

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JULY 15, 2003, AT 7:01 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, Flammini, Taylor and Mayor Harrison.

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

**AGENDA CHANGES**

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

- Deleting the request to purchase Police Department Bike Unit uniforms, item 9.g.
- Moving item 9.d. to after Closed Session, item 11.a.

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

**PUBLIC HEARING/APPROPRIATION ORDINANCE**

Mayor Harrison opened the Public Hearing at 7:05 P.M.

Mayor Harrison asked if there were any comments and/or questions.

Jim Howard inquired as to the total appropriation. Greg Schneider stated the appropriation for the General Fund totals \$13,630,000. Abe Goldsmith noted the total funds don't match the total revenues. Mr. Schneider stated these are anticipated revenues, and this does not take into account reserves or bonds.

Mayor Harrison asked if there were any further comments and/or questions, and there were none.

Mayor Harrison declared the Public Hearing closed at 7:10 P.M.

**APPROPRIATION ORDINANCE**

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne that an Ordinance (03-0-28) be passed making appropriations, totaling \$52,142,550.00 for all funds for the City of Zion, Illinois for the Fiscal Year beginning May 1, 2003 and ending April 30, 2004. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**CONSENT AGENDA**

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

- (a) **MINUTES** of a Regular Meeting and Closed Session held on July 1, 2003 at 7:00 P.M., with all members having previously received copies.

- (b) **DEPARTMENTAL REPORTS:** Detailed Balance Sheet and Detailed Revenue and Expense Reports for month ending June, 2003; Building Inspector's Report, June, 2003; Public Works Department Monthly Report, June, 2003
- (c) **BILLS:** Vouchers 83796 through 83926 drawn on National City Bank, \$756,899.76
- (d) **PAYMENTS:** Terracon, professional services rendered re: Brownfields at 720 29<sup>th</sup> Street & 2700 Ebenezer, \$11,738.95

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

#### **VACATING PORTION OF KEDRON AVENUE**

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that an Ordinance (03-0-29) be passed vacating a part of Kedron Avenue in the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

#### **AMEND MUNICIPAL CODE/WEED ABATEMENT FEE**

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that an Ordinance (03-0-30) be passed amending the Municipal Code of the City of Zion, as amended, Section 98-89, increasing the lien fee for weed abatement with a minimum cost per lot of \$150.00. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

#### **RECOGNITION OF ZION POLICE DEPARTMENT**

Senator Adeline J. Geo-Karis presented an Illinois Senate Certificate of Recognition to Commissioner DeTienne and Chief Malcolm on behalf of the Zion Police Department for their accomplishments in achieving CALEA status.

#### **SPANISH LANGUAGE CLASSES**

A memo (03-DOC-144) was received from Clerk Mackey, requesting to contract for Spanish language classes. Although there are a few employees able to speak and understand the Spanish language, they are not always available when the need arises. Clerk Mackey stated employees encounter the Spanish language on a regular basis, and often in the field or in emergency situations. Clerk Mackey recommended contracting with Minerva Cruz, a Bilingual Education Instructor, for conversational Spanish classes for a total cost not to exceed \$3,500.00. This cost would include 16 weeks of instruction and workbooks for 20 students. Classes would be conducted on the employees' own time in the Police Station courtroom. Mayor Harrison stated these classes would be an asset to the employees and the City, noting funds are available in the budget.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to grant permission to contract with Minerva Cruz for Spanish language classes, as presented, for a total cost not to exceed \$3,500.00. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

**ZION HISTORICAL SOCIETY GRANT**

Commissioner Bennett stated the Zion Historical Society, also known as Shiloh House, is in need of replacement windows, HVAC system, as well as general improvements. Commissioner Bennett recommended approving a \$50,000 grant for this purpose. Commissioner Taylor questioned whether or not these repairs were built into the budget. Commissioner Bennett stated this is a budgeted request, however, it was listed under TIF expenses and should be paid from the Economic Development fund.

It was moved by Commissioner Bennett, seconded by Commissioner Taylor to approve a \$50,000 grant to the Zion Historical Society Shiloh House to be paid from the Economic Development fund. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

**COMPUTER PURCHASES**

A memo (03-DOC-145) was received from Greg Schneider, requesting permission to purchase computers for various departments. The request is for 20 computers to be purchased through Dell Computers for a total cost of \$31,656.00. These computers are budgeted items.

