

Council Minutes

April 16, 2002

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL
HELD ON TUESDAY, APRIL 16, 2002, AT 8:18 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 Taylor, Rogers, Bennett, DeTienne and Mayor Harrison.

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

AGENDA CHANGES

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

- Amending item 7.b. to indicate funding source as Special Tax Allocation Fund Revenue Source only, deleting reference to State Revenue Sharing Alternate Revenue Source
- Adding probable and pending litigation to Closed Session, item 10.

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

CONSENT AGENDA

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that the Consent Agenda be approved as follows: (a) MINUTES of a Regular Meeting and Closed Session held on April 2, 2002 at 7:00 P.M., with all members having previously received copies. (b) DEPARTMENTAL REPORTS: Building Inspector's Report, March, 2002; Public Works Monthly Report, March, 2002 (c) BILLS: Vouchers 79316 through 79441 drawn on National City Bank, \$674,666.53; First Midwest Bank, \$3,283.45; Bank of Waukegan; \$286,823.15; Total: \$964,773.13 (d) PAYMENTS: Ancel, Glink, Diamond, Bush, DiCianni & Rolek, P.C., legal services, \$13,250.00, \$333.00, \$202.50, \$70.00, \$574.59, \$385.00, \$67.50, \$135.00, \$315.00, \$33.75; Total: \$15,366.34; Lake County Municipal League, membership dues 2001-2002, \$1,775.15; AppleILLINOIS II, L.L.C., sales tax rebate, \$4,827.29 (e) PROCLAMATION: Arbor Day - April 26, 2002 The vote on roll call was:

Commissioners Taylor, aye; DeTienne, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

CITIZEN COMMENTS

Thomas Fitzgerald noted concerns regarding legal action pertaining to his house at 2820 Ezekiel Avenue. Mayor Harrison stated this is currently in litigation, therefore the Council can't answer any questions on this issue.

ROAD IMPROVEMENTS

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that an Ordinance (02-0-23) be passed authorizing the issuance of General Obligation Bonds (Combined Zion Energy LLC Agreement Fees and Motor Fuel Tax Receipts Alternate Revenue Source) of the City of Zion, Lake County, Illinois, in the aggregate principal amount of \$8,000,000 for the purpose of defraying the cost of road and related improvements. Attorney Stewart Diamond stated the bonds would likely be sold over two separate periods. This ordinance would be published in the local newspaper, after which there would be a public hearing prior to the bond sale. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

SHERIDAN ROAD STREETScape IMPROVEMENTS

It was moved by Commissioner Rogers, seconded by Commissioner Taylor that an Ordinance (02-0-24) be passed authorizing the issuance of General Obligation Bonds (Special Tax Allocation Fund Revenue Source) of the City of Zion, Lake County, Illinois, in the aggregate principal amount of \$6,000,000 for the purpose of defraying the cost of Sheridan Road and related improvements. This ordinance will be published, and a public hearing will be conducted prior to the sale of bonds. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ABANDONED VEHICLES

Attorney Puma stated the Illinois Vehicle Code provides procedures for the removal of abandoned vehicles, and per Mayor Harrison's request, Attorney Puma provided an ordinance establishing regulations for abandoned vehicles. Mayor Harrison stated this ordinance would establish fines, as well as accessing towing and storage fees for abandoned vehicles. These regulations would allow for identifying and tracing vehicle ownership. It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that an Ordinance (02-0-25) be passed amending the Municipal Code of the City of Zion, as amended, establishing regulations to determine the owners of abandoned vehicles and to establish fines for vehicles that are abandoned within the city limits

for the City of Zion, Illinois. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed. PROHIBITED FENCES John Jones recommended clarifying dangerous fence installation and prohibited fence materials. It was moved by Commissioner Taylor, seconded by Commissioner Rogers that an Ordinance (02-0-26) be passed amending the Municipal Code of the City of Zion, as amended, Chapter 10, Section 10-13, regarding prohibited fences. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

