

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JANUARY 21, 2003, AT 7:17 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 Bennett, DeTienne, Taylor, Winfrey 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:

- Deleting to consider approval of agreement with Backup Communications for temporary dispatch services, item 9.e.
- Deleting to consider approval of agreement with Backup Communications for dispatch services, item 9.f.
- Deleting to consider conducting a workshop for accounting requirements, item 9.i.
- Deleting to consider passing ordinance granting a Special Use Permit for A Safe Place, item 8.a.
- Moving item 9.m. to after Closed Session, item 12.b.

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

CONSENT AGENDA

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

- (a) **MINUTES** of a Regular Meeting and Closed Session held on January 7, 2003 at 7:00 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** Detailed Balance Sheet and Detailed Revenue & Expense Report, period ending December 31, 2002; Building Inspector's Report, December, 2002; Worker Compensation Claims for October & November, 2002; Public Works Monthly Report, December, 2002
- (c) **BILLS:** Vouchers 82025 through 82267 drawn on National City Bank, \$1,461,675.71
- (d) **PAYMENTS:** Ancel, Glink, Diamond, Bush, DiCianni & Rolek, P.C., legal services, \$13,250.00; Citigate Communications, consultant services rendered, \$5,964.18; Speer Financial, Inc., financial services rendered, \$12,979.40; Douglas Chimney Services, Inc., relining furnace flue at 2700 Sheridan Road, \$4,800.00; Olsen Comfort Services, heating/cooling services at 2700 Sheridan Road, \$3,251.00
- (e) **PROCLAMATION:** Scouting Anniversary Week of the Boy Scouts of America – February 2-8, 2003

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

CITIZEN COMMENTS

Jim Howard stated he is opposed to the proposed buy out option pertaining to Jerry Grobman's property in TIF District #3. Mr. Howard also stated the buildings in the 2700 block of Ebenezer are not secured from anyone entering them.

A.J. Goldsmith inquired about recent stories in the News Sun regarding crimes in Zion. Commissioner DeTienne stated the stories indicate arrests have been made, so the City is doing what it should to deter crime. Chief Malcolm stated crime rates in Zion have been continuing to go down over the past 5 to 7 years at an average of 3 to 4 percent each year.

RESOLUTIONS OF COMMENDATION/LIFE SAVING ACTIONS

Mayor Harrison stated the City is honoring three heroic individuals, Samycia Lewis, Ashley Cutrer and Jennifer Range, who were responsible for saving the life of James Woods.

It was moved by Commissioner Bennett, seconded by Commissioner Winfrey that a Resolution (03-R-4) be passed commending Samycia Lewis for her contribution to the timely and heroic acts that helped to save the life of James Woods. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

It was moved by Commissioner Winfrey, seconded by Commissioner Taylor that a Resolution (03-R-5) be passed commending Ashley Cutrer for her contribution to the timely and heroic acts that helped to save the life of James Woods. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett that a Resolution (03-R-6) be passed commending Jennifer Range for her contribution to the timely and heroic acts that helped to save the life of James Woods. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

RESOLUTION OF COMMENDATION/JEROME COLE

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that a Resolution (03-R-7) be passed commending Jerome "Scooter" Cole for his accomplishments as the Captain of the first entirely African American crew to fly the 126th Air Refueling Wing. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

AMEND PERSONNEL AUTHORIZATION/ECONOMIC DEVELOPMENT & POLICE DEPT

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that a Resolution (03-R-8) be passed amending the Personnel Authorization deleting the Code Enforcement Officer from Economic Development and adding this position to the Police Department. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

HEALTH & SAFETY INSPECTIONS/NEW BUSINESSES

It was moved by Commissioner Taylor, seconded by Commissioner Winfrey that an Ordinance (03-0-3) be passed regarding safety inspections for commercial and industrial property. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

AMEND MUNICIPAL CODE/LIQUOR CONTROL ORDINANCE

It was moved by Commissioner Bennett, seconded by Commissioner Taylor that an Ordinance (03-0-4) be passed amending the Municipal Code of the City of Zion, as amended, Chapter 56, Zion Liquor Control Ordinance, Section 56-58, "Limitation on number of licenses issued", adding one Class C license. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

SNOW FENCES

It was moved by Commissioner Winfrey, seconded by Commissioner DeTienne that an Ordinance (03-0-5) be passed amending the Municipal Code of the City of Zion, as amended, Chapter 10, Section 10-13, allowing the erection of snow fences by annual permits between December 1 and April 1. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

SALE OF PARCEL ON 16TH STREET

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that an Ordinance (03-0-6) be passed authorizing the sale of a 3-acre parcel located on 16th Street, Zion, Illinois to Grand Appliance. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

WATER MAIN CONNECTION/9990 OAK FOREST DRIVE, BEACH PARK

A letter (03-DOC-12) was received from the Village of Beach Park, requesting that a new home at 9990 Oak Forest Drive, Beach Park, Illinois be allowed to connect to the Zion water main. All other homes in this neighborhood are connected to Zion water.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to grant permission for 9990 Oak Forest Drive, Beach Park, Illinois to connect to the Zion water main. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried.

