

Council Minutes

JULY 3, 2001

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL
HELD ON TUESDAY, JULY 3, 2001, AT 7:00 P.M. IN THE CITY
COUNCIL CHAMBERS, CITY HALL, ZION, ILLINOIS

Mayor Harrison called the meeting to order.

On call of the roll the following answered present: Commissioners DeTienne, Taylor, Rogers, Bennett and Mayor Harrison. Mayor Harrison led in the Pledge of Allegiance to the Flag.

AGENDA CHANGES

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to accept the Council agenda with amendments as follows: · add Resolution providing for the reimbursement of eligible expenditures relating to a proposed water and sewer project within the City of Zion, Lake County, Illinois, item 8.q. · add probable litigation to Executive Session, item 11 · replace Executive Session minutes of June 19, 2001 with amended minutes, under Consent Agenda, item 6.a. · remove payment from the Consent Agenda, to Belli & Kenny, L.L.C., URS Traffic Study, \$22,013.02, and place as discussion item, item 8.r. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

PUBLIC HEARING - WATERWORKS & SEWERAGE REVENUE BONDS

Mayor Harrison opened the public hearing regarding the sale of bonds to finance the costs of refunding outstanding waterworks and sewerage revenue bonds at 7:08 P.M. Kevin McCanna has negotiated the sale of the bonds. Attorney Rolek noted that \$90,000 would be saved on the refinancing of the water bonds. Peter Cioni stated this project entails the repair and restoration of the water and sewer system. Mayor Harrison invited questions and/or comments from the public. Abe Goldsmith questioned the amount of the bonds. Mayor Harrison stated the issuance of the General Obligation Bonds is for \$3,500,000. Mayor Harrison declared the hearing closed at 7:11 P.M.

CONSENT AGENDA

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that the Consent Agenda be approved as follows: (a) MINUTES of

a Regular Meeting and Executive Session, as amended, held on June 19, 2001 at 7:02 P.M. and a Special Meeting and Executive Session held on June 21, 2001 at 10:04 A.M., with all members having previously received copies. 7/3/01 (b) DEPARTMENTAL REPORTS: Detailed Balance Sheet and Detailed Revenue & Expense Report, period ending May 31, 2001; City Clerk's Monthly Report, June, 2001 (c) BILLS: Vouchers 76734 through 76856 drawn on the National City Bank, \$952,673.85: First Midwest Bank, \$74,619.08: Bank of Waukegan, \$181,729.60; Total: \$1,209,022.53 (d) PAYMENTS: Ancel, Glink, Diamond, Bush, DiCianni & Rolek, P.C., legal services, \$962.50, \$245.00, \$2,275.00, \$1,575.00, \$1,547.87, \$405.00, \$236.25; Total: \$7,246.62; T. Wallace Blacktopping, Inc., work performed on alley resurfacing project, \$211,674.60; A-Rest-A-Pest Exterminating, pest control services rendered, \$820.80 (e) RECEIVE & PLACE ON FILE: 1) Ordinance providing for issuance of \$3,500,00 General Obligation Bonds for purpose of defraying cost of refunding previously issued Waterworks and Sewerage Revenue Bonds; 2) Ordinance making appropriations for the City of Zion, Illinois for the Fiscal Year beginning May 1, 2001 and ending April 30, 2002 The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

CITIZEN COMMENTS

Rev. Henry Brash is considering purchasing 2719 Elisha Avenue for the purpose of establishing a church and day care center. Rev. Brash stated he understands he would need a special use permit. Mayor Harrison stated this request needs to go before the Planning and Zoning Board, and an application can be obtained from Peter Cioni. Toni Larsen questioned how much has been paid to Belli & Kenny, L.L.C. Mayor Harrison stated these figures would be available by contacting the City Clerk's office.

CARMEL HOUSE RENOVATIONS

Residents of Carmel House are requesting additional parking during renovations of their facility. A construction trailer and storage containers are displacing nine parking spaces next to Carmel House. The repairs are estimated to take approximately four to six months. Residents are requesting to use the west side of the City Hall parking lot during renovations. Commissioner Rogers stated that 29th Street and curbing would be repaired yet this summer, so that access to City Hall's parking will also be limited. The Council agreed that the construction company and/or residents could make use of the city parking lot along Caledonia Blvd. or the grassy area north of Carmel House for additional parking, and to inform Carmel House management accordingly.

