

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, MAY 17, 2005, AT 7:03 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, Taylor, Flammini 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 Taylor to accept the Council agenda with amendments as follows:

- Deleting Resolution of Commendation for Lacey Simpson, item 6.a.
- Deleting to consider passing Ordinance rezoning property at northwest corner of Kenosha Road and 21st Street, item 7.b.
- Adding payments to the Consent Agenda for My Father's Business, 2722 Sheridan Road, to Lake Shore Awning, \$2,663.00 and Lloyd Construction, \$2,480.00, item 5.d.

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

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 Special Meeting held on May 2, 2005 at 4:00 P.M. and approval but not release of Closed Session Minutes of a meeting held on May 2, 2005 at 4:00 P.M.; Regular Meeting and Swearing-in of New Officers held on May 3, 2005 at 7:00 P.M; Special Meeting held on May 9, 2005 at 6:47 P.M. and approval but not release of Closed Session Minutes of a meeting held on May 9, 2005 at 7:35 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** Detailed Balance Sheet and Detailed Revenue & Expense Report, period ending April 30, 2005; Building Inspector's Monthly Report, April, 2005
- (c) **BILLS:** Vouchers 90375 through 90527 drawn on National City Bank, \$769,609.64; Adjustment for voided check, \$2,354.40; Net Total: \$771,964.04
- (d) **PAYMENTS:** Illinois Fire & Police Equipment, Fire/Rescue clothing/equipment, \$5,418.50; USA BlueBook, SeekTech locating system receiver & transmitter, Magna-Trak locator for Water Division, \$4,279.88; Sticker Dude, Police vehicle decals, \$1,510.00; Lake Shore Awning, awning for My Father's Business at 2722 Sheridan Road, \$2,663.00 and Lloyd Construction, repairs for My Father's Business at 2722 Sheridan Road, \$2,480.00

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

VENDOR LIST FOR POLICE UNIFORMS

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett that a Resolution (05-R-13) be passed establishing an approved vendor list for the purchase of Police uniforms and other job-related items. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

AMEND MUNICIPAL CODE/NO PARKING IN 2300 BLOCK OF HERMON AVE

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that an Ordinance (05-0-11) be passed amending the Municipal Code of the City of Zion, as amended, Section 90-133 (c)(2), repealing no parking requirements in the 2300 block of Hermon Avenue. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

VACATING A PORTION OF CALEDONIA AVENUE

It was moved by Commissioner Flammini, seconded by Commissioner Taylor that an Ordinance (05-0-12) be passed vacating a portion of Caledonia Avenue, City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ZION WOMAN'S CLUB/RAFFLE

The Zion Woman's Club has submitted an application for license to conduct a raffle in the City of Zion. The drawing would be held on October 4, 2005. The Zion Woman's Club is also requesting waiver of the license fee. Commissioner Taylor recommended allowing staff to waive fees for not-for-profit, fraternal and civic organizations.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the license to conduct a raffle for the Zion Woman's Club, waiving the license fee, also allowing staff to waive fees for not-for-profit fraternal and civic organizations, and to amend the ordinance accordingly. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

MOSQUITO CONTROL PROGRAM

A memo (05-DOC-63) was received from Clerk Mackey recommending the approval of the 2005 Mosquito Control Program as follows:

- Treatment of catch basins - \$15,000
- 4 citywide misting treatments @\$3,367 each for a total of \$13,468
- 3 treatments of downtown area and Shiloh Park prior to Nostalgia Days, July 4th, and Jubilee Days @\$300 each for a total of \$900
- Total Mosquito Control Program - \$29,368

Services would be conducted by Clarke Environmental Mosquito Management. This program is at the same cost as the 2004 program.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to award the contract for the 2005 Mosquito Control Program to Clarke Environmental Mosquito Management for a total amount not to exceed \$30,000.00, with services as recommended. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

REZONING/SW CORNER OF 9TH STREET & KENOSHA ROAD

The Planning and Zoning Commission considered a request for a zoning change from Residential (R30) to Highway Business (HB) for the development of a retail commercial parcel at the southwest corner of 9th Street and Kenosha Road, as petitioned by Galpart, LLC – Zoning Docket 05-Z-3. The Planning/Zoning Commission recommended approval. Commissioner Taylor questioned why the plan shows the back of the buildings fronting 9th Street. Architect Glenn Christensen stated this is a concept plan, placing the parking lot out of site from the street, which would be conducive to nearby residential property. The main access would be from 9th Street with secondary access from Kenosha Road. This 10-acre parcel would be developed for small convenience businesses and possibly medical or banking facilities. Mayor Harrison questioned whether or not this concept plan would need to come back before the Council for further approval. Mr. Christensen stated, upon approval of the zoning change, the plan would not have to come back to the Council. Mayor Harrison stated the Council would have no control as to the appearance of the back of these buildings. Mr. Christensen stated the developers would be willing to present a site plan. Commissioner Taylor stated he couldn't support the zoning change with the building plan as presented. The developers stated they would be willing to consider changing the development's layout. Attorney Randall recommended tabling the zoning request, in order for the developers to meet with the Pre-Development Committee. Mayor Harrison also recommended requiring a developer's agreement.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to table the zoning change request for property at 9th Street and Kenosha Road until the June 7 Council meeting, in order for the developer to meet with the City's Pre-Development Committee and for the preparation of a developer's agreement. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

