

# **Council Minutes**

**September 17, 2002**

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL  
HELD ON TUESDAY, SEPTEMBER 17, 2002, AT 7:43 P.M. IN THE CITY  
COUNCIL CHAMBERS, CITY HALL, ZION, ILLINOIS

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Mayor Harrison called the meeting to order.

On call of the roll the following answered present: Commissioners Bennett, DeTienne, Taylor, Rogers 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 Rogers to accept the Council agenda with amendments as follows:

- Deleting to consider changes to City vehicle sticker procedure, item 11.m.
- Deleting the discussion regarding the Festival of Lights, item 11.k.
- Adding the discussion of purchase of real estate to Closed Session, item 13.

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

## **CHRISTMAS IN APRIL PROGRAM**

State Representative Tim Osmond stated a recent event was held at Shepherd's Crook Golf Course, and donations were collected for the Christmas in April Program. Rep. Osmond presented a check in the amount of \$500.00 to Frank Flammini.

Rep. Osmond stated grant funds are available through the Illinois Department of Commerce and Community Affairs and the Illinois Arts Council, and encouraged the City to apply for these programs. Mayor Harrison stated the City has just been involved in establishing an art center called Art Alley; Center for Visual and Performing Arts, and grant funds would be very helpful. Rep. Osmond pledged his support of economic development projects in Zion.

## **JUBILEE DAYS PARADE AWARDS**

Mike Ruchti presented the Jubilee Days/Labor Day Parade float awards:

Sweepstakes Award for best animation entry	Jutta and the Hi Dukes Band
Jubilee Director's Choice for best musical entry	Fort Dearborn - Highlanders
President's Choice for most original entry	Lake County 4-H Centennial
Theme Award for best theme presentation	State Senator Adeline J. Geo-Karis
Grand Marshal Award for most beautiful entry	Local 150 IBEW & NECA
Mayor's Award for overall best	Zion-Benton American Legion Post 865

### **CONSENT AGENDA**

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

(a) MINUTES of a Regular Meeting and Closed Session held on September 3, 2002 at 7:03 P.M. and a Workshop/Special Meeting and Closed Session held on September 10, 2002 at 4:05 P.M., with all members having previously received copies. The Regular Meeting minutes of September 3, 2002, page 5, Water & Sewer Permits and Fees, are amended to reflect water tap fees for 1" with  $\frac{3}{4}$ " meter (active subdivision) should be \$2,200.

(b) DEPARTMENTAL REPORTS: Detailed Balance Sheet & Revenue/Expense Report, period ending August 31, 2002; Building Inspector's Report, period ending April 31, 2002; City Clerk's Monthly Report, August, 2002; Public Works Department Monthly Report, August, 2002; Police Department Reports, May, June, July, 2002

(c) BILLS: Vouchers 80845 through 80992 drawn on National City Bank, \$1,773,719.92

(d) PAYMENTS: Ancel, Glink, Diamond, Bush, DiCianni & Rolek, P.C., legal services, \$13,250.00; Robinette Demolition, Inc., 2805 Elisha Avenue, \$8,500.00; New World Systems, Accounts/Finance software maintenance, \$19,960.00

(e) PROCLAMATION: "Bible Week" - November 24 - December 1, 2002; Zion-Benton Kiwanis Club Peanut Days, September 27 & 28, 2002; Winthrop Harbor Lions Club Candy Days, October 11 & 12, 2002

(f) RECEIVE & PLACE ON FILE: Lake County Public Water District  
Financial Report, April 30, 2002

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

### **CITIZEN COMMENTS**

Patty Lolmaugh, Modern Homes, stated the proposed increases for sewer and water tap-on fees are substantial and will deter people from buying new homes. Ms. Lolmaugh stated adjoining communities do not have fees this high. Commissioner Taylor stated other communities have indicated they also plan to raise their fees. Mayor Harrison stated that current rates would still apply to properties under contract, and the City must look to improving its infrastructure. Attorney Rolek stated if the ordinance is passed, it would not be effective until five days after adoption.

John Maki, Sunset Ridge, stated approving substantial fee increases will not help sell homes in the city.

### **RESOLUTION OF COMMENDATION/NORMAN DREYER**

Mayor Harrison presented a plaque to Norm Dreyer, commending him for his 25 years of dedicated service to the Public Works Department and the community.

