

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, OCTOBER 21, 2003, AT 7:00 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, Flammini, Taylor, DeTienne 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 DeTienne to accept the Council agenda with amendments as follows:

- Deleting payment to Pitcher Insurance Agency, Façade Grant reimbursement, \$50,000.00, item 5.d.
- Adding the discussion of personnel to Closed Session, item 9.

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

CONSENT AGENDA

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

- (a) **MINUTES** of a Regular Meeting and Closed Session held on October 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 for 5 periods ending September 30, 2003; Building Inspector's Report, September, 2003; Public Works Department Monthly Report, September, 2003
- (c) **BILLS:** Vouchers 84904 through 85049 drawn on National City Bank, \$1,041,596.24; Add back voided checks, \$200.00; Total: \$1,041,796.24
- (d) **PAYMENTS:** Wisconsin State Patrol Academy, tuition for Basic Police Motorcycle Operator Training, \$1,760.00
- (e) **PROCLAMATIONS:** Make a Difference Day – October 25, 2003; Bible Week – November 23-30, 2003

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

MIDWESTERN REGIONAL MEDICAL CENTER/RIGHT-OF-WAY VACATION

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne that an Ordinance (03-0-38) be passed vacating a portion of a right-of-way along the west side of Midwestern Regional Medical Center for the provision of a handicap accessible ramp. The vote on roll call was: Commissioners Bennett, aye; Flammini, aye; Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ANNEXATION/1304 18th STREET

It was moved by Commissioner Flammini, seconded by Commissioner Taylor that an Ordinance (03-0-39) be passed annexing certain territory to the City of Zion to be commonly known as 1304 18th Street. The vote on roll call was: Commissioners Bennett, aye; Flammini, aye; Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

AMEND MUNICIPAL CODE/SHERIDAN ROAD PARKING

A memo (03-DOC-199) was received from Brian Usher regarding Sheridan Road parking. During the design of the downtown streetscape and parking lots, business owners and City staff agreed to designate parking spaces closest to the businesses as 30-minute convenience parking only. Additionally, the parking lots currently have two-hour limits, and many of the business employees utilize these lots for 8 hours. Mr. Usher also stated the present parking ordinance conflicts with current needs, recommending that Sheridan Road be posted with 2-hour parking limits from Shiloh Blvd. to 28th Street. Mayor Harrison noted that new signs have been installed in the parking lots, wherein spaces immediately behind stores are for 30 minute parking and the remainder of each lot is for lengthier parking.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that an Ordinance (03-0-40) be passed amending the Municipal Code of the City of Zion, as amended, Section 90-144, regarding parking along Sheridan Road between Shiloh Blvd. to 28th Street, as well as parking in the downtown city lots. The vote on roll call was: Commissioners Bennett, aye; Flammini, aye; Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

TAB OF BIDS/AMBULANCE

A Tabulation of Bids (03-DOC-200) was received from Chief LaBelle, regarding the purchase of a new ambulance for the Fire/Rescue Department. Chief LaBelle recommended purchasing the ambulance from the lowest responsible and responsive bidder who met all specifications, Horton Emergency Vehicles. Lt. John Lewis stated this company's bid amount of \$158,801 can be reduced to \$155,051 with a prepayment of \$150,000. A CDBG grant in the amount of \$74,536 will be used towards this purchase, with the balance to be taken from the Fire/Rescue Motor Equipment line item. Lt. Lewis stated delivery is expected in approximately 180 days.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to approve a contract for the purchase of a new ambulance with Horton Emergency Vehicles in the amount of \$155,051, including the prepayment discount, with funds to be utilized from the CDBG grant and the Motor Equipment line item. The vote on roll call was: Commissioners Bennett, aye; Flammini, aye; Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

