

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, MARCH 18, 2003, AT 7:00 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 DeTienne, Taylor, Winfrey, Bennett, 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:

- Amend Payments in Consent Agenda to include amount for Citigate Communications, \$17,383.23 and total amount for John Edward Construction Company, various projects, \$2,375.00
- Move items 8.q and 8.r., considering Façade Grant Program reimbursements to Consent Agenda, item 5.d., as payments for Sheridan Health Care Center, Façade Grant Program reimbursement, \$50,000 and Frank's Auto Center, Façade Grant Program reimbursement, \$50,000
- Adding a discussion pertaining to remaining Façade Grant Program recipients after Closed Session, item 10.a.
- Adding probable litigation to Closed Session, item 10.
- Moving items 8.e., 8.m. and 8.p. to after Closed Session, items 10.b., 10.c. and 10.d.
- Moving item 8.y. to item 8.a.a.
- Removing the approval of the March 4, 2003 Closed Session minutes from the Consent Agenda for consideration after Closed Session, item 10.e.

The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Winfrey, aye; Bennett, 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:

- (a) **MINUTES** of a Regular Meeting held on March 4, 2003 at 7:02 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** Detailed Balance Sheet and Revenue & Expense Report, period ending February 28, 2003; Building Inspector's Report, February, 2003; Minutes of a Regular Meeting of the Zion Downtown Organization Committee held February 12, 2003
- (c) **BILLS:** Vouchers 82687 through 82812 drawn on National City Bank, \$643,040.89
- (d) **PAYMENTS:** Ancel, Glink, Diamond, Bush, DiCianni & Rolek, P.C., legal services, \$13,250.00; Citigate Communications, consulting services, January, 2003, \$17,383.23; John Edward Construction Co., services rendered on Zion Downtown Development Program, various projects, \$2,375.00; Sheridan Health Care Center, \$50,000; Frank's Auto Center, \$50,000

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

CITIZEN COMMENTS

Jim Howard stated the Cookie and Candy Factories have not yet been secured, and barricades were not surrounding the demolition of the building across from City Hall. Mr. Howard also stated he is opposed to the City giving the schools any funds. Mr. Howard also noted the state air permit for the Calpine plant has been reopened.

Beth Lambert and youth from the Zion Bible Church presented a certificate of thanks to the Mayor and City Council for the sponsorship of their fundraiser, in which money was raised to feed hungry children. Mayor Harrison stated the city should be involved in good causes, especially dealing with young people.

SPECIAL USE VARIANCE/2249 GALILEE AVENUE

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that an Ordinance (03-0-16) be passed granting a Special Use Permit for 2249 Galilee Avenue for the construction of a single-family home. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Winfrey, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

SPECIAL USE VARIANCE/A SAFE PLACE

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that an Ordinance (03-0-17) be passed granting a Special Use Permit for A Safe Place for the construction of a multiple dwelling building and administrative offices. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Winfrey, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

PROPERTY ACQUISITION/1221 27TH STREET

It was moved by Commissioner Winfrey, seconded by Commissioner Taylor that an Ordinance (03-0-18) be passed authorizing the acquisition of property located at 1221 27th Street for public purposes. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Winfrey, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

SHEPHERD'S CROSSING SUBDIVISION/PRELIMINARY PLAN

The Planning and Zoning Commission considered a Subdivision Preliminary Plan request for a planned unit development on Kenosha Road south of 21st Street, petitioned by Deerpoint Homes – Zoning Docket 02-Z-15. The Planning/Zoning Commission recommended approval. Shepherd's Crossing Subdivision involves 94 acres and 246 single-family lots with the entrance on Kenosha Road. The minimum lot size is 8,500 square feet with the majority of lots over 10,000 square feet, and 24% of the property would be open space. The developers have reached an agreement regarding fees and impact fees, as well as contributing to the Lydia Avenue drainage reconstruction project. The developers are also working with the park district on a joint project for installing soccer fields on the east side of the property. There will be 8 to 12 different home designs with homes between 1,500 to 2,800 square feet. Attorney Rolek stated the development includes over sizing the infrastructure to allow for future needs, wherein there would be a small recapture. Attorney Rolek noted this would be a preliminary approval, after which there would need to be a final approval followed by adoption of an ordinance.

It was moved by Commissioner Winfrey, seconded by Commissioner Taylor to approve the Preliminary Plan for Shepherd's Crossing Subdivision, as presented. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Winfrey, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ACCOUNTING SOFTWARE SERVICE AGREEMENT

A memo (03-DOC-62) was received from Greg Schneider, recommending entering into a software service agreement with Municipal Software, Inc. for accounting records. This agreement for the period of May 2003 through April 2004 is for a total cost of \$5,750.00.

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to approve entering into a Software Service Agreement with Municipal Software, Inc. for May 2003 through April 2004 for a total cost of \$5,750.00. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Winfrey, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

AIR CONDITIONING CONDENSER/POLICE DEPT.