FENCE PERMITS & PERMIT FEES

John Jones stated the city charges a fee for installation of a fence, however there currently is no requirement for obtaining a permit. It was moved by Commissioner Rogers, seconded by Commissioner Bennett that an Ordinance (02-0-27) be passed amending the Municipal Code of the City of Zion, as amended, Chapter 10, Section 10-14, regarding fence permits and permit fees. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ABOVE GROUND FUEL TANK STORAGE

John Jones stated the Planning and Zoning Commission recommended approving an ordinance regulating above ground fuel storage. Above ground bulk storage of fuel or hazardous liquids within light manufacturing and general industry districts and upon City and park district properties would be limited to not more than 5,000 gallons total per site, provided that such use is accessory to the principal use of the site. Within these areas, above ground storage of more than 5,000 gallons and up to 20,000 gallons may be permitted by special use permit only. Commissioner Rogers stated there is no current reference to nuclear fuel storage, and requested this reference be considered in the future. Mayor Harrison also questioned whether Federal or local regulations would govern. Attorney Puma stated he would research these issues and advise accordingly. It was moved by Commissioner Taylor, seconded by Commissioner Bennett that an Ordinance (02-0-28) be passed amending the Municipal Code of the City of Zion, as amended, Chapter 102, Section 102-159, regarding above ground fuel tank storage. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

SALE OF 2909 & 2909 1/2 GIDEON AVENUE

A memo (02-DOC-50) was received from John Jones, regarding the sale of 2909 and 2909 1/2 Gideon Avenue. A notice of sale for these properties has been properly advertised, and adjacent property owners have been

notified. Mayor Harrison conducted the bid opening with bids received as follows: 2909 Gideon: James Smith \$500.00 2909 1/2 Gideon: Victor Mittelberg \$502.00 It was moved by Commissioner Taylor, seconded by Commissioner Rogers to accept the highest responsible and responsive bids of James Smith in the amount of \$500.00 for the purchase of property at 2909 Gideon Avenue and Victor Mittelberg in the amount of \$502.00 for the purchase of property at 2909 1/2 Gideon Avenue, and authorizing the preparation of ordinances, real estate sale contracts and related necessary documents. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

CHRISTMAS IN APRIL PROGRAM

Commissioner Rogers stated 8 Zion homes nationally selected for the Christmas in April Program will be renovated on April 27. Commissioner Rogers requested that permit fees be waived for these repairs. It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to authorize waiving permit fees for the repair of 8 Zion homes nationally selected for the 2002 Christmas in April Program. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

BICYCLE AUCTION

A memo (02-DOC-51) was received from Chief Malcolm, requesting permission to conduct a bicycle auction on Saturday, May 11, 2002 at 9:00 A.M. in the Police Administration Building garage. It was moved by Commissioner DeTienne, seconded by Commissioner Rogers to grant permission to conduct a bicycle auction on Saturday, May 11, 2002 at 9:00 A.M. in the Police Administration Building garage. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

TAB OF BIDS/MOSQUITO CONTROL PROGRAM

A Tabulation of Bids (02-DOC-52) was received from Clerk Mackey with bid results for the 2002 Mosquito Control Program as follows: Rick's Mosquito Control Service \$8,100.00 Clarke Mosquito Control \$8,226.00 This service would include 3 citywide misting treatments and 3 treatments of downtown area and Shiloh Park prior to Nostalgia Days, July 4th, and Jubilee Days. Commissioner Taylor stated, given the City's past good service with Clarke Mosquito Control and the annual difference of only \$126.00, he recommended awarding the contract to Clarke Mosquito Control. Commissioner Bennett stated the City might not receive multiple bids for this service next year. Attorney Puma stated a responsible bidder can be partly based on past experience. Commissioner Taylor requested that authority be given to allow for mosquito spraying at other extra special events, if needed. It was moved by Commissioner Taylor, seconded by

Commissioner Rogers to award the contract for the 2002 Mosquito Control Program to Clarke Mosquito Control in the amount of \$8,226.00, as recommended, plus additional expenditures for mosquito spraying at extra special events, if needed. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

EMPLOYEE HEALTH INSURANCE

Commissioner Bennett stated the City previously hired the firm of Kraemer & Loney, Inc., now known as GCG Financial, Inc. to analyze the City's current health insurance plan and provider. Commissioner Bennett recommended continuing the contract with GCG Financial for the period of May 1, 2002 through April 30, 2003 in the amount of \$1,889.00 per month. Commissioner Bennett stated GCG Financial would oversee the third party administrator and insurance carriers, have accounting responsibilities and provide financial statements, ensure the best possible rates, and participate in consultations and meetings as needed.