FIREMAN'S PENSION FUND TAX LEVY

A memo (01-DOC-80) was received from Robert Guerin, Secretary, Zion Fireman's Pension Fund, requesting approval of the annual tax levy for the year beginning May 1, 2000 and ending April 30, 2001. The requested tax levy is \$261,105. This amount is determined by the Illinois Department of Insurance. It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to approve the Zion Fireman's Pension Fund tax levy in the amount of \$261,105 for the year beginning May 1, 2000 and ending April 30, 2001. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

2001/02 FISCAL YEAR BUDGET

Commissioner Bennett presented a summary of the City's budget for the fiscal year starting May 1, 2001 and ending April 30, 2002. Proposed budgeted expenditures total \$24,001,980. This budget is based upon anticipated revenues of \$17,302,000. The General Fund is based upon revenues of \$11,649,000 and expenditures of \$13,406,380. Commissioner Bennett stated this budget should be reduced further, and no additional personnel should be considered. Mayor Harrison stated the city's pursuit of development, along with future attrition of staff, would hopefully help reduce the deficit. Commissioner Bennett stated as of 2002/2003, the city' budget could show a deficit of \$1,300,000 with cash reserves of only \$300,000. It was moved by Commissioner Taylor, seconded by Commissioner DeTienne to approve the City's budget in the amount of \$24,001,980 for the fiscal year starting May 1, 2001 and ending April 30, 2002, as presented. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, nay; and Mayor Harrison, aye. Motion carried.

FIRE/RESCUE DEPT PERSONNEL

A memo (01-DOC-81) was received from Chief LaBelle, requesting approval to authorize the Fire and Police Commission for personnel requests, maintaining state standards for minimum manning, as recommended: · Add a full-time Captain/Fire Marshal · Promote Lt. Dale Colwell to Captain/Fire Marshal · Promote Firefighter/Paramedic John Lewis to Lieutenant · Hire a Firefighter/Paramedic from the current eligibility list to fill the vacancy It was moved by Commissioner DeTienne, seconded by Commissioner Rogers to approve authorizing the Fire and Police Commission to make the Fire/Rescue Department personnel changes, as recommended, and for the Personnel Authorization to be amended accordingly. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

TAB OF BIDS/RADIO EQUIPMENT/FIRE/RESCUE DEPT

A Tabulation of Bids (01-DOC-82) was received from Chief LaBelle, regarding the purchase of portable radios and accessories for the Fire/Rescue Department. Chief LaBelle recommended awarding the contract to the sole bidder, Rocky Mountain Communication Systems, in the amount of \$20,179.00. Funds for this equipment will come from the Illinois First Money grant. It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to approve the contract for the purchase of portable radios and accessories for the Fire/Rescue Department with Rocky Mountain Communications Systems in the amount of \$20,179.00. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

COMMISSION ON ACCREDITATION OF LAW ENFORCEMENT AGENCIES CONFERENCE

A memo (01-DOC-83) was received from Chief Malcolm, requesting permission for Lieutenant Wayne Brooks and him to attend the Commission on Accreditation of Law Enforcement Agencies Conference. This conference will be held on July 25-28, 2001 in St. Louis, Missouri. It was moved by Commissioner Bennett, seconded by Commissioner Rogers to grant permission for Chief Malcolm and Lieutenant Brooks to attend the Commission on Accreditation of Law Enforcement Agencies Conference on July 25-28, 2001. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

COMMUNITY SERVICE OFFICERS/POLICE DEPT

A memo (01-DOC-84) was received from Chief Malcolm, requesting permission to establish and hire two full-time Community Service Officers (CSO) for the Police Department. Chief Malcolm recommends establishing the full-time CSO positions at a Pay Grade 3. Chief Malcolm stated he will be reducing the hours of the part-time CSOs to compensate for the two full-time positions, anticipating that these positions will save approximately \$20,000 in over-time for police officers. It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to grant permission to establish, post and advertise for two full-time Community Service Officers at Pay Grade 3, and for the Personnel Authorization to be amended accordingly. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, nay; and Mayor Harrison, aye. Motion carried.

ESDA CENTER GENERATOR

A memo (01-DOC-85) was received from Jack Diliberti, requesting permission to purchase a base generator for the EOC/ESDA Center. This generator would be used during power outages. Three proposals were received, and Mr. Diliberti recommended approving the proposal from

Lone Oak Electric Company in the amount of \$10,846 including accessories and shipping. ESDA personnel would perform the installation. The Illinois Department of Nuclear Safety would be providing a grant of \$2,500 toward this purchase. It was moved by Commissioner Bennett, seconded by Commissioner Rogers to waive bids and grant permission to purchase a base generator for the EOC/ESDA Center with Lone Oak Electric Company in the amount of \$10,846 including accessories and shipping. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ESDA CENTER FURNACES