A memo (03-DOC-63) was received from Chief Malcolm, requesting to waive bids and replace the air conditioning condenser at the Police Administration Building. The current unit is not operational. McDonough Mechanical Services provides current maintenance service of the Police Department's air conditioning and heating units. McDonough Mechanical Services proposed replacing the condenser for a cost of \$9,684.00.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to waive bids and approve the purchase of an air conditioning condenser from McDonough Mechanical Services for a cost of \$9,684.00. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Winfrey, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ZION PARK DISTRICT/VIDEO SERVICES

A memo (03-DOC-64) was received from Delaine Rogers, requesting entering into an agreement with the Zion Park District for community video services and programming. Tom Angelos stated the Zion Park District would like to produce a monthly program on Cable Channel 19, in order to enhance and promote the community with various guests and special speakers. This would be in addition to the City Council meetings. The Zion Park District has been providing video service for the City for several years, but is no longer economically able to do so at no cost. The approximate cost of implementing this program for 2003/04 would be \$29,743.00. This amount includes production time, operational supplies, and taping of all Council and Township meetings. Ms. Rogers recommended funding this project from the proceeds available through the Cable Commission. Mayor Harrison stated this would be an excellent way to promote the community, as well as its entities and organizations. The City's liaisons could be the Economic Development Director and the Mayor. The first show would start May 1.

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne to approve entering into an agreement with the Zion Park District for video services and programming for 2003/04, as presented, in an amount not to exceed \$30,000 with funds to be utilized from the Cable Commission proceeds. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Winfrey, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

FESTIVAL OF LIGHTS/DRIVE-THRU DISPLAYS

A letter (03-DOC-65) was received from Peter Reinier, President of the Festival of Lights Commission, requesting to waive bids and purchase festival displays for the Shiloh drive-thru. These displays, to complete the "Jurassic Park" theme, would be purchased from Christmas Designers, Inc. for a total cost not to exceed \$15,174.10. A purchase now would avoid paying a 6% factory price increase on April 1, 2003, as well as taking advantage of a 25% off-season discount.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to waive bids and approve the purchase of Festival of Lights displays, as requested, for the Shiloh drive-thru from Christmas Designers, Inc. for a total cost not to exceed \$15,174.10. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Winfrey, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

FACADE GRANT PROGRAM/APPLICATION APPROVALS

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the Façade Grant Program applications as follows:

- Lehman Auto Body (Document 03-DOC-66) at 1809 Sheridan Road in an amount not to exceed \$50,000
- Whey Chai Restaurant (Document 03-DOC-67) at 2683 Sheridan Road in an amount not to exceed \$65,125
- Midwestern Regional Medical Center (Document 03-DOC-68) at 2612 Sheridan Road in an amount not to exceed \$150,000
- Omni Hair Station (Document 03-DOC-69) at 1910 Sheridan Road in an amount not to exceed \$50,000
- Mailboxes, Etc. (Document 03-DOC-70) at 2500 Sheridan Road in an amount not to exceed \$33,000
- George Dukas Enterprises (Document 03-DOC-71) at 2217, 2225, 2233 Lewis Avenue for a total amount not to exceed \$85,750
- Pitcher Insurance Agency (Document 03-DOC-72) at 2200 Sheridan Road in an amount not to exceed \$50,000
- K-Log Office Supplies (Document 03-DOC-73) at 1224 27th Street in an amount not to exceed \$113,500

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

FACADE GRANT PROGRAM/SHILOH HOUSE

A memo (03-DOC-74) was received from Delaine Rogers, regarding a façade grant application for Shiloh House at 1300 Shiloh Blvd, which is owned by the Zion Historical Society. The Appearance Committee approved the request, recommending a grant in the amount of \$50,000. This business has met the requirements of this program, and plans have been approved by the Fire/Rescue and Building Departments. Improvements would preserve the historic structure and include such items as window replacements, masonry and electrical work. Commissioner Bennett stated this project doesn't fit with the Façade Grant Program, and suggested considering either a TIF fund or economic development grant during budget hearings.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to approve requested renovations for Shiloh House at 1300 Shiloh Blvd. in an amount not to exceed \$50,000, pending budget discussions, which will determine the exact source of funding. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Winfrey, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

NORTHWEST AUTOMOTIVE/SEWER REPAIRS

A memo (03-DOC-75) was received from Brian Usher, considering a reimbursement to Skip Deedon, owner of Northwest Automotive, for repairs to the outfall of the City storm sewer. During renovations to this business, contractors repaired an area of broken concrete, which was the outfall from the city's storm sewer. Mr. Deedon has requested reimbursement in the amount of \$3,800, which was paid for these repairs.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve reimbursement to Skip Deedon in the amount of \$3,800 for repairs to the outfall of the City storm sewer. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Winfrey, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

SHERIDAN ROAD STREETSCAPE PROJECT

A memo (03-DOC-76) was received from Brian Usher, requesting to advertise for bids for the Sheridan Road Streetscape Project. Project costs have been reviewed, and Mr. Usher recommended bidding the project with add/alternates, which would list portions of the project for possible inclusion if budgeting allows. These alternates total approximately \$650,000 of improvements. Commissioner Taylor stated by listing items, the city will be able to review the entire project and its costs. Mayor Harrison stated Zion has been identified as a high growth city, and will be receiving additional MFT funds.

