

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JANUARY 4, 2005, 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 Taylor, DeTienne, Flammini, 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:

- Adding to consider passing a resolution for the purchase of 2964 Sheridan Road (2nd Reading), item 7.g.
- Moving to consider approval of minutes of a Regular Meeting held on December 21, 2004 at 7:00 P.M. from the Consent Agenda, item 5.a., to a separate vote immediately following the Consent Agenda

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

CONSENT AGENDA

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

- (a) **APPROVAL** but not release of Closed Session minutes of a meeting held on December 21, 2004 at 8:52 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** City Clerk's Monthly Report, December, 2004
- (c) **BILLS:** Vouchers 89088 through 89247 drawn on National City Bank, \$2,592,871.29; Add back voided checks \$78.42, \$43.78 & \$473.56; Total: \$2,593,467.05
- (d) **PAYMENTS:** Riggs, Inc., warming station mugs, \$6,668.44; New World Systems, software maintenance agreement, \$19,960.00

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

DECEMBER 21, 2004 MINUTES

Commissioner Bennett requested amending the minutes of the regular meeting of December 21, 2004 relative to Orthodontic Procedures. Commissioner Bennett stated the motion for this item requires further clarification for the Dental Plan change, deleting the current Orthodontic Services Section, and inserting language stating "Benefits will be paid upon presentation of a signed orthodontia contract."

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to amend the regular meeting minutes of December 21, 2004 relative to Orthodontic Procedures, deleting the current Dental Plan Orthodontic Services section and inserting "Benefits will be paid upon presentation of signed orthodontia contract". The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Flammini, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Bennett, seconded by Commissioner Flammini to approve the regular meeting minutes of December 21, 2004, as amended. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Flammini, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

PUBLIC INVOLVEMENT & SOLVING CRIMES

Commissioner DeTienne stated public involvement is needed in helping to solve crimes, as police are not able to be in front of every home, which has a problem. Some of the most difficult crimes are solved because people get involved. Chief Malcolm reported that there have been incidents in one neighborhood, and the police have made past arrests resulting in the conviction of two individuals. Patrols have been increased in this area, and a Neighborhood Watch Group with police participation has been started. Chief Malcolm stated crimes are solved with police and the public working together, as the police will continue to do everything they can within the law.

VARIANCE/3021 GALILEE AVENUE

Commissioner Taylor stated that since the last meeting, when the homeowner of 3021 Galilee Avenue requested the rear setback variance, he has looked at this property and believes the garage could be easily moved back 3 feet. Commissioner Taylor stated that by moving the garage the homeowner could take care of this parking problem and not require a variance, which is likely to create a parking problem in the alley.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne that an Ordinance (05-0-1) be passed granting a variance from Section 102-32(a)(6), regarding rear setback requirements for 3021 Galilee Avenue. The vote on roll call was: Commissioners Taylor, nay; DeTienne, aye; Flammini, aye; Bennett, nay; and Mayor Harrison, aye. Motion carried. Ordinance passed.

SERVICE & REPAIRS TO FIRE ENGINE & TRUCK

A memo (05-DOC-1) was received from Chief LaBelle, requesting permission to waive bids and approve payment for testing, service and repairs to Fire Engine 1822 and Truck 1832. Funds are budgeted on an annual basis for the maintenance and repairs to the vehicles. Due to the limited availability of facilities capable of providing these services, the Fire Department has used Wirfs Industries for several years. Chief LaBelle recommended payment to Wirfs Industries as follows:

Service to Engine 1822:	\$2,971.25
Service to Aerial Truck 1832:	\$6,768.50
Total:	\$9,739.75

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to waive bids and approve payment to Wirfs Industries, Inc. in the amount of \$9,739.75 for the testing, service and repairs to Fire Engine 1822 and Truck 1832. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Flammini, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

HEART MONITORS/DEFIBRILLATORS

A memo (05-DOC-2) was received from Chief LaBelle, requesting to waive bids and purchase two heart monitors/defibrillators. Chief LaBelle stated they currently operate two types of cardiac monitors, which requires different batteries and paper for each. A purchase of the MRL monitor would not require a training period, and the Zoll monitors could be used as trade-ins. By January 2007, all departments will be required to have 12-Lead EKG transmission capabilities. MRL PIC 50 monitors are available from Henry Schein Medical Products for a cost of \$13,962.50 each. Chief LaBelle stated one monitor was included in the budget, and additional funds are available in another line item to pay for the second unit.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to waive bids and approve the purchase of two MRL PIC 50 heart monitors/defibrillators from Henry Schein Medical Products for a total cost of \$27,925, including trade-ins. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Flammini, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

USED EQUIPMENT/BUILDINGS IN 2900 BLOCK OF SHERIDAN ROAD

A memo (05-DOC-3) was received from John Jones, regarding used equipment in buildings slated for demolition in the 2900 block of Sheridan Road. Mr. Jones stated he received a letter from the Loyal Order of Moose Lodge #667 in Zion requesting the donation of the rooftop heating unit from the building at 2926 Sheridan Road. Mr. Jones also received requests from both the Moose Lodge and L & L Heating and Cooling regarding the exhaust ducts from 2964 Sheridan Road. The Council noted that the closing for the purchase of 2964 Sheridan Road is scheduled for January 12, so the sale or donation of equipment in this building could be considered at a later date. Attorney Rolek stated the rooftop heating unit from 2926 Sheridan Road would have to be designated as surplus equipment, with the Moose Lodge taking proper legal steps to indemnify the city.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve the following:

- Designating the used rooftop heating unit at 2926 Sheridan Road as surplus property, and for an ordinance to be prepared accordingly, and
- Donating this surplus property to the Loyal Order of Moose Lodge #667, subject to the Moose Lodge's indemnification of the city.

