

Council Minutes

November 7, 2000

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL
HELD ON TUESDAY, NOVEMBER 7, 2000, AT 7:02 P.M. IN THE CITY
COUNCIL CHAMBERS, CITY HALL, ZION, ILLINOIS

Chief LaBelle gave inspirational comments.

Mayor Harrison called the meeting to order.

On call of the roll the following answered present: Commissioners Monk, Rogers, Bennett and Mayor Harrison. Commissioner Taylor was absent.

Mayor Harrison led in the Pledge of Allegiance to the Flag.

AGENDA CHANGES

Mayor Harrison added the topics of personnel and collective bargaining to Executive Session, item 13.

BUSINESS DISTRICTS, INC./DOWNTOWN PROJECT

Mayor Harrison stated Business Districts, Inc. (BDI) and the Zion Business Development Council are working on a project for the downtown business area. Mayor Harrison recognized the members of the Development Council: Paul Bouchard, Chairman, Mike Ruchti, Bill Warren, Jeff Bicket, Connie Anderson, Jane Henry, Rick Woods and Marla Becker. Terry Jenkins, President of BDI presented the process for this project: 1) A situation audit is conducted, a study which takes approximately 6 weeks 2) A strategic action plan is developed, a process of another 6 week period 3) The development of the action plan is put into effect over a 5-year period The action plan should be ready in January, including a business plan for strategies and plans for the entire business corridor. This plan will include the following elements: · organization · finance · marketing · communication · business recruitment · physical improvements · maintenance efforts · evaluation Jeff Bergfeld, Teska Architects and Associates, presented a land use plan, including landscaping, streetscapes and building facades. Bridget Lane of BDI will focus on the marketing, in order to present a positive downtown image for retention of existing businesses and recruitment of new businesses. Ms. Lane also stated she is looking into participation in the Illinois Main Street Program.

CONSENT AGENDA

It was moved by Commissioner Rogers, seconded by Commissioner Monk that the Consent Agenda be approved as follows:

(a) MINUTES of a Regular Meeting and Executive Session held on October 17, 2000 at 7:02 P.M. and Workshop/Special Meeting and Executive Session held on October 24, 2000 at 5:26 P.M., with all members having previously received copies. 11/7/00

(b) DEPARTMENTAL REPORTS: Detailed Balance Sheet and Revenue & Expense Report, period ending September 30, 2000; Police Department Reports, September, 2000; Worker Compensation Claims for July, August, September, October, 2000

(c) BILLS: Vouchers 73234 through 73518 drawn on the National City Bank, \$1,340,929.90; First Midwest Bank, \$14,870.64: Total: \$1,355,800.54

(d) PAYMENTS: Daniels, Mauro & Pinsel, legal services, \$10,000.00; Timothy R. Evans, legal services, \$1,275.00; Business Districts, Inc., professional services rendered on Downtown Zion project, \$915.00; Mid America Title Company, 2201, 2207, 2213 Salem, \$625.00; Kane, McKenna & Associates, Inc., professional services rendered on South Sheridan Road TIF, \$2,403.75; Osborne Electric, services rendered on City Hall sign, \$3,620.00; Ciorba Group, Inc., services rendered on Galilee Avenue reconstruction-33rd Street to 21st Street, \$30,119.05; Belski Electric, street light locates for August, September, 2000, \$1,830.00 & \$1,891.00; Total: \$3,721.00; Hampton, Lenzi and Renwick, Inc., (HLR), services rendered on reconstruction of 29th Street, \$614.32; Pedersen GMC Truck, 2001 GMC Sierra pick-up, \$22,955.00; Kangas Construction, work completed on Westside Hills Subdivision, \$15,000.00; Thelen Sand & Gravel, work performed on Route 173 sanitary sewer extension, \$3,491.87; Belli & Kenny L.L.C., professional developmental services rendered, \$15,996.00

(e) PROCLAMATION: American Cancer Society's Great American Smokeout Day - November 16, 2000 The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

AMENDING PERSONNEL AUTHORIZATION

It was moved by Commissioner Monk, seconded by Commissioner Bennett that a Resolution (00-R-46) be passed amending the Personnel Authorization, deleting one Police Lieutenant and adding one Patrolman. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

AUTHORIZING CONTRACT/KELLOGG RAVINE STUDY

It was moved by Commissioner Rogers, seconded by Commissioner Bennett that an Ordinance (00-0-86) be passed authorizing a contract for engineering services for the Kellogg Ravine erosion study with Ciorba Group, Inc. for 50% of the cost up to \$5,050.00. The vote on roll call was:

Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

AUTHORIZING CONTRACT/KNOX BOX SYSTEM/FIRE/RESCUE DEPT

It was moved by Commissioner Monk, seconded by Commissioner Bennett that an Ordinance (00-0-87) be passed authorizing a contract for the purchase of a Knox Box Sentralok System with Knox Company in the amount of \$3,150.00. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