The Council agreed to proceed with bidding the Sheridan Road Streetscape Project, as recommended. No action was taken at this time.

SHERIDAN ROAD STREETSCAPE PROJECT/ELECTRICAL SURVEY

A memo (03-DOC-77) was received from Brian Usher, recommending contracting for a survey of electrical services in the west 2600 and 2700 blocks of Sheridan Road. Commonwealth Edison requires a survey of the existing electrical services, which would be effected by the burying of electrical wire in the alley area. Commonwealth Edison identified 60 individual electrical services, which would be impacted. The lowest quote received was from D. Geer Electric at a cost of \$60.00 per service.

It was moved by Commissioner Taylor, seconded by Commissioner Winfrey to authorize contracting with D. Geer Electric for the survey of electrical services in the west 2600 and 2700 blocks of Sheridan Road at a cost of \$60.00 per service. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Winfrey, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

GREEN BAY ROAD/ENGINEERING SERVICES

A memo (03-DOC-78) was received from Brian Usher, recommending entering into an agreement for utility improvement studies in the area adjacent to Green Bay Road, north of Route 173. This information would be related to utility installation for potential development opportunities. Mr. Usher recommended contracting with Baxter & Woodman Consulting Engineers in an amount not to exceed \$8,500 for this technical assistance, with funding to be provided from the bond sale.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to authorize entering into an agreement with Baxter & Woodman Consulting Engineers in an amount not to exceed \$8,500 for utility improvement studies in the area adjacent to Green Bay Road, north of Route 173. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Winfrey, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

NPDES II COMPLIANCE

A memo (03-DOC-79) was received from Brian Usher, recommending entering into an agreement with Baxter & Woodman Consulting Engineers for technical assistance with federally mandated NPDES II Compliance. The City is required to file with the IEPA a Notice of Intent or be in violation of Federal Water Quality standards. Baxter & Woodman has proposed providing these engineering services in an amount not to exceed \$3,000. This is a budgeted item.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to authorize entering into an agreement with Baxter & Woodman Consulting Engineers in an amount not to exceed \$3,000 for services provided for the filing of the Notice of Intent for the NPDES II Compliance. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Winfrey, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

SPECIAL USE VARIANCE/LIVING "4" CHILD CARE CENTER

The Planning and Zoning Commission considered a request for a Special Use Variance to establish a child day care center at 2453 Sheridan Road, as petitioned by Iris and Derick Livingston – Zoning Docket 03-Z-05. The Planning/Zoning Commission recommended approval. Mr. Jones stated a permit has been submitted to the Department of Children and Family Services (DCFS). Mrs. Livingston stated this center would be a licensed facility through DCFS with children age 2 to school age. Commissioner DeTienne noted his safety concerns regarding children near Sheridan Road. Mrs. Livingston stated there would be a fenced area around the playground to the east of the building. Attorney Rolek stated this application must have both DCFS and State Fire Marshal approval.

It was moved by Commissioner Taylor, seconded by Commissioner Winfrey to approve the Special Use Variance establishing a child day care center at 2453 Sheridan Road, contingent upon DCFS and State Fire Marshal approval, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Winfrey, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

29TH STREET & LEWIS AVENUE/SIMPLE SUBDIVISION

A memo (03-DOC-80) was received from John Jones, considering the resubdivision of property located at 29th Street and Lewis Avenue. The parcel measures approximately 216.48 feet by 603.43 feet. Owner Steven Brown wishes to separate the rear 303.43 feet and donate it to the Berean Church, immediately to the west. The front 300 feet would also be subdivided into three lots of approximately 70 feet in width. This simple subdivision will allow the owner to develop the three lots. Mr. Jones stated this request meets all zoning requirements, including the current R-8 zoning.

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to approve the simple subdivision of the parcel at 29th Street and Lewis Avenue, as requested. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Winfrey, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

March 20	Coalition for Healthy Communities Awards Banquet
April 1	City Council Meeting
April 8	Annual Town Meeting
April 15	Township Board Meeting

CLOSED SESSION

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that the Council recess to Closed Session at 8:39 p.m. to discuss personnel, collective bargaining, purchase of real estate, and probable litigation. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Winfrey, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Bennett, seconded by Commissioner Winfrey to reconvene the Regular Council meeting at 11:08 p.m. with all members present. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Winfrey, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

FACADE GRANT PROGRAM

Mayor Harrison stated that the deferred Façade Grant Program requests would be placed on the April 1 Council meeting.

ADJOURN

There being no further business to come before the Council at this time, it was moved by Commissioner Winfrey, seconded by Commissioner Taylor and unanimously approved the meeting be adjourned at 11:12 p.m. Motion carried.

City Clerk

Approved April 1, 2003