

Council Minutes

FEBRUARY 5, 2002

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL
HELD ON TUESDAY, FEBRUARY 5, 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 Rogers, Taylor, DeTienne, Bennett, 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 DeTienne to accept the Council agenda with amendments as follows: - Adding consideration of passing a resolution approving Deputy Chief Greg Nugent and Lieutenant Wayne Brooks' attendance at the Winter Olympics in the capacity of Security Officer, Item 9L - Adding vacation of a utility easement at 2720 Lowery Court per Brian Usher, Item 9m - Deleting payment to ENSR from the Consent Agenda, Item 5d - Deleting a request for permission to install a street light at 2602 33rd Street, Item 9g The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

CONSENT AGENDA

It was moved by Commissioner Rogers, seconded by Commissioner DeTienne that the Consent Agenda be approved as follows: (a) MINUTES of a Regular Meeting and Closed Session held on January 15, 2002 at 7:00 p.m., a Special Meeting and Closed Session held on January 22, 2002 at 5:10 p.m., and a Workshop/Special Meeting and Closed Session held on January 29, 2002 at 5:00 p.m. (b) DEPARTMENTAL REPORTS: Detailed Revenue & Expense Report and Detailed Balance Sheet for period ending December 31, 2001; City Clerk's Monthly Report, January, 2002; Police Department Reports for November and December, 2001 (c) BILLS: Vouchers 78702 through 78816 drawn on National City Bank, \$406,650.36; First Midwest Bank, \$72,516.14; Bank of Waukegan, \$172,472.15 and Bridgeview Bank, \$300,000.00; Total: \$951,638.65 (d) PAYMENTS: Hodges, Loizzi, Eisenhammer, Rodick & Kohn, legal services, \$5,016.56; Ancel, Glink, Diamond, Bush, DiCianni & Rolek, P.C., legal services, \$11,250.00; Michael Stried, tuition reimbursement, \$600.00; Zion Chamber of Commerce, membership dues, \$400.00;

Business Districts, Inc., services rendered on Downtown Redevelopment Program, \$3,267.50; Baxter Woodman Consulting Engineers, services rendered on the Sheridan Road Streetscape project, \$10,059.93; Apple ILLINOIS, rebate for 4th Quarter 2001 per sales tax agreement, \$5,311.62 (e) PROCLAMATION: Scouting Anniversary Week of the Boy Scouts of America - February 3-9, 2002 The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

CITIZEN COMMENTS

Jim Howard asked if a \$750.00 donation from Winthrop Harbor for the ZBTHS School Resource Officer had been refused and Mayor Harrison replied that it had not. He asked if food was served at the special Council meeting held at Radigan's Restaurant on January 22, 2002, if liquor was consumed, and how many taxpayers' dollars were expended. Mayor Harrison stated that food was served, no liquor was consumed and that he personally paid for the meal, therefore, no taxpayer dollars were expended. Mr. Howard questioned the payment of \$300,000 to Nick Goutanis. Mayor Harrison explained that the payment was for the construction cost of the Applebee's project and was paid from the Economic Development Fund and not with tax dollars. Mr. Howard asked how long Applebee's would be receiving a sales tax rebate and Mayor Harrison stated that they would receive the rebate until the total reached \$100,000. Mr. Howard asked if the City would be held liable if Midwestern Regional Medical Center defaulted on bond payments. Attorney Rolek explained that many safeguards have been built in, however, in the event of default or bankruptcy, the taxpayers of Zion would be responsible for the payments.

RESOLUTION/AVAILABILITY OF SANITARY SEWER

It was moved by Commissioner Taylor, seconded by Commissioner Rogers, that a Resolution (02-R-02) be passed stating that sanitary sewer is not currently available at the Zion Energy, LLC property that is located on 9th Street east of the Union Pacific Railroad right-of-way. Mayor Harrison stated that the subject property is not in the facility planning area of the North Shore Sanitary District. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

VARIANCE/LOT WIDTH AND LOT AREA FOR 1926 BETHESDA BLVD.

It was moved by Commissioner Bennett, seconded by Commissioner Taylor, that an Ordinance (02-O-6) be passed granting a lot width and lot area variance for 1926 Bethesda Blvd. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ABATING TAX/AMERICAN INTERNATIONAL HOSPITAL PROJECT

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that an Ordinance (02-O-7) be passed abating the tax levied for the year 2001 to pay the principal of and interest on \$20,000,000 taxable general obligation bonds (Alternate Revenue Source), series 1991 (American International Hospital Project), of the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ABATING TAX/WATERWORKS & SEWERAGE SYSTEM

It was moved by Commissioner Bennett, seconded by Commissioner Taylor that an Ordinance (02-0-8) be passed abating the tax levied for the year 2001 to pay the principal of and interest on \$3,500,000 taxable general obligation bonds (Waterworks & Sewerage System Alternate Revenue Source), series 2001, of the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

