

Council Minutes

June 4, 2002

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL
HELD ON TUESDAY, JUNE 4, 2002, AT 7:05 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, Bennett, Taylor and Mayor Harrison. Commissioner Rogers was absent.

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:

- Change discussion of pending litigation to litigation for Closed Session, item 10.
- Add discussion of probable litigation for Closed Session, item 10.

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

CONSENT AGENDA

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

- MINUTES of a Regular Meeting and Closed Session held on May 21, 2002 at 7:02 P.M. and a Special Meeting held on May 28, 2002 at 6:02 P.M., with all members having previously received copies.
- DEPARTMENTAL REPORTS: City Clerk's Monthly Report, May, 2002
- BILLS: Vouchers 79862 through 79960 drawn on the National City Bank, \$575,421.55; First Midwest Bank, \$75,508.46; Bank of Waukegan; \$21,530.40; Bridgeview Bank, \$7,835.27; Total: \$680,295.68; Add back voided check, \$31.00; Grand Total: \$680,326.68
- PAYMENTS: NEMRT, membership fees, \$4,350.00
- RECEIVE & PLACE ON FILE: Ordinance "Making Appropriations for the City of Zion, Illinois, for the Fiscal Year beginning May 1, 2002 and ending April 30, 2003"

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

BRUSH COLLECTION POLICY

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that an Ordinance (02-0-32) be passed adopting the Public Works Brush Collection Program. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

AMENDING MUNICIPAL CODE/G-2 INDUSTRIAL DISTRICT

It was moved by Commissioner Bennett, seconded by Commissioner Taylor that an Ordinance (02-0-33) be passed amending the Municipal Code of the City of Zion, as amended, Chapter 102, Zoning, creating a G-2 Industrial District. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ROAD IMPROVEMENTS

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that the first reading of an ordinance be approved authorizing and providing for the issue of \$5,000,000 General Obligation Bonds, Series 2002-B (Combined Zion Energy LLC Agreement Fees and Motor Fuel Tax Receipts Alternate Revenue Source) of the City of Zion, Lake County, Illinois, for the purpose of defraying the costs of constructing Road and Related Improvements in said City, prescribing the details of said bonds and providing for the imposition of taxes to pay the same, and for the collection, segregation and application of certain Zion Energy LLC Agreement Fees and Motor Fuel Tax Receipts to pay said bonds. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

SHERIDAN ROAD STREETScape IMPROVEMENTS

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that the first reading of an ordinance be approved authorizing and providing for the issue of \$4,975,000 General Obligation Bonds, Series 2002-A (Special Tax Allocation Fund Alternate Revenue Source) of the City of Zion, Lake County, Illinois, for the purpose of defraying the costs of constructing Sheridan Road and Related Improvements in said City, prescribing the details of said bonds and providing for the imposition of taxes to pay the same, and for the collection, segregation and application of certain Special Tax Allocation Fund receipts to pay said bonds. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

PREVAILING RATE OF WAGES

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that an Ordinance (02-0-34) be passed ascertaining the Prevailing Rate of Wages for laborers, mechanics and other workmen in the locality of Zion employed in performing construction of public works. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

BUSINESS DEVELOPMENT COMMITTEE

Mayor Harrison recommended the appointment of Jason Lewis to the Business Development Committee. It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to approve the appointment of Jason Lewis to the Business Development Committee. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

TRINITY ASSEMBLY CHURCH/VARIANCE

Zoning application 02-Z-06 was presented by John Jones, regarding a request for a variance to increase the building footprint for Trinity Assembly Church, 2600 Lewis Avenue. The Planning and Zoning Commission recommends approval. The staff and the predevelopment committee also recommend approval. The addition would be 50 foot by 70 foot, with a second floor added to the entire structure. It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to approve the variance for the addition to Trinity Assembly Church, as requested, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

NON-CONFORMING USES

A memo (02-DOC-76) was received from John Jones, requesting changes to the Zoning Code regarding non-conforming uses. Mr. Jones stated non-conforming structures and buildings, which have been vacated, would be required to comply with the zoning district's regulations. These regulations would attempt to eliminate non-conforming and illegal uses. It was moved by Commissioner Bennett, seconded by Commissioner Taylor to approve requiring vacant structures to comply with zoning district's requirements, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