AUTHORIZING CONTRACT/ABOVE GROUND FUEL TANK

It was moved by Commissioner Bennett, seconded by Commissioner Rogers that an Ordinance (00-0-88) be passed authorizing a contract for the purchase of an above ground fuel tank with Mankoff Industries, Inc. in the amount of \$17,485.00. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

AUTHORIZING CONTRACT/REMOVAL OF UNDERGROUND FUEL TANKS

It was moved by Commissioner Bennett, seconded by Commissioner Rogers that an Ordinance (00-0-89) be passed authorizing a contract for the removal of two underground fuel tanks with United Environmental Consultants, Inc. in the amount of \$1,485.00 for tank removal, \$49.85 per cubic yard for soil removal and \$175.00 per barrel for sludge removal. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ALLEY VACATIONS & INSTALLATIONS

A workshop was scheduled for Monday, November 13 at 5:00 P.M. for the discussion of alley vacations and installations.

FOIA/WAIVER OF FEES REQUEST

A letter (00-DOC-152) was received from Toni Larsen, requesting a waiver of fees pertaining to her Freedom of Information Act request. Ms. Larsen noted the disclosure of this information would be in the public interest. The documents Ms. Larsen has requested total 125 copies, amounting to a total cost of \$31.25. Mayor Harrison stated Zion's fees are comparable to surrounding communities. Commissioner Rogers stated it would be unfair to waive these fees and charge other people for document copies. It was moved by Commissioner Bennett, seconded by Commissioner Monk to deny Toni Larsen's request for a waiver of fees pertaining to her Freedom of Information Act request. The vote on roll call was: Commissioners

Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

FESTIVAL OF LIGHTS COMMISSION/TEMPORARY ROAD CLOSURE

A letter (00-DOC-153) was received from the Festival of Lights Commission, requesting temporary closure of portions of Dowie Memorial Drive, Shiloh Blvd. and Emmaus Avenue on December 1, 2000 from 5:30 p.m. to 8:00 p.m. for the official ceremony opening Kringle's Kingdom and the holiday season. It was moved by Commissioner Monk, seconded by Commissioner Bennett to approve the temporary closure of portions of Dowie Memorial Drive, Shiloh Blvd. and Emmaus Avenue on December 1, 2000, as requested. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

CARMEL HOUSE AGREEMENT

A memo (00-DOC-154) was received from Peter Cioni, considering an agreement authorizing the sale of industrial revenue bonds for the acquisition of Carmel House by Urban Zion Limited Partnership. Urban Zion Limited Partnership is a for profit company, which will keep the property on the tax rolls. The City would not incur any financial liability with this bond sale. Mr. Cioni stated the City's endorsement is requested, so this company can take advantage of available financing. Commissioner Monk questioned whether or not this company could become non-profit, thereby removing Carmel House from the tax roles. Mr. Cioni stated the financing could not be transferred if they changed their incorporation. Mayor Harrison noted this transaction does not impede the City's bonding ability. It was moved by Commissioner Monk, seconded by Commissioner Bennett that a Resolution (00-R-47) be passed of intention to issue revenue bonds of the City of Zion, Lake County, Illinois, in an aggregate principal amount not to exceed \$8,000,000, to finance all or a portion of the cost of acquiring land, buildings and related improvements, furnishings, equipment and related property, constructing improvements thereto and acquiring furnishings, equipment and related property to be installed therein for Urban Zion Limited Partnership, or its designee; authorizing the execution of a memorandum of agreement by and between the City and said company; and related matters. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

LANDSCAPING/ POLICE ADMINISTRATION BUILDING

A proposal was received for landscaping material and labor for the Police Administration Building. The proposal from C.W. Landscape Company, Inc. totals \$14,670.00. Commissioner Rogers stated Public Property funds are available for this project. It was moved by Commissioner Monk, seconded by Commissioner Bennett to waive bids and accept the proposal from C.W. Landscape Company for the landscaping project for

the Police Administration Building for the total amount of \$14,670.00, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM

A memo (00-DOC-155) was received from Chief Malcolm, informing the City Council that a public hearing would be needed, in order to secure \$35,000 in funds from the 2000 Local Law Enforcement Block Grant Program. The public hearing would be scheduled for November 21, 2000. It was moved by Commissioner Monk, seconded by Commissioner Bennett to approve conducting a public hearing on November 21, 2000 for the 2000 Local Law Enforcement Block Grant Program. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