APPOINTMENT/DIRECTOR OF FINANCE

Commissioner Bennett stated that the City Council had advertised, interviewed, and selected a candidate for the Director of Finance position in the Accounts and Finance Department. Mayor Harrison recommended the appointment of Gregory Schneider and that the salary for this position be set at \$70,000.00. It was moved by Commissioner Bennett, seconded by Commissioner DeTienne, that Gregory Schneider be appointed as Director of Finance and receive an annual salary of \$70,000.00 and all City benefits. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

CITY ATTORNEY'S RETAINER

Commissioner Bennett recommended that, due to the increased cost of prosecution, the Ancel, Glink, Diamond, Bush, DiCianni & Rolek, P.C. retainer be increased in the amount of \$2,000 until the end of the fiscal year. It was moved by Commissioner Bennett, seconded by Commissioner Taylor, that the Ancel, Glink, Diamond, Bush, DiCianni & Rolek, P.C. retainer for legal services be increased to \$13,250 per month effective February 2, 2002 through April 30, 2002. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

2112 EMMAUS AVENUE

A memo (02-DOC-10) was received from John Jones requesting permission to advertise for bids for the sale of a lot at 2112 Emmaus Avenue. Mr. Jones stated that the house on the property has been removed and the lot has been graded. He recommended a minimum bid of \$20,000. Attorney Rolek stated that a simple appraisal is required and can be obtained simultaneously with the bid process. A motion was made by Commissioner Rogers, seconded by Commissioner Taylor, granting approval to advertise for bids for the sale of property at 2112 Emmaus. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

COMMUNITY SERVICE OFFICER POSITION

A memo (02-DOC-11) was received from the Acting Chief of Police, Deputy Chief Larry Booth, requesting permission to hire one part-time Community Service Officer (CSO) in the Police Department. The vacancy was created when CSO Steven Bose was selected to fill a Telecommunicator position. A motion was made by Commissioner DeTienne, seconded by Commissioner Bennett, granting permission to post and advertise for a part time CSO position in the Police Department. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

BID/AIR DUCT CLEANING AT THE POLICE ADMINISTRATION BUILDING

A memo (02-DOC-12) was received from the Acting Chief of Police, Deputy Chief Larry Booth, requesting permission to postpone the approval of the bid for acoustical/air duct cleaning at the Police Department Administration Building as the Department budget did not include funding for this service in the fiscal year 2001-02 budget. Acting Chief Booth recommended including this service in the 2002-03 budget. No action was required.

TABULATION OF BIDS/DIGITAL ACCESS CONTROL SYSTEM

A Tabulation of Bids (02-DOC-13) was received from Acting Chief of Police, Deputy Chief Larry Booth, regarding the installation of a Digital Access Control System for the Police Department. Acting Chief Booth recommended awarding the bid to the lowest responsible and responsive bidder, Jewell Electric, Inc., in the amount of \$33,566.00 which includes all labor and material. Installation of the system will be funded through the Local Law Enforcement Grant of 2001. It was moved by Commissioner DeTienne, seconded by Commissioner Bennett, to award the contract for installation of a Digital Access Control System to Jewell Electric in the amount of \$33,566.00. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

SUPERVISION SERVICE AGREEMENT/RT. 173 WATER MAIN INSTALLATION

A memo (02-DOC-14) was received from Brian Usher requesting permission to enter into a professional service agreement with Baxter & Woodman Consulting Engineers for construction supervision on the Rt. 173 water main installation project in the amount of \$25,500. Supervision includes preparation of contract documents, review of insurance submittals, pre-construction conference, processing and review of contractor pay estimates, on-site supervision of construction, preparation of as-built drawings, and ensuring that all work and tests performed meet IEPA and IDOT requirements. This professional service would be funded from the 2001 Water & Sewer Bond proceeds. It was moved by Commissioner Taylor, seconded by Commissioner Bennett, that authorization be granted to the Director of Public Works to enter into a professional service agreement with Baxter & Woodman Consulting Engineers for construction supervision of the Rt. 173 water main installation project in the amount of \$25,500.00. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

TABULATION OF BIDS/REMOVAL OF PARKWAY TREES

A Tabulation of Bids (02-DOC-15) was received from Brian Usher regarding the removal of parkway trees for a period to end December 31, 2002. Mr. Usher recommended awarding the bid to the lowest responsible and responsive bidder, Aerial Work Services Company, at the prices provided in the submitted bid based on the class and diameter of the trees to be removed, with an estimated total cost of \$37,350.00. It was moved by Commissioner Taylor, seconded by Commissioner Bennett, to award the contract for removal of parkway trees for a period to end December 31, 2002 to Aerial Work Services Company, at the prices submitted in the bid, for a total estimated cost of \$37,350.00. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

EXTENSION OF THE DOWTOWN TIF DISTRICT

A memo (02-DOC-16) was received from Peter Cioni regarding the extension of the downtown TIF District that was established by an ordinance that estimated that the TIF project would be completed in 12 years. Mr. Cioni stated that the City now wishes to secure bond financing for the streetscape portion of the TIF project which requires that the Council pass an ordinance which would extend the TIF until December 20, 2016. It was moved by Commissioner DeTienne, seconded by Commissioner Rogers, that an Ordinance (02-O-9) be passed extending the downtown TIF District from 12 years to 23 years. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