Commissioner Rogers questioned whether or not this firm's income for these services would come from the City or be based on commissions from insurance companies. Commissioner Bennett stated GCG Financial would receive their income from the City. Commissioner Bennett stated the recommendation was to consider changing the City's third party administrator on January 1, even though it would be possible to do it sooner. Changes on January 1 would coincide with calendar year deductibles and stop loss coverage, allow time to effectively switch the plan, meet with union groups, and allow for GCG Financial to present and recommend any possible coverage changes. It was moved by Commissioner Taylor, seconded by Commissioner Rogers to approve the Plan Administrator and Accounting Agreement with GCG Financial, Inc. (fka Kraemer & Loney, Inc.), who will serve as consultants for the City's health insurance for the period of May 1, 2002 through April 30, 2003, authorizing monthly payments in the amount of \$1,889.00. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

TAB OF BIDS/PARKWAY TREE PLANTING

A Tabulation of Bids (02-DOC-53) was received from Brian Usher, regarding parkway tree planting. Mr. Usher recommended awarding the contract to the sole responsible and responsive bidder, Arthur Weiler, Inc. for the following types of trees: 2.5" crimson king maple \$400.00 2.5" red maple \$400.00 2.5" mountain ash \$325.00 2.5" little leaf linden \$400.00 2.5" skyline locust \$400.00 2.5" chanticleer pear \$325.00 It was moved by Commissioner Taylor, seconded by Commissioner DeTienne to award the contract for the planting of parkway trees to Arthur Weiler, Inc. for trees as requested. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

2500 BLOCK OF ELIM AVE/ALLEY REPAIRS

A memo (02-DOC-54) was received from Brian Usher regarding alley repairs on the west side of the 2500 block of Elim Avenue. Sheridan Health Care Center has proposed landscape and parking improvements between their building and Sheridan Road, and is requesting the City's financial assistance in the amount of \$8,000 for repaving the alley. The improvements would greatly reduce street parking congestion around the building. Sheridan Health Care Center has submitted their landscape plan to the City and Lake County Stormwater Management. It was moved by Commissioner Taylor, seconded by Commissioner Rogers to approve financial assistance in the amount of \$8,000 for the paving of the alley on the west side of the 2500 block of Elim Avenue. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

EMERGENCY SEWER REPAIR/31ST ST. & ELIM ALLEY

A memo (02-DOC-55) was received from Brian Usher, regarding an emergency repair to a collapsed sewer line in the alley north of 31st Street and west of Elim Avenue. Three contractors were contacted, and since only one, Katco Development, was immediately available, Commissioner Taylor authorized this contractor to proceed. The project is now complete, but the invoice has not yet been received. Mr. Usher recommended payment to Katco Development in an amount not to exceed \$3,500. It was moved by Commissioner Taylor, seconded by Commissioner Rogers to authorize payment to Katco Development in an amount not to exceed \$3,500 for emergency repairs to the sanitary sewer system in the alley at 31st Street and Elim Avenue. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

STREET LIGHT INSTALLATION/2602 33RD STREET

Commissioner DeTienne recommended consideration of a citizen's request for installation of a streetlight at 2602 33rd Street. Chief Malcolm concurs with Commissioner DeTienne's recommendation. Brian Usher stated the cost for this streetlight is not yet available, as a new pole may need to be installed. Mr. Usher also noted that 33rd Street between Galilee Avenue and Lewis Avenue is a county highway, and it should be the county's responsibility for lighting the street. Commissioner Taylor recommended deferring this item until the next meeting, in order to obtain all information. The Council agreed to defer this issue until the May 7 Council meeting.

