

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JULY 6, 2004, 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 Taylor, Flammini, Bennett, 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 Bennett to accept the Council agenda with amendments as follows:

- Deleting to consider passing ordinance granting a Special Use Permit for a commercial Planned Unit Development for the property located at the southeast corner of Green Bay Road and Route 173 (Zion Crossings), item 9.b.
- Deleting to consider passing ordinance amending the Municipal Code regarding curfews, item 9.d.
- Adding the discussions of collective bargaining and probable litigation to Closed Session, item 12

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

**PUBLIC HEARING/AREA 3 SOUTH SHERIDAN ROAD**

Mayor Harrison declared the public hearing open concerning the intent to sell bonds for the purpose of providing payment and reimbursement for certain redevelopment project costs within the area designated as the Area Number 3 South Sheridan Road Redevelopment Project at 7:04 P.M.

Mayor Harrison invited questions and/or comments from the Council, and there were none.

Mayor Harrison invited questions and/or comments from the public, and there were none.

Mayor Harrison declared the public hearing closed at 7:07 P.M.

**LAKE COUNTY/CANDY FACTORY BROWNFIELD GRANT**

Lake County representative Brent Paxton presented a \$64,218.50 check for the Candy Factory Brownfield Grant. Mr. Paxton stated this grant, utilized for the clean up of the former Candy Factory, takes a blighted area and turns it into a viable and potential revenue producing property. Mayor Harrison thanked Mr. Paxton for his efforts, as well as his perseverance in obtaining the grant. Mayor Harrison also thanked City staff for all of their work on this project.

**CONSENT AGENDA**

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

- (a) **APPROVAL OF MINUTES** of a Regular Meeting held on June 15, 2004 at 7:07 P.M. and approval but not release of Closed Session minutes of a meeting held on June 15, 2004 at 7:07 P.M., and a Special Meeting held on June 24, 2004 at 1:40 P.M., with all members having previously received copies.

- (b) **DEPARTMENTAL REPORTS:** City Clerk's Monthly Report, June, 2004
- (c) **BILLS:** Vouchers 87314 through 87570 drawn on National City Bank, \$2,255,385.38; Add back voided check, \$996.98; Total: \$2,256,382.36

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

**CABLE TV COMMISSION**

Attorney Rolek stated the City of Zion and the Village of Winthrop Harbor are in the process of renegotiating their cable franchises, and have agreed to dissolve the joint cable television commission. Both municipalities have also agreed to an equitable distribution of funds held by the commission. There is approximately \$112,000 remaining in this fund. All cable equipment would remain for the benefit and use of the public. Attorney Rolek stated, upon approval, resolutions dissolving the cable commission would be forwarded to Comcast.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that a Resolution (04-R-17) be approved dissolving the Village of Winthrop Harbor and City of Zion Joint Cable Television Commission. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

**AMEND MUNICIPAL CODE/ELECTED OFFICIALS' BENEFITS**

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne that an Ordinance (04-0-20) be passed amending the Municipal Code of the City of Zion, as amended, Chapter 2, Administration, providing for elected officials' benefits for health insurance coverage and expense stipends. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**VACATION OF RIGHT OF WAY NEAR 2700 SHERIDAN ROAD**

Attorney Rolek stated final negotiations are taking place regarding the sale of the Bicket Building at 2700 Sheridan Road with the anticipated closure to be held next week. Due to this property slightly encroaching upon rights-of-way, the vacation of an average of 3" is proposed on the north and east and upon the public alley to the west. Attorney Rolek stated the new owners would be required to sign a letter, whereby the City would not be responsible for maintaining these small parcels.