RESUBDIVISION OF CALPINE SITE

A letter (02-DOC-17) was received from Zion Energy LLC requesting that the City Council consider approval of a plat of resubdivision of the Calpine Site. Mayor Harrison stated that the provision for this resubdivision is included in the original Host Agreement and will permit a 3.62-acre parcel to interconnect Calpine and the ComEd transmission lines. The property will be owned by ComEd. It was moved by Commissioner Taylor, seconded by Commissioner Bennett, to approve the plat of resubdivision for the Calpine site. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

POLICE OFFICERS' ATTENDANCE AT THE WINTER OLYMPICS

A memo (02-DOC-18) was received from Pitcher Insurance requesting that the City Council pass a resolution approving the attendance of Deputy Chief Greg Nugent and Lieutenant Wayne Brooks at the Winter Olympics in the capacity of security officer. It was moved by Commissioner DeTienne, seconded by Commissioner Rogers, that Resolution (02-R-3) be passed supporting and approving the attendance of Deputy Chief Greg Nugent and Lieutenant Wayne Brooks at the Winter Olympics in Salt Lake City, Utah in the capacity of security officer. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

VACATION OF UTILITY EASEMENT/2720 LOWERY COURT

A memo (02-DOC-19) was received from Brian Usher requesting passage of a resolution and an Easement Disclaimer for a utility easement at 2720 Lowery Court. In 1981 the City issued a permit for the construction of a garage and driveway which encroaches on this easement. The property owner has recently sold the property and has asked all existing utilities, and the City of Zion, to release a portion of or all of their rights of access. There are no City utilities within the easement. It was moved by Commissioner Taylor, seconded by Commissioner DeTienne, to pass a Resolution (02-R-4) vacating the westerly most seven feet of the 10-foot utility easement at 2720 Lowery Court. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

It was moved by Commissioner Rogers, seconded by Commissioner Taylor, to approve an Easement Disclaimer for 2720 Lowery Court. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ANY OTHER MATTERS

Commissioner Rogers stated that a workshop was held to discuss a marketing plan for the industrial area east of Edina Blvd. between 25th and 29th Streets. The Zoning Board of Appeals will explore the exemption of that area from zoning to encourage development. Several options are being investigated.

Mayor Harrison stated that he received a letter from Jason Lewis requesting appointment to a City Board or Commission when a position becomes available.

Commissioner Taylor presented Mayor Harrison with a copy of "Cleaner" Magazine which featured the City of Zion Water Department on the front cover. Included in the issue was an article on Zion's innovative sewer video inspection program. Mayor Harrison congratulated Public Works Director, Brian Usher, and his staff.

Attorney Rolek explained that, according to the State's Attorney's Office, off-site and dinner meetings held by the City Council are allowed if properly posted. In the case of the City Council's January 22, 2002 special meeting, public notice was properly given and no violation of the Open Meetings Act occurred.

It was moved by Commissioner Rogers, seconded by Commissioner Taylor, to amend the agenda by adding a discussion regarding "Purchase of Real Estate" in Closed Session. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

February 10	12:00 noon to 5:00 p.m. First Lady's Hearts & Flowers Art Show
February 19	6:45 p.m. Zion Township Board Meeting
February 19	7:00 p.m. Next regular City Council Meeting
March 5, 6	Fundraiser at Applebee's for ZB Parent Bee Network
March 9	7:00 a.m. to 1:00 p.m. Kiwanis Pancake Breakfast

Mayor Harrison stated the Council's thoughts and prayers are with two city employees whose fathers passed away: Ron Colangelo, Engineering Department, and Richard Cochrane, Building and Public Property.

CLOSED SESSION

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that the Council recess to Closed Session at 7:59 p.m. to discuss personnel and the purchase of real estate. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to reconvene the Regular Council meeting at 9:03 p.m. with all members present. The vote on roll call was: Commissioners Rogers, aye; Taylor, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

PROPERTY MAINTENANCE COMPLAINT

Commissioner Rogers presented a memo to the Council in response to a complaint she received regarding the condition of the property at 2608 Edina. Commissioner Rogers assured the Council that the property owners are aware of the situation and the Building Department will do all it can to encourage them to correct it.

JEWEL/OSCO

Mayor Harrison informed the Council that one half of the existing Jewel/Osco store was annexed into the City after 1964. He also stated that he has been contacted by a representative of Albertson's/Jewel and it is hopeful that they will invest 5 to 10 million dollars in an expansion project which will extend west across the alley. Albertson/Jewel expects to make a final decision in the very near future. If the decision is made to expand the store, it will require that the City of Zion issue one additional liquor license to accommodate the store's sale of packaged liquor.

ADJOURN

There being no further business to come before the Council at this time, it was moved by Commissioner Rogers, seconded by Commissioner Bennett and unanimously approved the meeting be adjourned at 9:20 p.m. Motion carried.