

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JULY 20, 2004, AT 7:12 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, Flammini, Bennett, Taylor 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:

- Tabling ordinance eliminating public pay telephones, item 9.d.
- Tabling ordinance amending Zion Municipal Code regarding sidewalk waivers, item 9.e.

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

NORTHPOINTE RESOURCES COMMENDATION

An original painting entitled "Summer", painted by individuals of Northpointe Resources, Inc. was selected by the Accreditation of Rehabilitation Facilities-Continuing Care Accreditation Commission for display in its headquarters in Washington, D.C. This artwork is the collaborative project of fifteen individuals with severe and profound developmental disabilities. Mayor Harrison presented Lou Molitor, Director of Northpointe, and one the painting's artists a Resolution of Commendation honoring them for this achievement.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor that a Resolution (04-R-18) be passed commending the fifteen artists from Northpointe Resources, Inc. for their creation of "Summer" and their subsequent national recognition of this accomplishment. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

PUBLIC HEARING/APPROPRIATION ORDINANCE

Mayor Harrison opened the Public Hearing at 7:20 P.M. for the Appropriation of the City of Zion for the Fiscal Year beginning May 1, 2004 and ending April 30, 2005.

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

Mayor Harrison declared the Public Hearing closed at 7:21 P.M.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES** of a Regular Meeting held on July 6, 2004 at 7:00 P.M. and approval but not release of Closed Session minutes of a meeting held on July 6, 2004 at 7:00 P.M., with all members having previously received copies.

- (b) **DEPARTMENTAL REPORTS:** Detailed Balance Sheet and Detailed Revenue & Expense Report, period ending June 30, 2004; Building Inspector's Report, June 2004
- (c) **BILLS:** Vouchers 87571 through 87685 drawn on National City Bank, \$739,021.70
- (d) **PAYMENTS:** Nostalgia Days, Inc., annual donation, \$1,000.00; Lake Shore Awning Co., Cake Box Bakery TIF Fund Project, \$5,070.00; Illini Power Products, planned generator maintenance contract renewal, \$608.00
- (e) **RECEIVE & PLACE ON FILE:** Acceptance of Permanent Water Main Easement with Murlyn & Carolyn Muse

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

LABOR DAY PARADE

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne that a Resolution (04-R-19) be passed, requesting permission of the Illinois Department of Transportation for the temporary closure of Sheridan Road on September 6, 2004 between 12:00 P.M. and 3:30 P.M. for the Jubilee Days Parade, with traffic to be detoured on Elisha Avenue between 22nd Street and 25th Street to south bound only with parking only on the west side of the street on September 6. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

APPROPRIATION ORDINANCE

It was moved by Commissioner Bennett, seconded by Commissioner Taylor that an Ordinance (04-0-22) be passed making appropriations, totaling \$44,092,500.00 for all funds for the City of Zion, Illinois for the Fiscal Year beginning May 1, 2004 and ending April 30, 2005. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

AREA 3 SOUTH SHERIDAN ROAD REDEVELOPMENT

It was moved by Commissioner Bennett, seconded by Commissioner Taylor that the first reading of an ordinance be approved authorizing and providing for the issue of \$2,200,000 Taxable General Obligation Bonds (Area 3 South Sheridan Road Special Tax Allocation Fund Alternate Revenue Source) Series 2004A, of the City of Zion, Lake County, Illinois, for the purpose of defraying the cost of the Area 3 South Sheridan Road Improvement Project in said City, prescribing the details of said bonds and providing for the imposition of taxes to pay the same, and for the collection, segregation and application of certain Special Tax Allocation Fund receipts to pay said bonds. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

VICTIMS' ECONOMIC SECURITY AND SAFETY ACT

Attorney Rolek stated the Victims' Economic Security and Safety Act is mandated by the State of Illinois for victims of violence. This policy would be incorporated into the Employee Policy Handbook, allowing for unpaid time off up to 12 weeks for victims of domestic or sexual violence.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett that an Ordinance (04-0-23) be passed adopting a policy regarding the Victims' Economic Security and Safety Act ("VESSA"). The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ANNEXATION/9785 WEST 17TH STREET

It was moved by Commissioner Flammini, seconded by Commissioner Taylor that an Ordinance (04-0-24) be passed annexing certain territory to the City of Zion, formerly known as 9785 West 17th Street, and now to be known as 917 West 17th Street. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

BICYCLE AUCTION

A memo (04-DOC-91) was received from Acting Chief Clyde Watkins, requesting permission to conduct a bicycle auction on Saturday, August 7, 2004 at 9:00 A.M. in the City garage facility at 24th Street and Hebron Avenue with all proceeds to go to the City's summer youth program.

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne to grant permission to conduct a bicycle auction on Saturday, August 7, 2004 at 9:00 A.M. in the City garage facility at 24th Street and Hebron Avenue with proceeds to go to the City's summer youth program. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

UTILITY TRUCK/ESDA

ESDA has requested permission to purchase a 2004 Ford F350 utility truck with service body. The truck would be purchased through a State Bid from Morrow Brothers Ford for a total cost of \$21,055. ESDA requested waiving bids and purchasing the service body and accessories from R. A. Adams Enterprises for a total cost of \$9,055.