DR. WIELGOS/2671 SHERIDAN ROAD/SIGN GRANT

A memo (02-DOC-56) was received from Peter Cioni, requesting consideration of a sign grant from TIF funds for Dr. Wielgos' dental

practice at 2671 Sheridan Road. The TIF Review Board approved a freestanding sign at this location. The invoice was received, and the amount of the grant would be 50% of the sign cost or \$432. It was moved by Commissioner Rogers, seconded by Commissioner Taylor to approve a \$432 sign grant from TIF funds for Dr. Wielgos at 2671 Sheridan Road. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

SHERIDAN ROAD STREETScape PROJECT

A memo (02-DOC-57) was received from Peter Cioni regarding the Sheridan Road Streetscape Project. There are 31 storefronts within this project with paved recessed entryways that are an extension of the public sidewalk being replaced. The Business Development Council recommended these private walks be replaced at the same time as the public walks with the additional cost paid from the façade grant program. Baxter and Woodman has estimated this additional cost at approximately \$21,000. Commissioner Rogers questioned whether or not business owners had been contacted. Mr. Cioni stated not all owners were contacted, as some of the businesses are doing other improvements, and no changes would be made without the owner's authorization and signature on a waiver. It was moved by Commissioner Taylor, seconded by Commissioner Rogers to approve paving recessed entryways of businesses within the Sheridan Road Streetscape Project, subject to the business owners' permission, with funds not to exceed \$21,000 to be taken from the Downtown Façade Grant Program, and to authorize City staff to implement this project. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

PRELIMINARY PLAT OF SUBDIVISION/GALILEE PARK SUBDIVISION

A memo (02-DOC-58) was received from John Jones, regarding the Preliminary Plat of Subdivision for the Galilee Park Subdivision. The Planning and Zoning Commission recommended approval of the preliminary plat, subject to the following conditions:

1. Galilee Avenue and 33rd Street are to be widened to conform with engineering standards
 2. Public walks are to be installed on east side of Galilee and north side of 34th Street
 3. Water main is to be looped from 33rd Street and Galilee to 34th Street and Gilead
 4. Detention pond is to be dry-bottom with under drain
 5. Wetland area shall be mitigated
 6. Water and sewer service connection are to be in front yard with all other utilities contained in a 10-foot easement in rear yards, and
 7. Final subdivision design shall meet all other applicable standards
- Mr. Jones stated the developer has agreed to all conditions. This plat is divided into 8 lots of single-family homes in the R-8 zoning district.

Commissioner Bennett questioned who would be responsible for detention pond maintenance. Attorney Puma suggested establishing association fees for this purpose. Mr. Jones stated the detention pond is designed as dry bottom, so it should not retain water. Mayor Harrison stated there is a drainage problem now in this area. Mr. Jones stated the design will actually help improve this situation. Brian Usher noted the neighborhood drainage situation will also be addressed during budget hearings. It was moved by Commissioner Taylor, seconded by Commissioner Rogers to approve the Preliminary Plat of Subdivision for the Galilee Park Subdivision, subject to conditions as recommended. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

ACCOUNTS & FINANCE DEPT. PERSONNEL

Commissioner Bennett requested retaining a temporary accountant for the Accounts and Finance Department and postponing advertising and hiring for the Deputy Comptroller I position. The temporary individual would be hired through an agency and would assist Greg Schneider with specific projects. Mr. Schneider stated he has talked with various agencies but does not have any costs at this time. Commissioner Taylor stated the cost of a temporary individual may be higher than hiring an employee. Commissioner Bennett stated funds are available in the Accounts and Finance budget for retaining a temporary individual. It was moved by Commissioner Taylor, seconded by Commissioner Rogers to grant permission to retain a temporary accountant in the Accounts and Finance Department, and for the Council to be informed of costs when available. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

April 26 Arbor Day Celebration
April 27 Christmas in April Program
May 2 Planning/Zoning Commission Meeting
May 7 City Council Meeting
May 21 Township Board Meeting

CLOSED SESSION

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that the Council recess to Closed Session at 10:04 p.m. to discuss sale of real estate, personnel and probable and pending litigation. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Rogers, seconded by Commissioner Taylor to reconvene the Regular Council meeting at 11:48 p.m. with all members present. The vote on roll call was: Commissioners Taylor, aye; Rogers, aye; Bennett, aye; DeTienne, 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 11:48 p.m. Motion carried.