It was moved by Commissioner Bennett, seconded by Commissioner Taylor to grant permission to purchase 20 computers for various departments from Dell Computers for a total cost of \$31,656.00. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

**CELL PHONES/POLICE DEPT.**

A memo (03-DOC-146) was received from Chief Malcolm, requesting permission to purchase ten (10) Nextel phones for the Sergeants, Lieutenants and Supervisor of the Public Service Program. The City holds a citywide contract for Nextel cell phones. Chief Malcolm recommended purchasing the phones for a price of \$49.99 per phone, for a total of \$499.99, with a one-year contract. There are available funds in the budget.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to grant permission to purchase ten (10) Nextel cell phones for the Police Department for a total cost of \$499.99. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

**POLICE DEPT SALARY INCREASE**

A memo (03-DOC-147) was received from Chief Malcolm, recommending a salary increase for Pauline Thorsen, Administrative Assistant in the Police Department. Chief Malcolm recommended a step increase from Pay Grade 10-5 to 10-6 retroactive to June 9.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to approve a salary increase for Pauline Thorsen, Administrative Assistant in the Police Department, from Pay Grade 10-5 to 10-6, retroactive to June 9, 2003. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

**COMMONWEALTH EDISON UTILITY RELOCATIONS**

A memo (03-DOC-148) was received from Brian Usher, recommending approval of a Customer Work Agreement with Commonwealth Edison for the relocation of overhead utilities to underground installations in the alley west of Sheridan Road between 26<sup>th</sup> Street and 28<sup>th</sup> Street. Total cost for this work is \$336,825.75.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the Customer Work Agreement with Commonwealth Edison for the relocation of utilities in the alley west of Sheridan Road between 26<sup>th</sup> Street and 28<sup>th</sup> Street, authorizing payment in the amount of \$336,825.75. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, pass; Taylor, aye; and Mayor Harrison, aye. Motion carried.

**ROUTE 173 WATER MAIN EXTENSION**

A memo (03-DOC-149) was received from Brian Usher, requesting permission to advertise for bids for the installation of a water main along Route 173. This water main extension on Route 173 would be from Green Bay Road west to Eliason Avenue and then north to the Commonwealth Edison right-of-way.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to grant permission to advertise for bids for the water main extension along Route 173, as presented. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

**IEPA/NPDES PERMIT**

A memo (03-DOC-150) was received from Brian Usher, recommending payment to the Illinois Environmental Protection Agency (IEPA) for the City's annual National Pollutant Discharge Elimination System (NPDES) permit. This new fee imposed by the State of Illinois is in the amount of \$1,000.00 for the period of July 1, 2003 through June 30, 2004. Commissioner Bennett questioned why the City would be responsible for this fee. Mr. Usher stated this fee for the City's combined sewer operation permit was introduced by the Governor, in order to help balance the State's budget.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to authorize payment in the amount of \$1,000.00 to the IEPA for the City's annual NPDES permit, which is to be paid from the Contingent Fund. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

**FORMER BOWLING ALLEY/EMERGENCY APPROPRIATION**

Commissioner Flammini stated the Council agreed at the previous Council meeting to proceed with emergency work needed on the former Ehlers bowling alley. The brick wall facing Sheridan Road is eroding, creating a potentially dangerous situation. Formal ratification is now needed for this masonry work conducted by Lakeshore Custom Remodelers, Inc. in the amount of \$19,500.00.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to ratify the emergency appropriation for the construction of a temporary wall for the former bowling alley at 2647 Sheridan Road with Lakeshore Custom Remodelers, Inc. for the amount of \$19,500.00, with payment to be made from the Economic Development Fund. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

**ILLINOIS TAX INCREMENT ASSOCIATION**

A memo (03-DOC-151) was received from Delaine Rogers, requesting to join the Illinois Tax Increment Association. This group provides research information, a website, newsletters, training and political representation on TIF statutes. Annual membership is \$375.00, and would be payable from TIF #2 revenues.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve membership in the Illinois Tax Increment Association for 2003/04, authorizing payment of \$375.00 for the annual fee. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

**FAIRCOM MEMBERSHIP**

A memo (03-DOC-152) was received from Delaine Rogers, regarding membership in FAIRCOM. The annual membership fee for 2003/04 would be \$2,000.00. Commissioner Taylor recommended continuation with FAIRCOM, as this organization helps to represent the City in Springfield. Commissioner Taylor suggested the City should also attend FAIRCOM meetings.

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne to approve the City's continued membership in FAIRCOM, authorizing payment for annual membership dues of \$2,000.00. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

**CITY REIMBURSEMENT/TIF ELIGIBLE EXPENSES**

A memo (03-DOC-153) was received from Delaine Rogers, regarding the City's reimbursement for TIF eligible expenses from TIF Districts #1 and #3. These expenses from November 1999 to the present for various projects would be as follows:

TIF #1: \$374,314.94  
TIF #3: \$959,567.51

Additional expenses to be considered for TIF District reimbursements, as they become due, would be as follows:

1. Façade Grant issued for a property within TIF #1 or #3 that would be paid with Economic Development or General Funds.
2. Cost of the purchase or sale of property acquired within TIF #1 or #3, including related costs and fees that would be paid with Economic Development or General Funds.
3. Jerry Grobman's buy-out amount within TIF #3 for \$1,119,512.

Commissioner Bennett stated any future additional expenses should be approved at the time they are presented. Mayor Harrison stated utilizing available and eligible TIF funds helps to keep the Economic Development fund solvent. Mayor Harrison stated the TIF Review Board has met, and the consensus was to approve this concept. Commissioner Bennett stated he is not aware of a vote taken by the TIF Review Board for transfer of these funds. Ms. Rogers stated it is the understanding of the TIF Board, as this was one of the original goals of the TIF funds.