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that a Resolution of Commendation (02-R-30) be passed recognizing Norman Dreyer, as he retires with 25 years of loyal service to the City. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

### **AMEND MUNICIPAL CODE/WATER AND SEWER PERMITS & FEES**

It was moved by Commissioner Rogers, seconded by Commissioner Taylor that an Ordinance (02-0-52) be passed amending the Municipal Code of the City of Zion, as amended, Chapter 94, Utilities, Sections 94-41, 94-116 and 94-119 regarding water and sewer connection and permit fees; noting for Section 94-41, the fee for 1" with  $\frac{3}{4}$ " meter (active subdivision) is to be \$2,200. Commissioner Rogers stated utility fees need to be brought in line with surrounding communities with an allowance for existing contracts. Attorney Rolek stated this ordinance would be effective September 23, and only for persons not already under contract. Attorney Rolek also stated, to his knowledge, Zion is the only community in this area that previously did not require plan review fees. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

## **AMEND MUNICIPAL CODE/NUISANCE REGULATIONS**

It was moved by Commissioner Rogers, seconded by Commissioner Taylor that an Ordinance (02-0-53) be passed amending the Municipal Code of the City of Zion, as amended, Section 62-401, Penalties, establishing additional nuisance regulations pertaining to penalties. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

## **SALARY ORDINANCE**

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that an Ordinance (02-0-54) be passed amending Salary Ordinance 79-0-28, establishing compensation of officers and employees of the City of Zion through the 30th day of April, 2003. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

## **FAÇADE GRANT PROGRAM/RAMEYS AUTO SALES**

A memo (02-DOC-115) was received from John Jones, regarding a façade grant application from Rameys Auto Sales at 1800 Sheridan Road. The Appearance Committee approved the request, recommending a grant in the amount of \$49,000.00. This business has met the requirements of this program, and plans have been approved by the Building Department.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the façade grant for Rameys Auto Sales at 1800 Sheridan Road, in the amount of \$49,000.00, with payment to be made upon completion of construction. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, no vote; and Mayor Harrison, aye. Motion carried.

## **FAÇADE GRANT PROGRAM/FAMILY FURNITURE**

A memo (02-DOC-116) was received from John Jones, regarding a facade grant application from Family Furniture at 2678 and 2680 Sheridan Road. The Appearance Committee approved the requests, recommending a grant of \$25,000.00 for 2678 Sheridan Road and a grant of \$91,250.00 for 2680 Sheridan Road. This business has met the requirements of this program, and plans have been approved by the Building Department. It was moved by Commissioner Rogers, seconded by Commissioner Taylor to approve the façade grant for Family Furniture at 2678 Sheridan Road in the amount of \$25,000.00 and at 2680 Sheridan Road in the amount of \$91,250.00, with total payment of \$116,250.00 to be made upon completion of construction. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

### **FAÇADE GRANT PROGRAM/MAIBETH RAPER REALTY**

A memo (02-DOC-117) was received from John Jones, regarding a façade grant application from Maibeth Raper Realty at 2701 Sheridan Road. The Appearance Committee approved the request, recommending a grant of \$43,750.00. This business has met the requirements of this program, and plans have been approved by the Building Department. It was moved by Commissioner Taylor, seconded by Commissioner DeTienne to approve the façade grant for Maibeth Raper Realty at 2701 Sheridan Road in the amount of \$43,750.00, with payment to be made upon completion of construction. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

### **FAÇADE GRANT PROGRAM/SHERIDAN HEALTH CARE CENTER**

A memo (02-DOC-118) was received from John Jones, regarding a façade grant application from Sheridan Health Care Center at 2534 Elim Avenue. The Appearance Committee approved the request, recommending the maximum grant of \$100,000.00. This business has met the requirements of this program, and plans have been approved by the Building Department. It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to approve the façade grant for Sheridan Health Care Center at 2534 Elim Avenue in the amount of \$100,000.00, with payment to be made upon completion of construction. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

### **FAÇADE GRANT PROGRAM/ROOKS RESTAURANT**

A memo (02-DOC-119) was received from John Jones, regarding a façade grant application from Rooks Restaurant at 3077 Sheridan Road. The Appearance Committee approved the request, recommending a grant in the amount of \$50,000.00. This business has met the requirements of this program, and plans have been approved by the Building Department. It was moved by Commissioner Rogers, seconded by Commissioner DeTienne to approve the façade grant for Rooks Restaurant at 3077 Sheridan Road in the amount of \$50,000.00, with payment to be made upon completion of construction. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

### **FAÇADE GRANT PROGRAM/BOWLING ALLEY/2647 SHERIDAN ROAD**

Commissioner Rogers requested proceeding with a façade grant application for the former bowling alley at 2647 Sheridan Road. Commissioner Rogers stated a façade rendering would need to be prepared and presented to the Appearance Committee. The Council

agreed for Commissioner Rogers to proceed with the preparation of a façade grant application for the former bowling alley at 2647 Sheridan Road. No action was taken on this item.