REMOVAL OF NO PARKING SIGN

A memo (00-DOC-156) was received from Chief Malcolm, requesting permission to remove a "No Parking" sign on the north side of 23rd Street, east of Lewis Avenue. This sign is just east of Dukas Enterprises, and Mr. Dukas has requested removal of this sign to allow for additional customer parking. It was moved by Commissioner Monk, seconded by Commissioner Bennett to grant permission to remove a "No Parking" sign on the north side of 23rd Street, east of Lewis Avenue, as requested. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

T-1 TELEPHONE LINE/POLICE DEPT

A memo (00-DOC-157) was received from Chief Malcolm, requesting permission to install a T-1 line in the Police Department. The T-1 line would ensure that the Live-Scan Fingerprinting System operates properly under state guidelines. The installation costs would be covered through Block Grant funds, however, the service is an additional \$1,400.00 per month. Chief Malcolm stated funds are available in this fiscal year's budget for the service, and the cost may decrease next year, as other communities hook into this system. 11/7/00 It was moved by Commissioner Monk, seconded by Commissioner Bennett to grant permission to install a T-1 line in the Police Department, authorizing the expenditure of \$1,400.00 per month for service. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

CONTAINERIZED GARBAGE

A memo (00-DOC-158) was received from John Jones, considering an amendment regarding containerized garbage. The owner of each residential unit would be required to have either a 65-gallon or 95-gallon refuse cart with a lid. For residents who don't own similar carts, they would be able to either purchase or lease them. The cost of the lease at \$1.60

per month would be included in the quarterly invoice for water, sewer and garbage service. Mayor Harrison stated open containers create problems with animals and weather. Mayor Harrison also noted he would like to see a provision for people who can not afford the containers, stating the City would exercise sensitivity regarding enforcement. Grass clippings and yard waste could still be placed in metal containers or yard waste bags, and leaves can be raked to the edge of the street. Commissioner Bennett stated an effective date is needed, which would allow enough time for implementation. It was moved by Commissioner Bennett, seconded by Commissioner Rogers to approve amendments requiring the use of approved garbage containers, as recommended, effective April 1, 2001, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

LEWIS AVENUE/PAVEMENT REPAIRS

A memo (00-DOC-159) was received from Brian Usher, considering approval of pavement repairs on Lewis Avenue, north of 25th Street. A water main break has necessitated emergency repairs, as specified by the Lake County Highway Department. Four proposals were received with the lowest quote from Meridian Construction. Costs are estimated not to exceed \$13,100.00 including labor and permit fees. It was moved by Commissioner Bennett, seconded by Commissioner Rogers to waive bids and authorize emergency pavement repairs on Lewis Avenue, north of 25th Street, with Meridian Construction at a cost not to exceed \$13,100.00, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ENGINEERING SERVICES/WATER & SEWER MAINS

A memo (00-DOC-160) was received from Brian Usher, requesting permission to enter into an agreement for engineering services for extension of water and sewer mains along Stella Court and in the Jethro-Horeb alley, south of 21st Street. The extension on Stella Court would help alleviate a water problem, and the extension on the Jethro-Horeb alley would provide needed service. A proposal was received from Frauenhoffer Engineering Associates; wherein services for Stella Court would be at a cost not to exceed \$2,490.00 and the Jethro-Horeb alley would be at a cost not to exceed \$2,500.00. Actual work would begin in the spring. It was moved by Commissioner Bennett, seconded by Commissioner Rogers to waive bids and grant permission to enter into an agreement for engineering services with Frauenhoffer Engineering Associates for the extension of water and sewer mains as follows: - Stella Court at a cost not to exceed \$2,490.00, and - Jethro-Horeb alley, south of 21st Street, at a cost not to exceed \$2,500.00, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

PLAT OF LOT CONSOLIDATION/10047 W. 17TH STREET

A memo (00-DOC-161) was received from Peter Cioni, regarding a Plat of Lot Consolidation for consolidating three 50-foot lots into a single lot. The parcels are located in unincorporated Lake County. Because this area lies within Zion's extra-territorial planning area, Lake County requires that the City approve the re-plating of the lots. It was moved by Commissioner Monk, seconded by Commissioner Bennett to approve the Plat of Lot Consolidation for consolidating three 50-foot lots into a single lot on 10047 W. 17th Street. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ZION SHOPPING CENTER REDEVELOPMENT

The Tax Increment Financing for the Zion Shopping Center Redevelopment would be for a term of 13 years with 50% of the sales tax pledged for the life of the TIF. The reimbursement to Zion-Sheridan, L.L.C. would be in the amount of \$1,000,000 for improvements to the shopping center. The City will participate in improvements to 33rd Street. Demolitions would be slated to begin within 15 days of the execution of the agreement, with completion within 60 days. Mr. Cioni stated the maximum amount of this note would be \$1,000,000. Mayor Harrison noted the City Attorney wishes to review this final document, and requested tabling this issue until after Executive Session. This issue would not be discussed during Executive Session, but would allow the City Attorney's review of recommended changes to the agreement. It was moved by Commissioner Bennett, seconded by Commissioner Rogers to table the Zion Shopping Center Redevelopment Agreement until after Executive Session. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