It was moved by Commissioner Bennett, seconded by Commissioner Taylor to approve reimbursement to the City for TIF eligible expenses from TIF District #1 in the amount of \$374,314.94 and TIF District #3 in the amount of \$959,567.51, and to include the intent for future chargeable expenses, as presented, to be reimbursed from TIF Districts #1 and #3. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

**TRAMMELL CROW COMPANY**

Mayor Harrison stated the City is considering a broker contract with Trammell Crow Company for the promotion of Trumpet Park, which is property consisting of approximately 1,000 acres. Mayor Harrison stated the City doesn't own any parcels within Trumpet Park. Trammell Crow would act as an agent for parties interested in parcels. The City is not entering into this contract for purchasing property, but rather to help Trammell Crow in contracting with potential business owners.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the Exclusive Right to Sell Contract with Trammell Crow Company for Trumpet Park, subject to final clarification by the City Attorney and Director Rogers. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

**TEACHER'S MARKET/2655 SHERIDAN ROAD/REAL ESTATE CONTRACT**

A memo (03-DOC-154) was received from Delaine Rogers, requesting approval of the Real Estate Contract with Rose Berry dba Teacher's Market for the property located at 2655 Sheridan Road. This purchase/lease with option agreement is for the City-owned property formerly known as the Salvation Army building with a purchase price of \$220,000. The closing should take place before April 30, 2004, but no later than twelve months from the date of acceptance. Teacher's Market would pay a nominal rental fee of \$1.00 for occupancy into an escrow account prior to closing, which would be applied to the purchase price. Should closing not occur, the escrow and any property improvements would be reverted to the ownership of the City. The purchaser would provide a proof of mortgage commitment within 45 days of acceptance of the contract. September 6 is the anticipated opening date for this business. Ms. Berry has submitted her letter of intent to proceed.

The purchaser is also requesting to start façade renovations as soon as possible. Two quotes were received for these renovations, with budgeted funds set at \$150,000. The company who submitted the lowest quote was Lakeshore Custom Remodelers, Inc. for a total of \$147,200.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve the Real Estate Contract with Rose Berry dba Teacher's Market for the property at 2655 Sheridan Road, subject to the City Attorney and Director Rogers' final review. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to award the contract for the façade renovations for 2655 Sheridan Road to Lakeshore Custom Remodelers, Inc. in the amount of \$147,200, with this amount to be charged against TIF District #1. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

**PROVISION OF WATER SERVICE**

Delaine Rogers stated the Illinois Environmental Protection Agency has groundwater quality standards for potable water. Ms. Rogers recommended adopting an ordinance, whereby if a current well were to fail, the property owner would be required to hook into city water for potable water.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor that an Ordinance (03-0-31) be passed amending the Municipal Code of the City of Zion, as amended, creating Sections 94-47, 94-48 and 94-50 relative to private wells and the provision of water service. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**WELL INSPECTIONS**

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett that an Ordinance (03-0-32) be passed amending the Municipal Code of the City of Zion, as amended, creating Section 94-49 relative to the requirement for well inspections. If a well were found to be inoperable or unsafe, it would require that the property owner hook into city water for potable water. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**ANNOUNCEMENTS**

July 22	ZBTHS Summer Reading Program held at the Zion Public Library
July 28	Save the Ice Rink Fundraiser Day – Kenosha Mammoth Baseball Game
August 5	City Council Meeting
August 15	6 <sup>th</sup> Annual Coalition for Healthy Communities Caddie Classic
August 19	Zion Township Meeting

**CLOSED SESSION**

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that the Council recess to Closed Session at 8:19 p.m. to discuss personnel, probable litigation, purchase and sale of real estate, and collective bargaining. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

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

**PUBLIC WORKS/JOB CLASSIFICATIONS**

Mayor Harrison stated the Council discussed reclassifying certain positions in Public Works, due to expanded job duties and responsibilities.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to reclassify the Engineering Technician position in Public Works as follows:

- Engineering Technician currently at Pay Grade 8 to be reclassified to Pay Grade 14,
- adjusting Ron Colangelo's salary to Pay Grade 14-Step 4,
- adjusting Bruce Mihelich's salary to Pay Grade 14-Step 4, and
- making the salary increases effective July 14, 2003.

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

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to reclassify the Administrative Secretary position in Public Works as follows:

- Administrative Secretary at Pay Grade 7 to be reclassified as Administrative Assistant at Pay Grade 10,
- adjusting Alene Backis' salary to Pay Grade 10-Step 7,
- making the salary increase effective July 14, 2003, and
- amending the Personnel Authorization accordingly.

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

7/15/03

**ADJOURN**

There being no further business to come before the Council at this time, it was moved by Commissioner Taylor, seconded by Commissioner DeTienne and unanimously approved the meeting be adjourned at 10:17 p.m. Motion carried.

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City Clerk

Approved August 5, 2003