### **SHERIDAN HEALTH CARE CENTER/RAFFLE**

Frank Flammini, on behalf of the Sheridan Health Care Center, has submitted an application for license to conduct a raffle in the City of Zion. The drawing would be held during the October 4th "Zion Gypsy Days" celebration, with proceeds to benefit the Mayor's Safe Halloween Walk. It was moved by Commissioner Taylor, seconded by Commissioner Rogers to approve the license to conduct a raffle for Sheridan Health Care Center and the Mayor's Safe Halloween Walk, waiving the license fee. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

### **TRINITY ASSEMBLY OF GOD**

A letter (02-DOC-120) was received from Pastor Tim Eddy, Trinity Assembly of God, regarding expansion of their facility at 2600 Lewis Avenue. Pastor Eddy requested the waiver of building permit fees for this addition. Commissioner Bennett stated churches come before the Council on a regular basis, requesting waiver of building fees. Commissioner Bennett recommended that an ordinance be prepared, eliminating building permit fees for churches. Attorney Rolek will prepare this ordinance. It was moved by Commissioner Rogers, seconded by Commissioner Taylor to approve waiving building permit fees for the expansion of Trinity Assembly of God at 2600 Lewis Avenue. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

### **HISTORIC LANDMARKS**

Commissioner Rogers stated there are historic homes in Zion in need of restoration, however, there is a process to obtain historic landmark status and receive grants. In order to start this process, it would be necessary to reactivate the Zion Historic Landmark Commission. Attorney Rolek stated the City would either need to create an Historic Preservation Ordinance or reestablish the Commission. Per the City Code, the Commission consists of seven (7) members to be appointed by the Mayor with the concurrence of the City Council. Mayor Harrison requested that the Council submit names of possible members for the Historic Landmark Commission for consideration at a future meeting.

### **HOTEL/MOTEL TAX**

Commissioner Rogers noted that hotel/motel tax is disbursed to the Chamber of Commerce for tourism purposes. Commissioner Rogers requested that \$786.22 be retained for expenses incurred for the Zion

Gypsy Days Revival to be held October 4. The Chamber of Commerce is in favor of this recommendation. Greg Schneider stated the Chamber of Commerce receives a percentage of the amount collected from hotel/motel tax.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to retain \$786.22 of the collected hotel/motel tax for the Mayor/Public Affairs' budget for expenses for the Zion Gypsy Days on October 4. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

### **GYPSY DAYS CELEBRATION**

Commissioner Rogers requested temporary closure of 27th Street from Sheridan Road west to Elisha Avenue on October 4, 2002 from 3:00 p.m. to 9:00 p.m. for the Gypsy Days Celebration. It was moved by Commissioner Rogers, seconded by Commissioner DeTienne to approve the temporary closure of 27th Street from Sheridan Road west to Elisha Avenue on October 4, 2002 from 3:00 p.m. to 9:00 p.m. for the Gypsy Days Celebration. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

### **POLICE DEPT FURNITURE**

A memo (02-DOC-121) was received from Chief Malcolm, requesting permission to advertise for bids for office furniture for the Police Department. This is a budgeted item. It was moved by Commissioner DeTienne, seconded by Commissioner Rogers to grant permission to advertise for bids for office furniture for the Police Department. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

### **BICYCLE AUCTION**

The Police Department requested permission to conduct a bicycle auction on Saturday, October 12, 2002, at 9:00 a.m. at the Police Administration Building garage. Commissioner Rogers requested the proceeds from this auction go to the local Razzle Dazzle team for trip expenses to an international competition in Paris, France.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to grant permission to conduct a bicycle auction at the Police Administration Building garage on Saturday, October 12, 2002 with proceeds to be donated to the Razzle Dazzle for trip expenses to the international competition in Paris. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

### **EMERGENCY EXIT SIGNS/POLICE DEPT.**

A memo (02-DOC-122) was received from Chief Malcolm, requesting the re-approval of the purchase of six (6) emergency exit signs for the Police Administration Building, based on the corrected bid amount. Chief Malcolm and Deputy Chief Booth recommended awarding the contract to the sole bidder, Jewell Electric, Inc., in the amount of \$2,973.00.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to award the contract for the purchase of six (6) emergency exit signs for the Police Administration Building to Jewell Electric, Inc. for a total amount of \$2,973. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

### **CELLULAR PHONES/POLICE DEPT.**

A memo (02-DOC-123) was received from Chief Malcolm, requesting permission to upgrade 8 Nextel cellular phones for the Police Department. This upgrade costing a total of \$2,105.99 will replace outdated equipment, and is a budgeted item.