REZONING/27TH STREET, EAST OF PUBLIC WORKS FACILITY

The Planning and Zoning Commission considered a request for a zoning change from Residential (R13) to Single Family (R10), as petitioned by James and Nellie Bowman – Zoning Docket 05-Z-4. The Planning/Zoning Commission recommended approval. This property is immediately east of the Public Works facility. The Bowmans are also requesting vacation of Leah Avenue, which borders the property. Mr. Jones stated there are no plans to improve this vacant right-of-way, and recommended selling the parcel for a total of \$2,687. If these requests are approved, the Bowmans are also asking for approval of a minor subdivision of the parcel from three lots to four lots. There are three existing homes, and the Bowmans wish to build one new single family home. Glenn Christensen stated, with the vacation of Leah Avenue, the homes would become conforming to zoning regulations, and each house would be on its own individual lot. Commissioner Bennett questioned if these homes were ever outbuildings for agricultural use, noting these homes would be compromising residential standards. Mr. Bowman stated the buildings have been homes for the five years he has owned them, noting he has spent considerable money on them. Commissioner Bennett questioned the location of the stream in relationship to this property. Mr. Christensen stated the stream is 120 feet to the north of the property. Brian Usher stated, as long as the stream is not obstructed, there should not be a drainage concern. Mr. Christensen stated a utility and drainage easement could be placed on the plat. Commissioner Bennett noted he is opposed to one driveway serving all lots, and questioned why Leah Avenue couldn't be improved as a roadway for the lots. Commissioner Bennett also questioned whether or not the homes have individual water meters. Mr. Christensen stated the homeowners' association covenants and restrictions would address these concerns, noting Leah Avenue is not wide enough to serve as a full conventional street. Mr. Usher stated the title company would also require a utility easement, which would need to be included on the plat.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve the rezoning of the property on 27th Street, east of the Public Works Facility, from Residential (R13) to Single Family (R10), and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Bennett, nay; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve the vacation of the unimproved Leah Avenue, as requested at a cost of \$2,687, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Bennett, nay; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve the minor subdivision of the parcel on 27th Street from three lots to four lots, subject to the inclusion of a utility easement and paved driveway on the plat and individual services for water and sewer. The vote on roll call was: Commissioners Bennett, nay; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

ADULT USE ORDINANCES

Mayor Harrison stated there is a need to strengthen the City's nuisance codes, and legal counsel has prepared ordinances regarding regulations addressing the issues.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that an Ordinance (05-0-13) be passed amending the City of Zion Zoning Ordinance to regulate sexually oriented businesses. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne that an Ordinance (05-0-14) be passed amending the City of Zion Municipal Code to establish sexually oriented business licensing and additional regulations. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

SHEPHERD'S CROSSING RECAPTURE AGREEMENT

Brian Usher presented a proposed amendment to the Recapture Agreement with Deer Point Homes Development for Shepherd's Crossing Subdivision for the inclusion of additional water and sewer line capacity. Mr. Usher stated staff has reviewed the unit price costs and found them to be appropriate.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve the First Amendment to the Deer Point Homes Development Corporation Recapture Agreement, as presented. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

SHILOH SOUTH ALLEY

A memo (05-DOC-64) was received from Brian Usher, regarding proposed changes to the Shiloh South alley. The Zion Post Office is proposing adding a drop box in the alley behind their facility. This installation would require restricting traffic in the alley west of the Sheridan alley to one-way, east bound. The opposing section of this alley is already one-way, west bound. It would also require exiting traffic from the Shiloh alley to travel south to 26th Street.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to approve the one-way alley restrictions, as presented, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

BEE LINE TROLLEY PROJECT

A memo (05-DOC-65) was received from Delaine Rogers, regarding requested information on the Bee Line Trolley Project. Ms. Rogers stated staff recommends purchasing a 1998 pre-owned trolley with ADA compliance available for \$50,000 from Trolley Car Concepts. The 23-passenger trolley would have a limited warranty, new paint with custom decals and lettering, and be ready by early June. The only modification needed would be rear window inserts for an additional \$5,000. Ms. Rogers stated the city's insurance carrier has verified that this project would not adversely impact existing liability insurance premiums. Midwestern Regional Medical Center has offered funding to help with staffing of the trolley. Public Works would provide maintenance and storage. Upon inspection, if the trolley is found in good condition, the recommendation to purchase would include the following:

- purchasing the trolley for \$55,000, including the window inserts,
- repainting, lettering and decaling the trolley at a cost not to exceed \$2,500, and
- shipping the trolley from Florida for an approximate cost of \$1,700.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve the purchase of a 1998 Cable Car trolley from Trolley Car Concepts, as recommended. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