It was moved by Commissioner Flammini, seconded by Commissioner Bennett to purchase a 2004 Ford F350 utility truck through a State Bid from Morrow Brothers Ford for a total cost of \$21,055. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne to grant permission to waive bids and purchase a service body and accessories for the utility truck from R. A. Adams Enterprises for a total cost of \$9,055. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

COMPUTER SOFTWARE

Brian Usher requested purchasing a Microsoft SQL server for Public Works from CDW-G for a total cost of \$2,110.34. This server was recommended by the City's computer consultant, and is a budgeted item.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to grant permission to purchase a Microsoft SQL server for Public Works from CDW-G for a total cost of \$2,110.34. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

RIGHT-OF-WAY/1504 WINTHROP COURT

A memo (04-DOC-92) was received from John Jones, regarding a proposed purchase of the right-of-way adjacent to 1504 Winthrop Court. Bruce Lachelle has requested purchasing the right-of-way directly in front of this address, which would eliminate the need for variances in constructing a new home. The right-of-way west of Mr. Lachelle's property has previously been vacated. Mr. Jones stated the vacated right-of-way would be incorporated as part of the property at 1504 Winthrop Court, recommending a price of \$2,500 be applied to this vacation and purchase.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve the vacation and purchase by Bruce Lachelle of the right-of-way adjacent to 1504 Winthrop Harbor at a cost of \$2,500 plus all legal costs, directing Attorney Rolek to prepare all necessary documents. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

WINDSOR COURT SUBDIVISION

A memo (04-DOC-93) was received from John Jones, regarding approval of the Windsor Court Subdivision. This single-family home development would be northwest of Lewis Avenue and 23rd Street. Mr. Jones stated staff has concerns regarding the detention area, Outlot A, which would become the responsibility of a homeowner's association. The homeowner's association would be permitted to be started after the sixth home is sold, and the developer would be responsible for common areas until the development is completed. Brian Usher noted this dry detention lot would be a large area to maintain, and the detention is at or above the base level of existing adjacent apartments on Lewis Avenue. Developer Joe Passalino stated Lake County Stormwater Management has approved this detention plan. Mayor Harrison stated the City has a responsibility to the existing citizens on Lewis Avenue, noting the location of the detention is a concern. Mr. Passalino requested tabling this item, since he would also like further discussion regarding the City's impact fees.

It was moved by Commissioner Bennett, seconded by Commissioner Taylor to table the approval of Windsor Court Subdivision. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

THUNDERHAWK ESTATES SUBDIVISION

A memo (04-DOC-94) was received from John Jones, requesting final approval of the Thunderhawk Estates Subdivision. This development north of 29th Street and East of Kenosha Road will include 122 single-family homes and 8 outlots. The outlots will be used for community space, detention and landscape areas. Glenn Christensen, representing Thunderhawk Estates, stated the issue of the 29th Street entrance has been resolved, since the entrance property is within the City of Zion. Mr. Christensen stated a full impact fee package has been agreed to by the taxing bodies.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve the Thunderhawk Estates Subdivision. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

HOUSING & PROPERTY GUIDE

A memo (04-DOC-95) was received from John Jones, requesting approval for the printing and distribution of the Building Department's Housing and Property Guide. The brochure would be mailed to residents, as well as being placed in the new resident packets. Mr. Jones requested approval for Graphic Partners to print this brochure at a cost of \$4,000, also allowing up to \$1,500 for mailing costs. This is a budgeted item.

It was moved by Commissioner Flammini, seconded by Commissioner Bennett to approve the printing of the Housing and Property Guide by Graphic Partners at a cost of \$4,000, also approving up to \$1,500 for mailing. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

FAIRCOM MEMBERSHIP

A memo (04-DOC-96) was received from Delaine Rogers, regarding the renewal of membership with FAIRCOM. The Council noted that there are still open matters with which FAIRCOM could assist. Ms. Rogers suggested the \$2,000 membership fee be paid through the economic development funds received from Commonwealth Edison.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to renew membership with FAIRCOM for 2004-2005 with the membership fee to be paid from economic development funds. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

GREEN BAY CROSSING DEVELOPMENT

A memo (04-DOC-97) was received from Delaine Rogers, regarding the development of the Archdiocese of Chicago property on the northeast corner of Route 173 and Green Bay Road. Zion Investments Group has reached an agreement with the Archdiocese for the Green Bay Crossing development, including a national grocery anchor, other smaller retailers, restaurants, convenience banking and possibly a site for a new fire station. This property, which is now tax-exempt, could generate up to \$10,000,000 in real estate taxes over a 10-year period. Zion Investments Group has requested funding for a portion of the pre-development expenses, including engineering, soil and wetland analysis, architectural design and legal fees. These costs will total approximately \$190,000, and the request is for reimbursement of dollars spent up to \$95,000. Attorney Rolek stated a letter of agreement would be needed. Mayor Harrison stated an intergovernmental agreement has been reached with the Newport Township Fire Protection District for the establishment of a fire station in this area.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve an agreement with Zion Investments Group pertaining to the development of Green Bay Crossing, authorizing reimbursement of \$95,000 for pre-development costs, and directing the City Attorney to prepare the necessary letter of agreement. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