A proposal (01-DOC-86) was received from Jack Diliberti, requesting permission to purchase two furnaces for the ESDA Center. Mr. Diliberti recommended purchasing these 115,000 BTU ADP unit hanger furnaces from SML Heating and Cooling for a total cost of \$2,285. ESDA personnel would perform the installation. It was moved by Commissioner Bennett, seconded by Commissioner Taylor to grant permission to purchase two 115,000 BTU ADP unit hanger furnaces for the ESDA Center from SML Heating and Cooling for the total amount of \$2,285. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

T. WALLACE BLACKTOPPING/ALLEY PAVING PROJECT

A memo (01-DOC-87) was received from Brian Usher regarding the alley-paving project. During the course of the project, additional paving, additional base work and pavement repairs were needed. The additional material and labor totals \$127,000. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to authorize payment for change order #1 to T. Wallace Blacktopping, Inc. in the amount of \$127,000 for additional material and labor for the alley-paving project. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

STREET DIVISION PERSONNEL/PUBLIC WORKS

A memo (01-DOC-88) was received from Brian Usher, requesting permission to make Street Division personnel changes as follows: - delete two Street Division Service Technician positions - create two Street Division Leadmen positions, and - post and advertise for the new Leadmen positions. It was moved by Commissioner Taylor, seconded by Commissioner DeTienne to approve making changes in Street Division personnel by deleting two Service Technician positions, creating two Leadmen positions, posting and advertising for the Leadmen positions, and amending the Personnel Authorization accordingly. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

TAB OF BIDS/BITUMINOUS MATERIALS & PETROLEUM PRODUCTS

A Tabulation of Bids (01-DOC-89) was received from Brian Usher, regarding the purchase of bituminous materials and petroleum products. Mr. Usher recommended awarding contracts to the lowest responsible and responsive bidders, with the exception of bids for the emulsified asphalt product, as this product is no longer used by the city. The recommended bidders are as follows: Arrow Road Construction: UPM road patch material Curran Contracting: Cold patch, hot-mix surface, hot-mix binder Harris Lubricants: All purpose grease Liqua-Tek: 10W30 motor oil, 30W motor oil, hydraulic fluid, 2 cycle oil Lube Oils: Antifreeze, Dex Cool antifreeze/coolant Mid Town Petroleum: Automatic transmission fluid, 90W gear lube Kirschhoffer Truck: #7 road gravel, #10 stone, ¾" chip stone, sand backfill, seal coat aggregate, traffic bond with fines, salt treated sand Super Trucking: Pulverized black dirt topsoil It was moved by Commissioner Taylor, seconded by Commissioner Bennett to award contracts for various bituminous material and petroleum products, as recommended, rejecting all bids for emulsified asphalt product. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

PAVEMENT MARKINGS

A memo (01-DOC-90) was received from Brian Usher, requesting approval to enter into a contract for pavement markings. The Northwest Municipal Conference has reviewed bids and contractors, and recommends the lowest responsible bidder, Superior Road Striping, for the installation of thermo-plastic pavement markings. Based on this bid, Mr. Usher estimated probable costs for pavement marking projects to be \$35,252.94. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve entering into a contract for the installation of thermo-plastic pavement markings with Superior Road Striping, per unit prices as reported by the Northwest Municipal Conference. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ASPHALT CRACK SEALING

A memo (01-DOC-91) was received from Brian Usher, requesting approval to enter into a contract for rubberized asphalt crack sealing. The Northwest Municipal Conference has reviewed bids and recommends contracting with Scodeller, Inc. Mr. Usher stated that he is aware of problems in prior years with this contractor, and recommended utilizing the second lowest bidder, Behm Pavement Maintenance, Inc., for the unit price of \$1.009 per pound. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve entering into a contract for the installation of rubberized asphalt crack sealing with Behm Pavement Maintenance, Inc. for a unit price of \$1.009 per pound. The vote on roll call

was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

JAMES KAPLAN COMPANIES/BUSINESS REDEVELOPMENT AGREEMENT

A memo (01-DOC-92) was received from Peter Cioni, regarding the James Kaplan demolition agreement. Attorney Rolek stated an addition needed to be made to this ordinance, and recommended repealing Ordinance 01-0-28 and adopting a revised ordinance. The only change is an addition stating that this property is within the North Sheridan Road Business District, adopted pursuant to Ordinance 01-0-23. It was moved by Commissioner DeTienne, seconded by Commissioner Rogers to repeal Ordinance (01-0-28) and adopt Ordinance (01-0-33), authorizing the execution of a Contingent Agreement for a Business Redevelopment Donation to James Kaplan Companies for preparation of a site at Sheridan Road and 21st Street for Redevelopment. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