It was moved by Commissioner DeTienne, seconded by Commissioner Rogers to grant permission to upgrade 8 Nextel cellular phones for a total cost of \$2,105.99 for the Police Department, as requested. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

### **BROWNFIELD GRANT REIMBURSEMENT/ZION-SHERIDAN, LLC**

A memo (02-DOC-124) was received from Commissioner Rogers, regarding the Zion-Sheridan, LLC Redevelopment Agreement. This Agreement stipulated that upon receiving a letter from the IEPA that no further remediation is required for property at 3233 Sheridan Road, the City would receive reimbursement from the Lake County Board. This reimbursement is part of the Lake County Brownfield Grant Program, and the City is in receipt of this grant in the amount of \$29,812.00. Commissioner Rogers requested reimbursing Zion-Sheridan LLC the full grant amount of \$29,812.00.

It was moved by Commissioner Rogers, seconded by Commissioner Taylor to authorize payment in the amount of \$29,812.00 to Zion-Sheridan LLC for the Lake County Brownfield Grant Program reimbursement pertaining to 3233 Sheridan Road, per the Redevelopment Agreement. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

### **VARIANCE/2013 HORIZON COURT**



The Planning/Zoning Commission considered a request for a variance for an addition to an existing tool and die shop, as petitioned by David Velcover - Zoning Docket 02-Z-11. The Planning and Zoning Commission recommends approval. Mr. Velcover requested that the addition be allowed to match the existing building. The variance was recommended due to the precedence set in this area with similar buildings, as well as the undue hardship that compliance with the Code would place on the owner. John Jones stated it would cost Mr. Velcover an additional \$40,000 to \$50,000 to comply with the Code.

It was moved by Commissioner Bennett, seconded by Commissioner Rogers to grant approval for a variance for an addition to an existing tool and die shop at 2013 Horizon Court, as requested, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

### **SPECIALTY SIGNS**

A memo (02-DOC-125) was received from Brian Usher, recommending establishing a Specialized Sign Request Policy. Mr. Usher stated a number of requests for specialized signs are received, however there is no current record kept of the requesting resident or a follow up procedure to ensure the sign's installation or removal when no longer needed. The recommended policy includes a three part, pre-carbon form for the resident to complete and submit, along with a letter from a doctor certifying the condition exists. Commissioner Taylor questioned who would be allowed to make the request, and whether or not it needs to come from a family member. Mr. Usher stated the requestor would have to be a family member, as a doctor's certificate would be required. Commissioner Bennett questioned who would maintain and update the records. Mr. Usher recommended the Police Department be responsible for receiving and reviewing the applications, as well as maintaining the files. Public Works would be responsible for installation of the signs.

It was moved by Commissioner Taylor, seconded by Commissioner Rogers to adopt the City of Zion Specialized Sign Request Policy, with the Police Department responsible for receiving and maintaining the files and Public Works responsible for installing the signs. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

### **ABANDONMENT OF PRIVATE WATER WELLS**

Attorney Rolek recommended provisions be adopted for the abandonment of private residential water wells. As old wells fall into disservice, the City would require that property owners' abandon the wells and connect to the waterworks. In order for the City to remain aware of the condition of old residential wells, there would need to be a system of inspections and

permits. If water is found to violate health standards or the owner fails to maintain the permit, the well would have to be abandoned and the owner would connect to City water service. Brian Usher stated existing wells would be permitted as long as health conditions and permit requirements are met. Attorney Rolek stated, since this would require licensing wells in residential areas, it is necessary to know how many people this affects. The Council agreed for Attorney Rolek to pursue additional information pertaining to the number of residential wells in Zion. No action was taken on this item.

### **ECONOMIC DEVELOPMENT DIRECTOR**

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to approve posting for the Economic Development Director vacancy. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

### **ANNOUNCEMENTS**

September 21	Friends of the Library Book Sale at Zion Public Library
September 21	Zion Exchange Club Magic Show Fundraiser
October 1	City Council Workshop - 6:00 PM
October 1	City Council Meeting - 7:00 PM
October 4	Revival of Zion's Gypsy Days
October 15	Township Board Meeting
October 22	Zion Exchange Club Annual Banquet
October 25	Festival of Lights Spaghetti Dinner at ZB-THS
October 27	

### **CLOSED SESSION**

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that the Council recess to Closed Session at 9:40 p.m. to discuss personnel and the purchase of real estate. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Bennett, seconded by Commissioner Taylor to reconvene the Regular Council meeting at 10:38 p.m. with all members present. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Rogers, 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 Rogers and unanimously approved the meeting be adjourned at 10:38 p.m. Motion carried.