It was moved by Commissioner Bennett, seconded by Commissioner Taylor that an Ordinance (04-0-21) be passed vacating a portion of the rights-of-way to the north and east and a portion of the alley to the west of 2700 Sheridan Road, Zion, Illinois. The vote on roll call was: Commissioners Taylor, aye; Flammini, pass; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**POLICE OFFICER'S SALARY/MILITARY SERVICE**

A memo (04-DOC-81) was received from Chief Malcolm, requesting approval to pay Officer Christopher Sweeting the difference between his military salary and his City of Zion police officer salary. Officer Sweeting was reinstated into the Marine Reserves, which will last approximately one year.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to authorize payment to Officer Christopher Sweeting for the difference between his military service and police officer salary during his reinstatement service into the Marine Reserves. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**COMPUTER VOICE STRESS ANALYZER/POLICE DEPT**

A memo (04-DOC-82) was received from Chief Malcolm, requesting permission to waive bids and purchase a computer voice stress analyzer for the Police Department. National Institute for Truth Verification is the sole manufacturer of this specialty item. The cost for the laptop computer and software is \$10,760. This is a budgeted item. Commissioner DeTienne questioned the number of people who will be able to operate this equipment. Chief Malcolm stated only certified operators can run this computer, and if approved for purchase, there are plans to send one detective for training.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to grant permission to waive bids and approve the purchase of a computer voice stress analyzer for the Police Department with National Institute for Truth Verification in the amount of \$10,760. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**PURCHASE OF TRUCK/PUBLIC SERVICE PROGRAM/POLICE DEPT**

A memo (04-DOC-83) was received from Chief Malcolm, requesting permission to advertise for bids for the purchase of a 4-door pick-up truck for the Public Service Program at the Police Department. This is a budgeted item. Commissioner Bennett questioned the need for a 4-wheel drive vehicle. Chief Malcolm stated this 4-wheel drive vehicle will be used year round, and will help go through snow.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to grant permission to advertise for bids for the purchase of a 4-door pick-up truck for the Public Service Program at the Police Department. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**AIR CONDITIONER CONDENSER/POLICE DEPT**

A memo (04-DOC-84) was received from Chief Malcolm, requesting permission to waive bids and replace an air conditioner condenser for air handler #3 at the Police Station. McDonough Mechanical Services conducts the maintenance and repair of this air conditioner system, and they proposed replacing the condenser for the amount of \$10,278. Chief Malcolm stated this is an unexpected repair, noting it is not a budgeted item. Commissioner Bennett and Chief Malcolm agreed to meet to establish under which Police Department line item to place this expenditure.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to grant permission to waive bids and approve the replacement of the air conditioner condenser for air handler #3 at the Police Station through McDonough Mechanical Services for the amount of \$10,278, utilizing Police Department funds. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**PURCHASE OF TRUCK/PUBLIC WORKS**

A memo (04-DOC-85) was received from Brian Usher, requesting to purchase a 2005 International 7400 tandem axel dump truck, spreader and warning lights. Mr. Usher stated this purchase would be through the Illinois Joint Purchase State Bid Program from Prairie International for a total amount not to exceed \$80,800. The purchase of the truck would be \$800 over the approved budget, however there are sufficient funds available in the capital account to cover this overage.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve the purchase of a 2005 International 7400 tandem axel dump truck, spreader and warning lights through the Illinois Joint Purchase Program from Prairie International for a total cost not to exceed \$80,800. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**PAVEMENT CRACK SEALING CONTRACT**

A memo (04-DOC-86) was received from Brian Usher, requesting permission to enter into a contract for 2004 pavement crack sealing. Mr. Usher recommended participating in the Northwest Municipal Conference joint purchase program, purchasing this product through SKC Construction, Inc. in an amount not to exceed \$130,000.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve entering into a contract with SKC Construction, Inc. for 2004 pavement crack sealing in an amount not to exceed \$130,000. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**PAVEMENT MARKING CONTRACT**

A memo (04-DOC-87) was received from Brian Usher, requesting permission to enter into a contract for 2004 pavement marking services. Mr. Usher recommended participating in the Northwest Municipal Conference joint purchase program for these services, contracting with Superior Road Striping in an amount not to exceed \$10,000.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve entering into a contract with Superior Road Striping for 2004 pavement marking services in an amount not to exceed \$10,000. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**PEACE PARK FENCING**