THREE GENERATIONS SCRAPBOOKING SHOP/TIF GRANT

A memo (04-DOC-98) was received from Delaine Rogers, regarding a proposed TIF Grant for Three Generations Scrapbooking Shop. This retail store would occupy the second floor of the Teacher's Market at 2655 Sheridan Road, and has requested assistance for awning and signage expenses. The TIF Review Board recommends approval of an \$8,000 grant for these improvements.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve a TIF Business Grant not to exceed \$8,000 to the Three Generations Scrapbooking Shop for the purpose of improvements at 2655 Sheridan Road. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

LES DEUX CANICHES BOUTIQUE/TIF GRANT

A memo (04-DOC-99) was received from Delaine Rogers, regarding a proposed TIF Grant for Les Deux Caniches Boutique. This retail store would be located at 2689 Sheridan Road, and has requested assistance for updated improvements including lighting and signage. The TIF Review Board recommends approval of a \$10,000 grant for these improvements.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to approve a TIF Business Grant not to exceed \$10,000 to Les Deux Caniches Boutique for the purpose of improvements at 2689 Sheridan Road. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

TRUMPET PARK DEVELOPER PACKAGE

A memo (04-DOC-100) was received from Delaine Rogers, requesting approval of the Trumpet Park Developer Offering Package as prepared by Trammell Crow Company. This marketing packet would be delivered to serious development companies, who meet financial and experience guidelines. Rick Delisle, Trammell Crow, stated sealed bids would be returned by August 4. The Council agreed for Trammell Crow Company to proceed with the distribution of the Trumpet Park Developer Offering Package.

1015 27th STREET

A memo (04-DOC-101) was received from Delaine Rogers, considering the purchase of 1015 27th Street. The purchase price would be \$140,000, with \$70,000 due upon closing, which is set for August. The remaining \$70,000 would be held in escrow pending vacation of the seller, Jones Furniture, by October 1, 2004. Upon vacation and purchase of this property, the City would proceed with demolition.

It was moved by Commissioner Flammini, seconded by Commissioner Bennett to approve the purchase of 1015 27th Street, directing the City Attorney to prepare the real estate contract, and for a resolution to be prepared accordingly. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

COMPREHENSIVE PLAN

A memo (04-DOC-102) was received from Delaine Rogers, requesting approval of a contract for updating the City's Comprehensive Plan. Proposals were received for this purpose. It is recommended contracting with Camiros, Inc. in the amount of \$45,000 for this project. Mayor Harrison suggested that the scope of work be reviewed by staff and a member of the City Council, recommending Commissioner Bennett perform this review with staff. Commissioner Bennett stated the Council needs to set the goals in order to ascertain direction and areas of focus. Mayor Harrison stated Commissioner Bennett would be able to provide feedback to the Council as a whole without necessitating Camiros appearance at Council workshops. Ms. Rogers stated the Comprehensive Plan would be a legal document for future planning.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve contracting with Camiros, Inc. for the Comprehensive Plan project for an amount not to exceed \$45,000, and to form a committee for the review of this project, authorizing Commissioner Bennett to serve as the Council's representative. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

Mayor Harrison stated a Workshop/Special City Council meeting was held this evening at 5:00 p.m. to discuss impact fees. A new impact fee schedule, which was agreed to by all taxing bodies, was adopted by the City Council.

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| July 27 | Special City Council Meeting – 9:00 a.m. |
| July 31 | Cong. Crane’s Prayer Breakfast at Zion Senior Center – 9:00 a.m. to 11:00 a.m. Mayor Harrison stated anyone interested can attend this breakfast. This would be a good opportunity to relate to Cong. Crane the ongoing problems with the location of the U.S. Post Office as well as the need to upgrade Route 173. |
| August 3 | Regular City Council Meeting |
| August 11 | CNN to air announcement of Pat Summerall’s production of “Champions of Industry” program – between 5:00 p.m. and 5:30 p.m. |
| August 17 | Township Board Meeting |
| October 30 | Mayor Harrison requested the day for Halloween Trick or Treating be changed to Saturday, October 30. The Mayor’s Halloween Safe Walk will be held on this day, and it will allow businesses to participate in the Safe Walk and trick or treating. The Council agreed to place this item on the next regular Council meeting for official action. |

CLOSED SESSION

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that the Council recess to Closed Session at 8:58 p.m. to discuss personnel, sale of real estate, and purchase of real estate. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to reconvene the Regular Council meeting at 9:55 p.m. with all members present. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Bennett, aye; Taylor, 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 Taylor, seconded by Commissioner DeTienne and unanimously approved the meeting be adjourned at 9:55 p.m. Motion carried.

City Clerk