SUMMER INTERN PROGRAM

A memo (05-DOC-66) was received from Delaine Rogers, requesting the city's participation in a summer intern program available through Zion-Benton Township High School. The program, funded by Illinois Educational funds allows job placement opportunities and classroom instruction for seven interns. The program would be in effect from May 31 to July 31 at no cost to the city.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to grant permission to participate in the Zion-Benton Township High School summer intern program, with placement for seven interns as requested. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

ALLEY VACATION/3400 BLOCK OF SHERIDAN ROAD

A memo (05-DOC-67) was received from Delaine Rogers, regarding a request for the vacation of an alley in the 3400 block of Sheridan Road. The unimproved east, west alley is directly behind Lucy's Appliances and directly south of the new senior assisted living project by Barton Management. The request is for the incorporation of this property into the property boundaries of the two parties lying east and west of the line.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne to approve the vacation of the unimproved alley in the 3400 block of Sheridan Road, as requested, and for a plat to be created to reflect the changes. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

HILLERY'S BAR-B-Q RESTAURANT

A memo (05-DOC-68) was received from Delaine Rogers, regarding a proposed TIF Grant for Hillery's Bar-B-Q Restaurant. This grant is for building improvements, including exterior alterations, signage and awnings, at 2620 Sheridan Road. The TIF Review Board recommends approval of a \$24,615.70 TIF Grant.

It was moved by Commissioner Flammini, seconded by Commissioner Bennett to approve a TIF Grant for Hillery's Bar-B-Q Restaurant at 2620 Sheridan Road in the amount of \$24,615.70. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

Mayor Harrison thanked the community for all of the support, thoughts and prayers during the recent tragedy.

- May 18 Memorial Service at Beulah Park
- May 21 Kiwanis Club Bicycle Safety Rodeo at Zion Park District Leisure Center
- May 30 City Offices closed for Memorial Day
- May 31, June 1 & 2 City of Zion Budget Hearings
- June 7 City Council Meeting
- June 21 Township Board Meeting

CLOSED SESSION

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett that the Council recess to Closed Session at 8:42 p.m. to discuss personnel, purchase and sale of real estate and probable and pending litigation. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to reconvene the Regular Council meeting at 10:40 p.m. with all members present. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

CITY COUNCIL

Mayor Harrison stated the Council discussed the City Council's areas of responsibility.

It was moved by Commissioner Bennett, seconded by Commissioner Taylor to appoint the City Council to their areas of responsibility as follows:

- Lane Harrison - Mayor and Commissioner of Public Affairs
- L. Howard Bennett - Commissioner of Accounts And Finance And Mayor Pro Tem
- Jim E. Taylor - Commissioner of Public Works
- Lloyd E. DeTienne - Commissioner of Public Health And Safety
- Frank A. Flammini - Commissioner of Building And Public Property

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

WAGES FOR NON-UNION EMPLOYEES

Mayor Harrison stated the Council discussed proposed wage increases for non-union full-time and part-time employees.

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to approve wages effective May 1, 2005:

- 3.25% wage increase for non-union, full-time employees, except for those positions listed separately below:
- Holding on Building Inspectors' union positions
- Holding on possible clerical union positions
- Larry Pannell – no increase May 1, 2005, as Mr. Pannell is new employee
- 3.5% wage increase for Public Works Supervisors
- 3.5% wage increase for Diane Burkemper, Ron Colangelo and Bruce Mihelich
- Police Deputy Chiefs - \$85,000
- City Clerk - \$74,000
- 3.5% wage increase for all other Department Heads
- Ken Ranta's annual salary - \$9,500
- John Schultz's annual salary - \$3,000
- Rachel Fisher's annual salary - \$2,900

- Part-time Community Service Officers \$10.00 - \$14.00 per hour
- Part-time Clerical/City Clerk's Office \$12.00 per hour
- Part-time Summer/Public Works \$9.50 - \$10.50 per hour
- Part-time Summer/Engineering \$9.50 - \$11.50 per hour
- Part-time Summer Supervisor/Public Works \$18.25 per hour
- Part-time/Grass Cutting Program \$8.50 - \$8.75 per hour
- Paid on Call EMTs \$10.00 - \$11.00 per hour
- Temporary Summer Administrative Secretary/
Building Dept. \$8.50 per hour

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

DEPARTMENT HEADS AND CITY OFFICIALS

Mayor Harrison stated the Council discussed the appointment of Department Heads and City Officials.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to appoint the following Department Heads and City Officials:

The Law Firm of Ancel, Glink, Diamond, Bush, DiCianni & Rolek - City and Prosecuting Attorneys
 Judy Mackey - City Clerk
 Douglas Malcolm – Police Chief
 David LaBelle – Fire/Rescue Chief
 Brian Usher - Director of Public Works & Engineering
 Delaine Rogers - Director of Economic Development
 John Jones - Director of Building and Zoning & Health and Safety Officer
 Ken Ranta – ESDA Coordinator
 John Schultz – Asst. ESDA Coordinator
 Rachel Fisher - Treasurer

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

5/17/05

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 10:50 p.m. Motion carried.

City Clerk

Approved June 7, 2005