Delaine Rogers requested permission to advertise for bids for installation of a fence for Peace Park. This park would be located at 26<sup>th</sup> Street and Sheridan Road on property directly west of Sheridan Health Care Center. Ms. Rogers stated the project has been delayed while negotiating a lease for the use of Sheridan Health Care Center's property.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to grant permission to advertise for bids for the installation of a fence for Peace Park at 26<sup>th</sup> Street and Sheridan Road. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**2200 GILBOA AVE/LOT CONSOLIDATION**

A memo (04-DOC-88) was received from John Jones, regarding a request to consolidate two lots into one lot at 2200 Gilboa Avenue. The property owners wish to consolidate Lot 11 and Lot 12 into one lot, in order to build a deck without needing a side yard setback variance.

It was moved by Commissioner Flammini, seconded by Commissioner Bennett to approve the consolidation of Lot 11 and Lot 12, commonly known as 2200 Gilboa Avenue, into one lot, as requested. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

### **A SAFE PLACE/FEE WAIVER**

A memo (04-DOC-89) was received from John Jones, regarding a request from A Safe Place to waive the building, fire, engineering and tap-on fees totaling \$93,493, as follows:

- Building - \$29,264
- Fire - \$ 4,777
- Engineering- \$59,452, which includes \$40,000 for replacement of trees

Staff does not recommend waiving these fees. Even though the memo indicates District 6 has met on this matter, Commissioner Flammini stated the District 6 Grade School Board has not yet taken action on this issue. Phyllis DeMott, Executive Director of A Safe Place, stated the not-for-profit organization is requesting waiver of these fees in order to utilize all of their funds for services. Ms. DeMott noted that during this past year 240 of their clients were from Zion. Mayor Harrison stated this facility would not have to pay taxes to the schools or fire and rescue, although services will be provided. Ms. DeMott questioned whether or not the Council would consider a partial waiver. Commissioner Bennett stated he could only consider waiving the cost for replacement trees. Brian Usher noted that the current plans eliminate almost all of the existing trees. Mayor Harrison questioned whether or not the original drawings indicated that the majority of the trees would be removed. It was noted the original plan with the entrance off of Willow Road would have taken out even more trees. Mr. Usher stated, since final gradings and plans were not available in early spring, the fees for tree replacements were probably not included as revenue in the budget.

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne to deny the request for waiving City fees including building, fire, engineering and tap-on fees for A Safe Place. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

### **HARBOR SHUTTLE**

A memo (04-DOC-90) was received from Delaine Rogers, requesting continued participation in the Harbor Shuttle Program. Last year, this shuttle service from North Point Marina was extended to Zion. Area businesses may participate through advertising on the shuttle. The shuttle committee has also agreed to allow welcome bags provided by the City of Zion and the Zion Chamber of Commerce. Ms. Rogers stated the city's cost for this year's participation would be \$3,000. This is a budgeted item.

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to grant permission to continue participation in the Harbor Shuttle Program at a cost of \$3,000. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; Bennett, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

### **ANNOUNCEMENTS**

Mayor Harrison thanked the Nostalgia Days Committee for all of their hard work and efforts on another successful event.

July 20	Township Board Meeting – 6:30 p.m. City Council Meeting – 7:00 p.m.
July 27	Special City Council Meeting – 9:00 a.m.

**CLOSED SESSION**

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that the Council recess to Closed Session at 8:04 p.m. to discuss personnel, sale and purchase of real estate, pending litigation, collective bargaining and probable litigation. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; Bennett, 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 10:16 p.m. with all members present. The vote on roll call was: Commissioners Taylor, aye; Flammini, 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 Flammini and unanimously approved the meeting be adjourned at 10:16 p.m. Motion carried.

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City Clerk