FIRE/RESCUE DEPT. PROMOTION

A memo (03-DOC-13) was received from Chief LaBelle, requesting to authorize the Fire and Police Commission to promote Firefighter/Paramedic Bob Guerin to Lieutenant, replacing Lieutenant Alex Dimitrijevic.

It was moved by Commissioner DeTienne, seconded by Commissioner Winfrey to authorize the Fire and Police Commission to promote Firefighter/Paramedic Bob Guerin to Lieutenant. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried.

REPLACEMENT DOORS/FIRE STATION NO. 2

A memo (03-DOC-14) was received from Chief LaBelle, requesting to waive bids and replace two doors at Fire Station No. 2. The rear entrance door is inoperable and needs to be replaced as soon as possible. Chief LaBelle stated three quotes were obtained, with the lowest quote from Bane Nelson, Inc. for a total cost of \$3,214.00

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to grant permission to waive bids and approve the purchase and installation of two doors for Fire Station No. 2 from Bane Nelson, Inc. for a total cost of \$3,214.00. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried.

FIRE APPARATUS REPAIRS

Chief LaBelle requested waiving bids and authorizing repair work on fire apparatus. The cost for pump maintenance is \$2,506.00, and engine repairs total \$5,195.00. Chief LaBelle requested repairs for this equipment for a total amount not to exceed \$7,702.00. This is a budgeted item.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to grant permission to waive bids and authorize repairs on fire apparatus for a total amount not to exceed \$7,702.00. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried.

POLICE DEPT PERSONNEL

A memo (03-DOC-15) was received from Chief Malcolm, requesting a change in the personnel allocation for the Police Department. Chief Malcolm requested eliminating one vacant Lieutenant position, replacing the position with a Patrol Officer, and allowing for the hiring of the Patrol Officer.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to approve eliminating a Lieutenant position, adding a Patrol Officer, authorizing the Fire and Police Commission to hire the next eligible candidate, and for the Personnel Authorization to be amended accordingly. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried.

DISPOSING OF SURPLUS POLICE VEHICLE

A memo (03-DOC-16) was received from Chief Malcolm, requesting permission to dispose of a vehicle obtained by the Police Department through a seizure. The 1988 Ford pickup truck has a maximum value of only \$765.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to declare a 1988 Ford pickup truck in the Police Department as surplus property and grant permission to properly dispose of this vehicle. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried.

BUILDING DEPT ADVISORY PANEL

A memo (03-DOC-17) was received from John Jones, regarding the authority of the Building Department Advisory Panel. The Advisory Panel makes recommendations to the Building Department Director during an appeal process, considering action against those who violation regulations. Mr. Jones requested that this process be authorized by the City Council. Commissioner Bennett stated these necessary guidelines are important to have in place so authority can't be misused in the future. Attorney Rolek noted he is also working on an administrative adjudication process with city staff.

It was moved by Commissioner Winfrey, seconded by Commissioner DeTienne to establish the authority and appeal process for the Building Department Advisory Panel, and for a resolution to be prepared accordingly. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried.

TAB OF BIDS/DEMOLITION OF 2384 SHERIDAN ROAD

A Tabulation of Bids (03-DOC-18) was received from John Jones, regarding the demolition of 2384 Sheridan Road. Mr. Jones recommended awarding the contract to the lowest responsible and responsive bidder who met all specifications, D.K. Contractors, in the amount of \$17,153.60.

It was moved by Commissioner Winfrey, seconded by Commissioner Taylor to award the contract for the demolition of 2384 Sheridan Road to D.K. Contractors in the amount of \$17,153.60. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried.

SUNSET RIDGE PHASE 4/LETTER OF CREDIT

A memo (03-DOC-19) was received from Brian Usher, recommending a reduction in the letter of credit for Sunset Ridge Phase 4. The developer has completed the installation of public improvements with only pavement markings left to install. Mr. Usher stated since no lots remain in this phase, he recommends reducing the letter of credit to \$72,232.43 and implementing a two-year maintenance period for the public improvements.