33RD STREET EXTENSION PROJECT

A memo (00-DOC-162) was received from Peter Cioni, requesting permission to authorize Speer Financial to solicit for proposals for financing the 33rd Street extension project. Mr. Cioni stated the construction needs to be substantially completed by next summer. The approximate cost of the 33rd Street project is \$850,000. The Council agreed they would rather pay for this project, and not incur finance charges. It was moved by Commissioner Bennett, seconded by Commissioner Rogers to deny the request to solicit proposals for the financing of the 33rd Street extension project. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ZION LIQUOR CONTROL ORDINANCE

Mayor Harrison requested the Council's consideration of an addition to the agenda. Mayor Harrison introduced a Zion Liquor Control Ordinance. This

ordinance would allow for a first rate, nationally known restaurant, a new grocery store development and the Shepherd's Crook Golf Course and banquet facility to serve alcohol. Mayor Harrison and Commissioner Bennett have completed training through the Liquor Control Board. The ordinance would allow for convening a local Liquor Control Board. As required, the Mayor would serve as the Chairman. The ordinance is very detailed and specific to its uses. Attorney Lombardo stated licenses would only be granted for limited classifications listed in the ordinance. Mayor Harrison noted properties within the City's boundaries prior to 1934 could only be considered for alcohol through referendum. It was moved by Commissioner Bennett, seconded by Commissioner Rogers to approve the first reading of the Zion Liquor Control Ordinance, and for the second reading to be held on November 21. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

PROCLAMATION/U.S. MARINE CORP

William Bremner requested the City recognize the 225th birthday of the U.S. Marine Corp. with a proclamation. It was moved by Commissioner Monk, seconded by Commissioner Bennett that a Proclamation be passed recognizing November 10, 2000 as the 225th birthday of the U.S. Marine Corp. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

CITIZEN COMMENTS

Dennis Bradley stated he is opposed to allowing alcohol in Zion, and wants all of Zion to remain dry.

Nancy Martinez questioned when the sign ordinance amendments would be ready. Commissioner Rogers stated staff is still working on the sign ordinance, as the amendments must be able to work for all issues and not just individual concerns. Ms. Martinez also stated certain political signs were being removed.

George Pavelich stated his opposition to peaker power plants, and questioned the status of property value guarantees. Mayor Harrison stated property value guarantees are in negotiations, as the City is working for the citizens to provide such guarantees.

Mary Taylor questioned whether or not the City was pursuing other methods for revenue. Mayor Harrison stated many attempts are currently underway.

ANY OTHER MATTERS

Commissioner Rogers stated applications for the Christmas in April project should be submitted as soon as possible to the Building Department.

ANNOUNCEMENTS

November 9 Voter Registration Re-opens
November 11 Tire Drop Off at City Hall from 8:00 a.m. to 11:00 a.m.
November 21 City Council Meeting

EXECUTIVE SESSION

It was moved by Commissioner Bennett, seconded by Commissioner Monk that the Council recess to Executive Session at 9:34 p.m. to discuss possible litigation, personnel and collective bargaining. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

The Council reconvened at 11:26 p.m. with same members present.

APPOINTMENT/FIRE/RESCUE DEPT. LIEUTENANT

A memo (00-DOC-163) was received from Chief LaBelle, requesting that the Police and Fire Commission appoint the next eligible candidate for Fire/Rescue Lieutenant. The temporary appointment of John Lewis as Lieutenant will expire on November 14. The next eligible working candidate is Robert Guerin. Chief LaBelle requested this appointment be granted for 120 days, as permitted. It was moved by Commissioner Monk, seconded by Commissioner Bennett to grant permission to request that the Police and Fire Commission appoint the next eligible candidate, Robert Guerin, as Lieutenant for a period of 120 days. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

FOIA/WAIVER OF FEES REQUEST

It was moved by Commissioner Bennett, seconded by Commissioner Monk to deny the International Union of Operating Engineers request for a waiver of fees pertaining to their Freedom of Information Act request. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ZION SHOPPING CENTER REDEVELOPMENT

It was moved by Commissioner Rogers, seconded by Commissioner Monk to approve the Redevelopment Agreement with Zion-Sheridan, L.L.C. for the Zion Shopping Center, as amended with a deadline date of November 30, 2000. The vote on roll call was: Commissioners Monk, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ADJOURN

There being no further business to come before the Council at this time, it was moved by Commissioner Bennett, seconded by Commissioner Monk and unanimously approved the meeting be adjourned at 11:35 p.m.
Motion carried.