EMANUELSON INN/PARKING LOT

A letter (03-DOC-201) was received from Judy Lucero, owner of Emanuelson Inn, requesting to resurface their parking lot with asphalt to residential standards. Commissioner Taylor stated this area is zoned commercial, which requires a parking lot of 12" of combined gravel and blacktop. Residential parking requires 9" of gravel and blacktop. Mr. Usher stated, based on the current gravel in this parking lot, adding a layer of blacktop would only meet requirements for installation of a sidewalk. Ms. Lucero stated the Emanuelson Inn is more of a residence, as they don't receive truck deliveries, their guests arrive in personal vehicles, and garbage is collected in the alley. Ms. Lucero stated she proposes to add more asphalt than is required for residential parking. Commissioner Taylor noted Emanuelson Inn is participating in the façade grant program, which is for commercial property only. Mayor Harrison stated placing paving over the current gravel could result in dips in the pavement. Mr. Usher stated the level of the lot could create a drainage problem in the alley and for adjoining neighbors. Ms. Lucero stated two quotes have been obtained in order to level the parking lot to drain into the alley; with 1) costing \$12,000 for placing asphalt on the existing gravel, or 2) costing \$20,000 for digging up current gravel, replacing with new gravel and placing 3" of asphalt on top. Mr. Usher stated Ms. Lucero's first option would create a parking lot 3" to 4" higher than the adjoining alley. Mayor Harrison stated the Council doesn't have all of the information on this issue in order to make a decision. Commissioner Taylor stated he realizes there are time issues in getting this project done prior to winter, however, there are ramifications with setting a precedence with other businesses, as well as the drainage issue.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to deny the request to resurface the Emanuelson Inn parking lot to residential standards. The vote on roll call was: Commissioners Bennett, aye; Flammini, nay; Taylor, aye; DeTienne, nay; and Mayor Harrison, nay. Motion denied.

Mayor Harrison recommended that the staff review the grading plans for this parking lot. Commissioner Flammini stated alleys were paved below the requirements, noting he would be willing to address this issue when all drainage information was known. Ms. Lucero stated a study was previously done, and there is no current drainage problem. Commissioner Bennett stated, if available, the City should review the documents from the past study. No further action was taken at this time.

GOLF VIEW ESTATES SUBDIVISION

A memo (03-DOC-202) was received from John Jones, considering the simple resubdivision of property located at the northeast corner of Lewis Avenue and 30th Street into four lots. The current zoning is R-8 Residential, and the intent is to build a single-family residence on each lot. Commissioner Bennett stated there is a history of water problems on this property. Glenn Christensen, landscape architect, stated he has been dealing with Lake County Stormwater Management, and has completed an extensive study per their requirements. Commissioner Bennett stated the present elevation of these lots will create water problems. Mr. Christensen stated the back of this property has a wetlands buffer, which is a restriction on the deed. Proper grading will be done between the homes, and the pads of the homes will be built up higher. The lots range in size from 19,210 square feet to 23,765 square feet. The engineering plans are available and ready for review by City staff.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the simple resubdivision of the northeast corner of Lewis Avenue and 30th Street, to be known as Golf View Estates Subdivision, into four lots as presented. The vote on roll call was: Commissioners Bennett, aye; Flammini, aye; Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

CULVERS CONCEPT DEVELOPER'S AGREEMENT

A memo (03-DOC-203) was received from Delaine Rogers, regarding a draft agreement for the sale of the former Ponderosa Restaurant site at the K-Mart shopping plaza to Culvers, which would benefit the City as follows:

- Developer will purchase property for \$400,000
- Developer will construct a building at a cost of approximately \$1.6 million
- Developer will be responsible for all permit, inspection and tap on fees of approximately \$40,000
- Developer will adhere to all city landscaping, signage and parking requirements
- Developer will provide approximately 60 full and part-time jobs
- Developer will provide city with approximately \$60,000 annually in real estate taxes
- Developer's annual sales are estimated to exceed \$1.5 million.

The agreement would include a one-time construction assistance grant with terms to be finalized by the attorney. Mayor Harrison stated the City is close to negotiating the final agreement with Culvers, anticipating breaking ground yet this fall with an opening date of Memorial Day 2004.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve the concept developer's agreement with Culvers, with conditions as presented. The vote on roll call was: Commissioners Bennett, aye; Flammini, aye; Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

COMMONWEALTH EDISON BUSINESS VISITATION PROGRAM

A memo (03-DOC-204) was received from Delaine Rogers, requesting permission to participate in the Commonwealth Edison (ComEd) Business Visitation Program. The software program is provided and funded by ComEd, tracking key trends related to workforce and community issues. Training, software and data analysis on area manufacturing issues would be provided to Zion and Lake County Partners at no cost.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to grant permission to participate in the Commonwealth Edison Business Visitation Program. The vote on roll call was: Commissioners Bennett, aye; Flammini, pass; Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