It was moved by Commissioner Taylor, seconded by Commissioner Winfrey to authorize the reduction of the letter of credit for Sunset Ridge Phase 4 to \$72,232.43 and the implementation of a two-year maintenance period for public improvements. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried.

FACADE GRANT PROGRAM/fka JULIE'S GIFTS

A memo (03-DOC-20) was received from Delaine Rogers, regarding a façade grant application from C & A Properties, formerly known as Julie's Gifts, at 2770 Sheridan Road. The Appearance Committee approved the request, recommending a grant in the amount of \$94,750. 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 Winfrey to approve the façade grant for C & A Properties, formerly known as Julie's Gifts, at 2770 Sheridan Road in an amount not to exceed \$94,750, with payment to be made upon completion of construction. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried.

ALDI FOODS, INC.

A memo (03-DOC-21) was received from Delaine Rogers, regarding an offer to purchase from Aldi Foods, Inc. for properties located at 2861 Sheridan Road, 1126 29th Street and the 1100 block of Caledonia Blvd. Aldi Foods plans to construct a 17,000 square foot retail food store. Construction is anticipated to begin early in the summer with an opening by Christmas of 2003. Aldi has offered \$700,000 for the combined site, utilizing a single address of 2861 Sheridan Road.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to accept the offer to purchase from Aldi Foods, Inc. in the amount of \$700,000, subject to the City Attorney's review, for properties at 2861 Sheridan Road, 1126 29th Street and the 1100 block of Caledonia Blvd, and for the establishment of a single address at 2861 Sheridan Road, subject to the U.S. Post Office approval. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried.

SALVATION ARMY/2655 SHERIDAN ROAD

A memo (03-DOC-22) was received from Delaine Rogers, requesting approval of a contract to purchase property at 2655 Sheridan Road. This location is currently the Salvation Army facility, which plans to relocate to the K-Mart Plaza. The purchase offer is \$220,000. In addition, the TIF Review Board has agreed to assist in the relocation by underwriting the cost of a new sign not to exceed \$15,000, with the TIF fund to be reimbursed from the proceeds of the future sale of 2655 Sheridan Road.

It was moved by Commissioner Bennett, seconded by Commissioner Taylor to approve the contract to purchase 2655 Sheridan Road from Salvation Army in the amount of \$220,000, subject to the City Attorney's review, to authorize the expenditure of TIF District #3 funds not to exceed \$15,000 for a new Salvation Army sign at the K-Mart Plaza, and to reimburse the TIF funds upon the future sale of 2655 Sheridan Road. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

January 25	Chamber of Commerce Installation Dinner
February 4	City Council Meeting
February 9	First Lady's "Hearts & Flowers" Art Show
February 18	Zion Township Board Meeting
February 20	Town Meeting conducted by Cong. Philip Crane at Zion City Hall

Brian Usher announced that the City has received a grant award from the Illinois Department of Natural Resources in the amount of \$207,200 for the cleanup and demolition of the former Candy Factory site. The Lake County Board had also approved a grant for this project.

CLOSED SESSION

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that the Council recess to Closed Session at 8:23 p.m. to discuss personnel, pending and probable litigation, purchase of real estate and sale of real estate. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to reconvene the Regular Council meeting at 9:11 p.m. with all members present. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried.

ZBTHS SCHOOL RESOURCE OFFICER

Mayor Harrison stated the Council discussed the Intergovernmental Agreement with Zion-Benton Township High School for the School Resource Officer. Per the current agreement, the City makes an annual payment to the high school in the amount of \$23,000 for this officer. The Council is being asked to consider renewing this agreement for the 2003/2004 school year.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to authorize payment in the amount of \$23,000 for the 2002/2003 ZBTHS School Resource Officer, and to direct the City Attorney to prepare the Intergovernmental Agreement with ZBTHS, in order to renew this agreement for 2003/2004. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, aye; and Mayor Harrison, aye. Motion carried.

TIF DISTRICT #3

Mayor Harrison stated the Council discussed methods for payment, including working cash, regarding the TIF District #3 early buy out option being considered. The projected use of revenue from TIF District #3 would meet the obligation of a new bond issue in order to buy out a note due to Jerry Grobman. Kevin McCanna of Speer Financial has advised that the result of paying off the loan now would cut the effective interest rate in half.

It was moved by Commissioner Bennett, seconded by Commissioner Taylor to approve the TIF District #3 early buy out option, and to direct the City Attorney to prepare the necessary documents. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Winfrey, 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 Taylor and unanimously approved the meeting be adjourned at 9:14 p.m. Motion carried.

City Clerk

Approved February 4, 2003