TAB OF BIDS/ROAD IMPROVEMENT PROGRAM

A Tabulation of Bids (02-DOC-77) was received from Brian Usher, regarding the 2002 Road Improvement Program. Mr. Usher recommended

awarding the bid to the lowest responsible and responsive bidder, Peter Baker & Son Company, in the amount of \$1,986,023.13. This project would be paid from the road improvement bond issue. The project includes 33rd Street, 27th Street and the east half of Dowie Memorial Drive. The first street to be repaired will be 27th Street. Mr. Usher stated he anticipates the project to be completed prior to November 1. Commissioner Bennett stated there should be penalty clauses in the contract for any delays. Mr. Usher stated the contract does have a clause for liquidated damages. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to award the contract for the 2002 Road Improvement Program to Peter Baker & Son Company in the amount of \$1,986,023.13. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

TAB OF BIDS/23RD & 27TH WATER MAIN REPLACEMENT

A Tabulation of Bids (02-DOC-78) was received from Brian Usher, regarding the 23rd Street and 27th Street water main replacement project. Mr. Usher recommended awarding the bid to the lowest responsible and responsive bidder, Lenny Hoffman Excavating, Inc., in the amount of \$1,372,910.00. This project would be paid equally from the water system and road improvement bond issues. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to award the contract for the 23rd Street and 27th Street water main replacement project to Lenny Hoffman Excavating, Inc. in the amount of \$1,372,910.00. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

LAKE COUNTY BROWNFIELD GRANT

A memo (02-DOC-79) was received from Peter Cioni, regarding an Intergovernmental Agreement with the County of Lake for a Brownfield Grant. This grant would be for the clean up of contamination on the former automobile dealership site at 3233 Sheridan Road. This is a 50/50 matching grant, wherein the County would reimburse the City for its costs. Mr. Cioni stated the City would be the contracting agent, but it would involve no net cost to the City for this agreement. Mr. Cioni stated the agreement with Gerald Grobman would be considered at the June 11 Special Council meeting. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the Intergovernmental Agreement with Lake County for the Brownfield Grant Program for environmental remediation at 3233 Sheridan Road. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

LAWN MAINTENANCE EQUIPMENT

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that a Resolution (02-R-21) be passed accepting and authorizing

an Intergovernmental Agreement regarding lawn maintenance equipment between the City of Zion and Zion Township. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

ANNOUNCEMENTS

- June 8 Beach Park Band Reunion and Retirement Gathering
- June 11 Special City Council meeting
- June 18 Township Board meeting
- June 18 Regular City Council meeting
- June 22 Nostalgia Days
- June 26 Senior Resource Day at Shiloh Center

CLOSED SESSION

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that the Council recess to Closed Session at 7:36 p.m. to discuss personnel, probable litigation, and litigation. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to reconvene the Regular Council meeting at 8:55 p.m. with same members present. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

DEPARTMENT HEADS & CITY OFFICIALS

Mayor Harrison stated the Council has discussed the appointments of Department Heads and City Officials. The Council is not ready at this time to set salaries. Mayor Harrison stated it was decided to consider renewing the appointments of current officials with the following exceptions:

- Ken Anderson has agreed to replace Jack Diliberti as ESDA Coordinator
- Ken Ranta has agreed to replace Ken Anderson as Assistant ESDA Coordinator
- Gregory Schneider would serve as the appointed Department Head for the Accounts and Finance Department

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to appoint the following Department Heads and City Officials:

- Robert Rolek and the Law Firm of Ancel, Glink, Diamond, Bush, DiCianni & Rolek - City and Prosecuting Attorneys
- Judy Mackey - City Clerk
- Gregory Schneider - Director of Finance
- Brian Usher - Director of Public Works & Engineering
- Peter Cioni - Director of Community Development
- John Jones - Director of Building and Zoning & Health and Safety Officer
- David LaBelle - Fire/Rescue Chief
- Douglas Malcolm - Police Chief
- Ken Anderson - ESDA Coordinator
- Ken Ranta - Asst. ESDA Coordinator
- Rachel Fisher - Treasurer

The vote on roll call was: Commissioners DeTienne, 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 DeTienne, seconded by Commissioner Bennett and unanimously approved the meeting be adjourned at 8:57 p.m. Motion carried.