TRUMPET PARK DEVELOPMENT/CONVENANTS & RESTRICTIONS

A memo (03-DOC-205) was received from Delaine Rogers, requesting approval to begin developing covenants and restrictions for the Trumpet Park Development. The Pre-Development Committee would be able to work on issues affecting future projects within the park, such as setbacks, landscaping, parking, dock and storage locations, lighting, signage, building materials and aesthetics, and overall amenities. This is an element, which would protect City and business investments. Staff would incorporate examples of existing business parks for preparation of a draft for Council and legal review, which should be ready within the next few weeks.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the draft development of covenants and restrictions for Trumpet Park, as requested. The vote on roll call was: Commissioners Bennett, aye; Flammini, aye; Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

KESSLER’S OLD TIME CLOCK SHOP/TIF GRANT

A memo (03-DOC-206) was received from Delaine Rogers, regarding a proposed TIF Grant for Kessler’s Old Time Clock Shop. Mr. Kessler is purchasing the building at 2600 Sheridan Road, in order to relocate his entire business for clock sales and repair service. The TIF Review Board recommends approval of a \$9,000 grant for the purpose of a mortgage rate buy down and building improvements.

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to approve a TIF Business Grant not to exceed \$9,000 to Kessler’s Old Time Clock Shop for the purpose of a mortgage rate buy down and building improvements at 2600 Sheridan Road. The vote on roll call was: Commissioners Bennett, aye; Flammini, aye; Taylor, pass; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

SUBWAY RESTAURANT/TIF GRANT

A memo (03-DOC-207) was received from Delaine Rogers, regarding a proposed TIF Grant for the franchisee of the property at 3325 Sheridan Road, in order to locate a Subway Restaurant. The TIF Review Board recommends approval of a \$7,350 grant to the owners of the franchise license for the purpose of a rate buy down for remodeling improvements including parking lot, landscaping and exterior lighting.

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne to approve a TIF Business Grant not to exceed \$7,350 to the Subway franchise owners for the purpose of a rate buy down for remodeling and building improvements at 3325 Sheridan Road. The vote on roll call was: Commissioners Bennett, aye; Flammini, aye; Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

HAIR ILLUSIONS/TIF GRANT

A memo (03-DOC-208) was received from Delaine Rogers, regarding a proposed TIF Grant for Hair Illusions, in order to relocate their business to 2601 Sheridan Road. Previous assistance was approved for this business, however, additional exterior and interior renovations are required, adding considerable cost and delay to the project. The TIF Review Board recommends approval of a \$7,350 grant for the purpose of parking lot renovations, landscaping, signs and exterior lighting.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to approve a TIF Business Grant not to exceed \$7,350 to Hair Illusions for the purpose of parking, landscaping and lighting improvements at 2601 Sheridan Road. The vote on roll call was: Commissioners Bennett, aye; Flammini, aye; Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

Leaf pick up in the City of Zion started Monday, October 20 and will run through the week prior to Thanksgiving.

- October 22 Lake County Red Ribbon Rally at College of Lake County
- October 26 Trick or Treat in Zion from 2:00pm to 5:00pm
Mayor’s Halloween Safe Walk on Sheridan Health Care Center lot
- October 28 Zion Exchange Club Golden Deeds Banquet at Shepherd’s Crook
- November 4 City Council meeting
- November 18 Township Board meeting

CLOSED SESSION

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that the Council recess to Closed Session at 8:07 p.m. to discuss sale, purchase and lease of real estate, probable litigation and personnel. The vote on roll call was: Commissioners Bennett, aye; Flammini, aye; Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Bennett, seconded by Commissioner Flammini to reconvene the Regular Council meeting at 9:08 p.m. with all members present. The vote on roll call was: Commissioners Bennett, aye; Flammini, aye; Taylor, 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 DeTienne, seconded by Commissioner Taylor and unanimously approved the meeting be adjourned at 9:09 p.m. Motion carried.

City Clerk

Approved November 4, 2003