

Council Minutes

January 15, 2002

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JANUARY 15, 2002, 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, Rogers, Bennett, Taylor and Mayor Harrison.

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

AGENDA CHANGES

It was moved by Commissioner Bennett, seconded by Commissioner Rogers to accept the Council agenda with amendments as follows:

- Adding E.S.D.A. Year-end Report for 2001 to Consent Agenda under Departmental Reports, Item 6b.
- Adding a payment to the Consent Agenda for Gountanis Enterprises (GGG, Inc) for final disposition re: Applebee's Restaurant in the amount of \$300,000, item 6.e.
- Deleting to consider approval of re-subdivision of Calpine site, item 9.c.
- Deleting to request authorization to direct Baxter & Woodman to prepare plans for work on detention basins at 22nd Street and Sheridan Road, item 9.e.
- Deleting to consider ordinance extending the downtown TIF District from 12 years to 23 years, item 9.i.
- Adding a Resolution to Support the Extension of Route 53 from Lake Cook Road to Interstate 94 and Wilson Road, item 7.a.a.
- Adding the discussion regarding Grobman/DeGraff zoning issue, item 9.n.
- Adding the discussion of personnel and probable litigation to Closed Session, item

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

PUBLIC HEARING/MRMC

Mayor Harrison opened the public hearing concerning the intent to sell General Obligation Alternate Bonds for the purpose of financing the costs

of improvements for Midwestern Regional Medical Center at 7:05 P.M. Mayor Harrison invited questions and/or comments from the public, and there were none. Mayor Harrison declared the hearing closed at 7:06 P.M.

CONSENT AGENDA

It was moved by Commissioner Bennett, seconded by Commissioner Taylor that the Consent Agenda be approved as follows: (a) MINUTES of a Regular Meeting and Closed Session held on January 2, 2002 at 7:00 P.M., with all members having previously received copies. (b) DEPARTMENTAL REPORTS: Building Inspector's Report, December, 2001; Public Works Department Monthly Report, December, 2001, ESDA 2001 Year-End Report (c) BILLS: Vouchers 78619 through 78701 drawn on the National City Bank, \$484,700.62; First Midwest Bank, \$7,220.92; Total: \$491,921.54 (d) PROCLAMATION: Martin Luther King Day (e) PAYMENTS: Gountanis Enterprises (GGG, Inc.), final disposition of Applebees Restaurant, \$300,000 The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

EXTENSION OF ROUTE 53

Jack Martin and Dan Friedlander, representing Citizens to Protect Quality of Life Through Better Transportation, presented a proposal for the extension of Route 53. This extension has been in the planning stages for several years, and the proposal would extend Route 53 from the Cook County line north through Lake County. Over 42 communities and municipal organizations have passed resolutions of support. A telephone poll found 67 percent of those individuals contacted in favor of this extension. Commissioner Taylor questioned their proposal of paying for this construction through toll fees. Mr. Friedlander stated 50 percent of the people surveyed preferred paying for the cost of this improvement through tolls. It was moved by Commissioner DeTienne, seconded by Commissioner Bennett that a Resolution (02-R-1) be passed supporting the extension of Route 53 from Lake Cook Road to Interstate 94 and Wilson Road. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

CITIZEN COMMENTS

Alice Marshall questioned the number of existing TIF Districts and the reason for the proposed TIF District extension. Mayor Harrison stated the city has three TIF Districts, but is in the process of deleting the TIF District on Kenosha Road. The extension of the downtown TIF District will allow for additional improvements to the central business district. Ms. Marshall questioned whether or not Commonwealth Edison plans to reopen. Mayor Harrison stated Commonwealth Edison has offered no comment, and Exelon has stated there is only a remote possibility of reopening the plant.

Jim Howard questioned the resubdivision of the Calpine site. Mayor Harrison stated this involves a 3.25-acre parcel, and this item has been deleted from this meeting. Mr. Howard also questioned the rezoning of the Hutson property. Mayor Harrison stated this item is not ready for discussion, and will be deleted.

AMEND MUNICIPAL CODE/WATER & SEWER RATES

Commissioner Bennett stated the water fund is a non-profit enterprise fund, and revenues are not keeping up with expenses. Commissioner Bennett recommended increases for water and sewer services as follows:

| | | |
|---|-----------------------------|-------------------------|
| Water service rate and charge | | |
| Residential/Commercial/Industrial | (minimum rate per 3 months) | |
| | Current | Proposed |
| First 4,000 gallons | \$11.40 | \$12.40 |
| Over 4,000 gallons, per 1000 gal | \$2.85 | \$3.10 effective 2/1/02 |
| | | \$3.35 effective 2/1/03 |
| | | \$3.60 effective 2/1/04 |
| Sewer service rate and charge | | |
| Residential/Commercial use | Current | Proposed |
| Per 1,000 gallons | \$0.50 | \$0.75 effective 2/1/02 |
| | | \$1.00 effective 2/1/03 |
| | | \$1.25 effective 2/1/04 |
| Minimum | \$5.00 | \$5.00 (no change) |
| Water service outside City of Zion | | |
| | Current | Proposed |
| Per 1,000 gallons | \$3.55 | \$3.75 effective 2/1/02 |
| | | \$4.00 effective 2/1/03 |
| | | \$4.25 effective 2/1/04 |