LEACHATE RECYCLING PLAN/ONYX LANDFILL

A memo (01-DOC-93) was received from Peter Cioni, regarding the proposed leachate recycling plan for the Onyx Landfill. Mr. Cioni stated Onyx would follow the guidelines by Camp Dresser & McKee Inc (CDM), and recommended supporting Onyx's application to the IEPA. Mayor Harrison noted that Al Hill has informed him that this proposal meets the Park District's requirements. James Lewis, General Manager, stated SWALCO will review the final application to be submitted to the IEPA. If SWALCO has any concerns, they will submit them to the IEPA, which would be considered during public comments. Commissioner Rogers questioned why Onyx proposed four different forms. Mr. Lewis stated the revised application has narrowed this by removing spraying and trenches, instead relying on the pumps. Commissioner Rogers noted concerns regarding repairs to the pumps. Mr. Lewis stated the pumps mentioned in the report are not involved in the leachate recirculation process. Leachate recirculation pumps are constantly monitored and have had no problems. Mr. Lewis stated there was a concern regarding the use of tire chips, and although he feels this makes good use of such material, will take it out of the application based on former discussions. Mr. Lewis stated Onyx has considered all of SWALCO's comments, and suggested the City could also submit any comments or concerns to the IEPA. Mayor Harrison requested a final application be submitted to the City. Commissioner Rogers requested SWALCO's comments to the IEPA also be submitted to the City. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the proposed application for the Onyx Waste Services leachate recycling process, subject to receipt of the final draft along with receipt of SWALCO's comments to the IEPA. The vote on

roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

WATERWORKS & SEWERAGE REVENUE BONDS/REIMBURSEMENT OF EXPENDITURES

It was moved by Commissioner Taylor, seconded by Commissioner Rogers that a Resolution (01-R-12) be passed providing for the reimbursement of eligible expenditures relating to a proposed water and sewer project within the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

BELLI & KENNY, L.L.C. INVOICE

Commissioner Rogers questioned an invoice in the amount of \$22,013.02 submitted by Belli & Kenny, LLC for payment to URS Corporation for a traffic study. Commissioner Rogers questioned the contents of this invoice, and suggested holding this invoice until all work is completed and the final bill is submitted. Commissioner Bennett stated it is his understanding that the balance of this traffic study involves working with the county, and will cost between \$8,000 and \$10,000. Attorney Rolek stated the Council could authorize charges for work completed, less any amounts in question. Mayor Harrison stated any future expenses, pertaining to this portion of the project, would not be paid by the City. It was moved by Commissioner Rogers, seconded by Commissioner Taylor to hold the invoice from Belli & Kenny, LLC. In the amount of \$22,013.02 until all related work is completed and a final bill is submitted. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ANY OTHER MATTERS

Commissioner Taylor appealed to resident's common sense not to use illegal and dangerous fireworks. Violators would be prosecuted. Commissioner DeTienne stated the Police Department will be enforcing the City vehicle sticker requirement. Road blocks will be set up throughout the community, and Commissioner DeTienne encouraged everyone to purchase their vehicle stickers.

ANNOUNCEMENTS

July 4 City Hall Closed For Independence Day

July Special City Council Meeting to consider passing bond
10 ordinance - 10:00 am

July Power Plant Environmental Study presentation - Central Jr.

10 High - 7:00 pm
July
17 Regular City Council Meeting
July
27 ZBTHS Boosters Golf Outing

EXECUTIVE SESSION

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that the Council recess to Executive Session at 8:55 p.m. to discuss personnel and probable litigation. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. The Council reconvened at 9:55 p.m. with all members present.

POLICE DEPT SALARY INCREASES

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to approve salary increases for Police Department personnel as follows:

Michael Ware from Pay Grade 5-4 to 5-5
Mike Evans from Pay Grade 5-4 to 5-5
Pauline
Thorsen from Pay Grade 10-3 to 10-4

The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

WATER BILL PAYMENTS

It was moved by Commissioner DeTienne, seconded by Commissioner Rogers to waive payment of a water bill in the amount of \$965.42 for Todd Gordon, 10115 W. Crissy Avenue, Beach Park, Illinois. It was discovered this water usage was not the homeowner's responsibility. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Rogers, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Taylor, seconded by Commissioner Rogers to waive payment of a water bill penalty and reimburse \$504.10 to Beach Mobile Homes. The vote on roll call was: Commissioners DeTienne, aye; Taylor, 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 Rogers and unanimously approved the meeting be adjourned at 10:02 p.m. Motion carried.