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

SHEPHERD'S CROSSING SUBDIVISION/PHASES 3 & 4

A memo (05-DOC-4) was received from John Jones, recommending approval of Phases 3 and 4 of the Deerpoint Homes/Shepherd's Crossing Subdivision. The Building Department and Engineering Division have reviewed the plans, and found them to be in compliance with City Codes.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve Phases 3 and 4 of the Deerpoint Homes/Shepherd's Crossing Subdivision. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Flammini, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

SHEPHERD'S POINT CONDOMINIUMS

A memo (05-DOC-5) was received from John Jones, considering a request for a zoning change from Light Manufacturing to R-2 Residential/Highway Business and preliminary approval for the proposed Shepherd's Point Condominiums, as petitioned by Deerpoint Homes. The Planning and Zoning Commission recommends approval. This development would be on the northwest corner of Kenosha Road and 21st Street. The project would include 26 acres with over 200 units plus 3 acres for commercial and retail, and would be a planned unit development. Mayor Harrison stated this property is currently in a TIF District, and a development would allow the elimination of this TIF.

Patrick Smith, representing Deerpoint Homes, stated the number of units have been reduced to 222 townhome units. There is an increased area for green space and open corridor, and common areas would be maintained by a homeowners association. The western property line has been further setback from the adjoining single family development, by eliminating a couple of the units and adding trees for screening. The number of units may further decrease once the project is started. Mr. Smith stated it is estimated that there would be approximately 450 people after the development is totally built out, noting there is a demand for maintenance free living. The units would all be owner occupied with an exception for hardships only allowing the rental of up to 10 units. The two and three bedroom townhomes would have a median price of \$190,000. There would be two car garages for each unit with additional guest parking in the lots. Commissioner DeTienne questioned whether or not it would be possible to make this a gated community. Mayor Harrison stated a gate or security entrance would help with unwanted vehicular traffic. Mr. Smith stated it was not the intent to put a fence around the property, however he would be happy to look at this issue.

Commissioner Bennett questioned the street dimensions. Brian Usher stated the streets follow engineering standards and subdivision codes, noting final engineering has not yet been done. Commissioner Bennett stated the density is too high per unit, and this project would have parking problems accommodating residents and guests. Commissioner Bennett noted he would prefer 20% less units, stating he believes the open space, right-of-ways and setbacks are substandard. Commissioner Bennett stated there would be no overnight street parking on dedicated roads. Mr. Usher stated another consideration is to make the streets private. Attorney Rolek suggested that some of the streets could become one-way. Commissioner Bennett questioned whether or not drainage concerns had been addressed. Mr. Smith stated drainage is addressed by the wetlands area. Commissioner DeTienne noted concerns regarding standing water in the pond area. Mr. Jones stated standing water detention ponds are not allowed in any new developments per current requirements.

Attorney Rolek stated the developer is only requesting approval of a preliminary concept plan, as negotiations on the PUD agreement will contain the zoning. Mayor Harrison stated the Council needs to determine what is wanted before directing staff and developer to proceed. Commissioner Taylor stated he would want to see lots at 14,000 square feet, noting concerns about parking, as there will probably be more than the estimated 450 people. Mr. Smith stated land costs and improvements dictate part of the need for the density. Commissioner Flammini stated these kinds of projects are the wave of the future, noting he knows several people who live in similar developments. A resident of Sunset Ridge stated the setback from his home is still not sufficient, suggesting to eliminate end units on two more buildings, also noting drainage concerns in low-lying areas between his home and the proposed development. Mayor Harrison stated the city would work with neighbors regarding their concerns and issues.

The Council agreed that obtaining the commercial anchor is very important, lesser density is preferred if possible, and the developer was requested to consider a gated community.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve the Preliminary Concept Plan for Shepherd's Point Condominiums, without obligation to the developer Deerpoint Homes, authorizing the continuation of negotiations on the PUD agreement. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Flammini, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

PUBLIC WORKS/IUOE CONTRACT AGREEMENT

It was moved by Commissioner Bennett, seconded by Commissioner Taylor to approve the contract agreement with Public Works/International Union of Operating Engineers, Local 150 effective May 1, 2004 through April 30, 2007, and to authorize the signing of the contract. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Flammini, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

PURCHASE OF 2964 SHERIDAN ROAD

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that a Resolution (05-R-1) be passed purchasing certain property located in the City of Zion, commonly known as 2964 Sheridan Road. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Flammini, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

ANNOUNCEMENTS

January 17	City Offices closed for Martin Luther King Jr. Day
January 18	Regular City Council Meeting
February 1	Next Regular Township Board Meeting (replaces January meeting)

CLOSED SESSION

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that the Council recess to Closed Session at 9:12 p.m. to discuss personnel, collective bargaining, purchase and sale of real estate, and probable and pending litigation. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Flammini, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne to reconvene the Regular Council meeting at 10:03 p.m. with all members present. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Flammini, aye; Bennett, 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 Bennett and unanimously approved the meeting be adjourned at 10:03 p.m. Motion carried.

City Clerk

Approved January 18, 2005