Water rates have not been increased since 1995. Mayor Harrison stated Zion's rates are the lowest rates in the area. It was moved by Commissioner Bennett, seconded by Commissioner DeTienne that an Ordinance (02-0-4) be passed amending the Municipal Code of the City of Zion, as amended, Sections 93-355 & 356, establishing rates for water and sewer service. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

CITY HALL FREEDOM SHRINE

Commissioner Rogers stated, during renovations to City Hall, the Freedom Shrine was removed. This display of important historic documents has since been restored and placed back in City Hall. This rededication is due in part to Frank Tschakert and his assistance in the restoration. On behalf of the City Council and the Exchange Club, Commissioner Rogers presented a plaque to Mr. Tschakert, thanking him for his efforts.

AGREEMENT FOR PAGERS

A memo (02-DOC-4) was received from Deputy Chief Booth, requesting to change the supplier for the city's pagers, excluding the Fire Department. There have been ongoing service and billing problems with the current supplier. Deputy Chief Booth recommended approval of a one-year agreement with local supplier Communications Depot at a cost of \$4.25 per month per pager. This cost includes all service. The current cost with Air Touch Paging is \$3.00 per month per pager. It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to approve a one-year agreement with Communications Depot for city pagers, excluding the Fire Department, at a cost of \$4.25 per month per pager. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

ZONING ISSUES/ZION'S EAST SIDE

A memo (02-DOC-5) was received from John Jones, requesting a meeting be held to discuss general zoning issues, including building appearances and variances, for the area east of the Metra railway tracks and south of Shiloh Blvd. The Council agreed to conduct a workshop/special meeting on January 29, 2002 at 5:00 P.M. to discuss the zoning of Zion's east side.

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

LYDIA AVENUE STORM SEWER PROJECT

A memo (02-DOC-6) was received from Brian Usher, regarding an increase in the cost of work performed on the Lydia Avenue storm sewer project. The project exceeded the approved amount by \$2,537.95, primarily due to an increased number of connections to the line. Mr. Usher recommended increasing the contract amount with J.R. Myers Company in the amount of \$2,537.95 for this additional work, thereby authorizing payment in the total amount of \$35,837.39. Mayor Harrison questioned whether or not this amount is within the budget. Mr. Usher stated sufficient funds are available. Commissioner Taylor stated the city should have an approval process for authorizing emergency work. Attorney Rolek stated he would draft a procedure for authorizing emergency work. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve increasing the contract with J. R. Myers Company in the amount of \$2,537.95 for work performed on the Lydia Avenue storm sewer project, authorizing total payment in the amount of \$35,837.39. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

2002/2003 STREET REPAIR PROGRAM

A memo (02-DOC-7) was received from Brian Usher, regarding a program for 2002/2003 street repairs. Baxter & Woodman Consulting Engineers provided a proposal for engineering services. The proposal is a two-year plan requiring approximately 7 million dollars, including engineering costs. Funds are available to begin this engineering, MFT funds could be utilized for the project, and bonding could pay for a sufficient amount of the repairs. The reconstruction would begin in the spring of 2002 with recommended street repairs as follows: 2002 Street Program 33rd Street from Galilee Avenue to Sheridan Road 29th Street from Galilee Avenue to Sheridan Road Dowie Memorial Drive from Bethel Blvd. east to Bethesda Blvd. Borings only for Bethesda Blvd. from Dowie Memorial Drive to Ravine Drive Borings only for Kedron Avenue from Gideon Avenue to Sheridan Road 2003 Street Program 31st Street from Lewis Avenue to Sheridan Road 27th Street from Public Works facility to Sheridan Road Salem Blvd. from Lewis Avenue to Dowie Memorial Drive Dowie Memorial Drive from Bethel Blvd. west to Bethesda Blvd. 23rd Street from Galilee Avenue to Sheridan Road Mayor Harrison stated some of the roads have not been repaired for 30 years. Attorney Rolek stated the project schedule needs to be in place prior to proceeding with the bonds. Commissioner Bennett questioned why an IDOT review was needed for local roads. Mr. Usher stated MFT funds would be used on this project, so the IDOT review was necessary. Commissioner Taylor stated Baxter & Woodman recommended setting up the project utilizing MFT funds. Commissioner Bennett questioned if any other engineering proposals should be received.

