

Trustee Caulfield responded to Trustee McCarty's letter to the Board and said that Trustee McCarty is still in violation of the village code as it stands today and that he should not be part of the Board. Mayor Larson said that Trustee McCarty took the issue to the next level by going to the Illinois Liquor Commissioner who found the matter in his favor, thereby stating that our ordinance was not valid.

FINANCE: CHAIRMAN: CROSBY; CAULFIELD, PIERCE

Payment of invoices over \$10,000 Informational Report – Finance director Joy McCarthy reviewed the informational report of payment of invoices of \$10,000 and over dated January 4, 2008 prepared by village staff in the amount of \$754,736.15. Invoices included Ancel, Glink, Diamond, Bush in the amount of \$16,290.94 for various legal services; Blue Cross and Blue Shield in the amount of \$91,478.59 for employee health insurance; Curran Contracting in the amount of \$542,677.27 for the Lake Street project; Lake County Public Works in the amount of \$24,883.95 for sewer user fees; Smith Engineering Consultants in the amount of \$65,203.80 for construction observation and Stewart Spreading, Inc. in the amount of \$14,201.60 for sludge removal. Trustee Caulfield would like to see a separate escrow report showing balances.

Invoices on Hold – Finance Director McCarthy reviewed the invoices on hold. Trustee Pierce moved, seconded by Trustee McCarty to approve as presented the Invoices on Hold report dated January 4, 2008. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Crosby.

THE MOTION CARRIED.

Accounts Payable – Finance Director McCarthy reviewed the accounts payable report. Trustee Caulfield moved, seconded by Trustee Wolczyk to approve as presented the payment of accounts payable dated January 4, 2008 and in the amount of \$915,529.39. Upon roll call, the vote was:

YES: 4: Hanson, McCarty, Caulfield, and Wolczyk.

NO: 1: Pierce.

ABSENT: 1: Crosby.

THE MOTION CARRIED.

Payroll Expense Report dated December 14, 2007 – Finance Director McCarthy reviewed the payroll report. Trustee Pierce moved, seconded by Trustee Wolczyk to approve as presented the payroll report dated December 14, 2007 as prepared by village staff and in the amount of \$305,295.80. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Crosby.

THE MOTION CARRIED.

Other Business; Facilitator – Finance Director McCarthy discussed the finance committee's approval to hire a facilitator, Carol Zar and to schedule a retreat meeting with the Village Board. Board members will contact Finance Director McCarthy with date availability to schedule the meeting in month of February. Once dates and times have been finalized, Clerk Rowe will reserve a meeting room and other accommodations.

LEGISLATIVE AND HUMAN RESOURCES: CHAIRMAN: McCARTY; CAULFIELD, HANSON

Memo dated December 27, 2007 regarding Motor Vehicle Licenses Fees and Taxes - Attorney Simon reviewed his memo dated December 27, 2007 reviewing the Illinois Municipal Code concerning the Village's authority to collect license fees or "wheel taxes" for the use of motor vehicles within the Village. Following discussion, Trustee McCarty moved, seconded by Trustee Wolczyk to authorize Attorney Simon to draft the appropriate ordinance using the current vehicle sticker fee structure and two cars per household including a provision for those who have more or less than two cars at each household. Upon roll call, the vote was:

YES: 4: Hanson, McCarty, Caulfield, and Wolczyk.

NO: 1: Pierce.

ABSENT: 1: Crosby.

THE MOTION CARRIED.

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Other Business; winter sidewalk program – Trustee Hanson discussed a sidewalk cleaning program in the business area during the winter. Attorney Simon will provide examples of sidewalk cleaning ordinances for review at the January 15, 2008 Committee of Whole meeting.

PLANNING, ZONING AND BUILDING: CHAIRMAN: WOLCZYZ; CROSBY, McCARTY

Planning and Zoning Board of Appeals Action regarding Code Enforcement Appeal for 1188 Bowles Road – Trustee Wolczyk reviewed the letter dated January 4, 2008 from Director of Planning and Zoning Director Nilsen. Director Nilsen reviewed the circumstances and was looking for direction from the Board on how to proceed. Following discussion, this item will be placed on the February 12, 2008 Committee of the Whole meeting agenda.

Draft HOA Permit Ordinance and Building Code Amendment – Planning and Zoning Director Nilsen reviewed the draft ordinance. Following discussion, the draft ordinance will be placed on the January 22, 2008 Regular Board meeting for first reading.

January 22, 2008 Annexation Hearing before the Village Board of Trustees; Petition PZB 08-01; Northbridge Church, Inc. – Planning and Zoning Director Nilsen said the Northbridge Church annexation hearing has been scheduled for 7:00 p.m. on January 22, 2008.

ENGINEERING: CHAIRMAN: HANSON; McCARTY, WOLCZYZ

Award WWTP Improvement Project in the amount of \$13,700,000 to responsible bidder. Bids were opened on September 6, 2007 at 3:00 p.m.; Notice of Intent to Award signed September 17, 2007 – This item was placed on the January 22, 2008 Regular Board meeting agenda earlier in the meeting.

PUBLIC SAFETY AND COMMUNITY SERVICES: CHAIRMAN: CAULFIELD; McCARTY, CROSBY

Update on Route 83 condition letter writing campaign – Trustee Caulfield discussed the Route 83 road condition letter writing campaign. Mayor Larson sent a letter to IDOT and copied the Board of Trustees, Senator Bond and Representative Osmond. Following further discussion, staff will prepare a letter that would be sent to the appropriate representatives for the for the Mayor and Board of Trustees signature.

Other Business; Towing Business – Trustee Caulfield asked about the process that used to be considered as a vendor in the village towing services. Police Chief Foerster said the current vendor has been used for many years without any problems. He said this vendor is located in the village and the response time is extremely good. Chief Foerster also said that he reviews the current vendor's performance and with his staff several times a year.

INFORMATION TECHNOLOGY: CHAIRMAN: PIERCE; WOLCZYZ, HANSON

No report.

ATTORNEY

Memo dated December 26, 2007 regarding Trustee McCarty's Petition for Indemnification – Attorney Simon briefly reviewed his memorandum dated December 26, 2007 and opinion. Trustee Hanson referred to Trustee McCarty's letter read earlier in the meeting and said that he did not like the tone of the letter and felt it was an insult to both new and long term Board members.

First reading of AN ORDINANCE AMENDING THE VILLAGE LIQUOR CODE TO CONFORM TO STATE LAW ON THE ELIGIBILITY OF ELECTED OFFICERS TO HOLD LIQUOR LICENSES – This was placed on the January 15, 2008 Committee of the Whole meeting agenda.

Executive Session – Personnel – Trustee Pierce moved, seconded by Trustee Wolczyk for the Mayor and Board of Trustees to go into executive session at 11:00 p.m. to discuss personnel. Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Crosby.

THE MOTION CARRIED.

Return from Executive Session – Trustee McCarty moved, seconded by Trustee Wolczyk for the Mayor and Board of Trustees return from executive session to the open meeting at 11:58 p.m. **with no action taken.** Upon roll call, the vote was:

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

NO: 0.

ABSENT: 1: Crosby.

THE MOTION CARRIED.

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ADJOURNMENT

There being no further discussion, Trustee McCarty moved seconded by Trustee Wolczyk to adjourn the regular meeting of the Board of Trustees at 11:59 p.m.

Respectfully submitted,

Candi L. Rowe, RMC/CMC
Village Clerk