Mr. Usher stated Baxter & Woodman has served as a reputable firm for the city, and all borings would initially be taken in the first year, and changing firms later would increase costs. 1/15/02 It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the agreement with Baxter & Woodman Consulting Engineers for engineering services, work order #020006, in an amount not to exceed \$746,000 for services related to the 2002/2003 street repair program. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

DOWNTOWN REDEVELOPMENT PROGRAM

A memo (02-DOC-8) was received from Peter Cioni, regarding revised policies and guidelines for the Downtown Redevelopment Façade Grant Program. The biggest changes pertain to the requirement that all life safety and property maintenance code violations be eliminated before any disbursement of funds, and the inclusion of all commercial areas in the city zoned for Highway Business or Local Business. Commissioner Bennett stated there needs to be project deadlines. Mr. Cioni stated there would be a maximum of 45 days for all drawings to be submitted with a maximum of 6 months to complete the project. Commissioner Bennett questioned whether or not there is an appeal process. Mr. Cioni stated the business owner would notify the City, and review would be on a case-by-case basis. It was moved by Commissioner Taylor, seconded by Commissioner Rogers to accept and implement the Downtown Redevelopment Façade Grant Program policies and guidelines, subject to the inclusion of deadline dates and the inclusion of all commercial areas, as recommended. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

LOT VARIANCE/1926 BETHESDA BLVD.

The Planning and Zoning Commission considered a request for a lot width and lot area variance for 1926 Bethesda Blvd. The Planning/Zoning Commission recommended approval of this request. There are two parcels of land, however, an existing home straddles the lot line between these two parcels. The property owner proposed to resubdivide the lots, in order to resolve this conflict. The request is for a variance from the R-13 zoning requirements, asking for a lot width variance from 70 feet to 58 feet and a lot area variance from 13,000 square feet to 11,600 square feet. It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to approve the lot width and lot area variance for 1926 Bethesda Blvd, as requested, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

PLAT OF RESUBDIVISION/1926 & 1928 BETHESDA BLVD.

A memo (02-DOC-9) was received from Peter Cioni, recommending the plat of resubdivision for two lots at 1926 and 1928 Bethesda Blvd. The replating is necessary due to a siting error in 1992, when the home was constructed on 1926 Bethesda Blvd. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the plat of resubdivision for 1926 and 1928 Bethesda Blvd. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. WATER CONNECTIONS Commissioner Bennett stated Beach Park is interested in purchasing water for parts of their village, and have requested hook-ons at Wadsworth Road and Sheridan Road and also at 21st Street and Green Bay Road. Beach Park would purchase the water from Lake County Public Water District, who in turn would compensate Zion. Mayor Harrison stated negotiations are continuing regarding costs, and Beach Park has its own allocation, so they would not be operating from Zion's allocation. It was moved by Commissioner Taylor, seconded by Commissioner Rogers to authorize Mayor Harrison and Commissioner Bennett to proceed with negotiations with Beach Park regarding water connections. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

GROBMAN/DEGRAFF ZONING ISSUES

The Planning and Zoning Commission previously recommended approval of rezoning Lot 3 of the Zion Shopping Center from Highway Business to Light Manufacturing. Mr. DeGraff wishes to construct a storage facility on this lot. Peter Cioni stated concerns regarding the appearance of the strip center at 33rd Street and Sheridan Road have been addressed, including improved parking, landscaping, painting, signage, decorative fencing and enclosure of the dumpster. Mr. Grobman has agreed to all improvements, which would be included in a redevelopment agreement. Mayor Harrison stated the Cable Commission might be able to assist regarding the excess wiring behind the cable station office. Commissioner Rogers stated the issue is not for improvements, but rather that Lot 3 is an inappropriate location for a storage facility. Commissioner Rogers stated this lot should be utilized for retail sales, and appearance changes should be made anyway. Commissioner Bennett stated this location may not be the best for a retail establishment. Mayor Harrison stated the depth of the lot is not conducive to commercial business, and the line of sight from Sheridan Road would be blocked by the strip center. Mr. DeGraff estimated the cost of his development would be \$1.25 million. Mr. DeGraff stated if he had to relocate, he would lose expended funds, also requiring an additional feasibility study. Frank Flammini, Planning and Zoning Commissioner, stated the Commission had no knowledge of additional concerns in recommending the rezoning of Lot 3, as the zoning requirements were met. Mr. Flammini stated he was under the impression that nothing else would work at this location. Commissioner Rogers suggested extending the strip center, constructing an office for Mr. DeGraff, and placing the storage facility behind Piggly Wiggly. Mr. DeGraff stated he would have to

hire a consultant before considering this suggestion. Commissioner Taylor stated the main concerns involved the appearance of this area, and these concerns have been addressed. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the rezoning of Lot 3 of the Zion Shopping Center from Highway Business to Light Manufacturing, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners DeTienne, aye; Rogers, nay; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

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| January 21 | City Hall Closed for Martin Luther King, Jr. Day |
| February 5 | City Council Meeting |
| February 10 | First Lady's Hearts & Flowers Art Show |
| February 19 | Zion Township Board Meeting |
| March 9 | Kiwanis Pancake Breakfast |

CLOSED SESSION

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne that the Council recess to Closed Session at 9:15 p.m. to discuss purchase of real estate, personnel and probable litigation. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Taylor, seconded by Commissioner Rogers to reconvene the Regular Council meeting at 10:50 p.m. with all members present. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, 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 Taylor and unanimously approved the meeting be adjourned at 10:50 p.m. Motion carried.