

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JUNE 5, 2007, 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 DeTienne, Bennett, Taylor, Flammini 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 Flammini to accept the Council agenda with amendments as follows:

- Under Consent Agenda, item 6.a.: changing approval but not release of Closed Session Minutes for a meeting held on May 15, 2007, instead of May 1, 2007
- Deleting to consider waiving building related fees for churches, item 9.d.

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

SPECIAL PRESENTATION/EARLY CHILDHOOD EDUCATION

Julie Wendorf, former Early Childhood Director for the Zion Elementary School District, presented a report on early childhood care and education in the Zion area. Ms. Wendorf pointed out the need for licensed childcare, early childhood education and preschool opportunities, encouraging the development of additional child care centers.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES** of a Regular Meeting held on May 15, 2007 at 7:00 P.M. and approval but not release of Closed Session minutes of a meeting held on May 15, 2007 at 7:30 P.M. and Budget Workshop/Special Meetings held on May 16, 2007 at 6:30 P.M. and May 29, 2007 at 3:40 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** Detailed Balance Sheet and Detailed Revenue and Expense Report for period ending April 30, 2007; City Clerk's Monthly Report, May 2007
- (c) **BILLS:** Vouchers 97776 through 98073 drawn on National City Bank, \$1,737,415.84
- (d) **PAYMENTS:** K & L Contractors, removal and replacement of asphalt in National City Bank alley, \$18,000

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

RESOLUTION OF COMMENDATION/DOUGLAS TOWNSEND

Mayor Harrison presented a plaque to Douglas Townsend, acknowledging him for his volunteer service as a member of the Zion TIF Review Board, as he retires having served since 1998.

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that a Resolution of Commendation (07-R-12) be passed, recognizing Douglas Townsend for his many dedicated years of service on the TIF Review Board. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

PREVAILING RATE OF WAGES

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that an Ordinance (07-0-23) be passed ascertaining the Prevailing Rate of Wages as determined by the Department of Labor for laborers, mechanics and other workers performing construction of public works in the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

AMENDING MUNICIPAL CODE/SOLICITOR PERMITS

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett that an Ordinance (07-0-24) be passed amending the Municipal Code of the City of Zion, as amended, Section 62-300 (a)(3), stating the requirements for a permit fee for solicitors of \$7.50 per day or \$25.00 per year and filing of a certificate of insurance or permit bond of no less than \$1,000.00. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ESDA/MANAGEMENT & APPOINTMENTS

Mayor Harrison recommended the following appointments to ESDA:

- ESDA Coordinator – Chief David LaBelle
- ESDA Field Director – John Schultz
- ESDA Assistant Field Director – Jim Rissell

Mayor Harrison recommended holding on salaries for these positions until the budget is finalized.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that a Resolution (07-R-13) be passed amending the Personnel Authorization regarding the management and titles for ESDA'S administration, and approving ESDA appointments, as recommended by Mayor Harrison. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

SALARY INCREASE/PUBLIC WORKS

Commissioner Taylor recommended a salary increase for Bruce Mihelich, Engineering Technician in Public Works, from Pay Grade 14 Step 5 to Step 6.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve a salary increase for Bruce Mihelich, Engineering Technician in Public Works, from Pay Grade 14 Step 5 to Pay Grade 14 Step 6. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

STONEBRIDGE CROSSING/HOMEOWNERS ASSOCIATION COVENANTS

A memo (07-DOC-50) was received from John Jones, regarding the Stonebridge Crossing Homeowners Association Covenants. These Covenants require that any change needs to be approved by the City. An amendment has been proposed regarding fences on the property, making the regulation more restrictive than the City ordinance, which is within the Homeowners Association's authority.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve the First Amendment to the Declaration of Covenants, Conditions and Restrictions for Stonebridge Crossing Homeowners Association. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

OUTDOOR DISPLAY OF GOODS FOR SALE

A memo (07-DOC-51) was received from John Jones, regarding the display of goods for sale outdoors. These sales create concerns regarding pedestrian safety and adequate parking. Mr. Jones recommended that businesses be required to obtain an annual permit to sell their merchandise outdoors. Merchandise would need to be confined to an area, which doesn't restrict pedestrians or vehicles. Merchandise not related to the business would not be allowed, and would only be for businesses, which have private areas. Attorney Puma stated this would be an administrative permit, and would not require a special permit. Commissioner Flammini stated enforcement should be through the Building Department, but could be administered through the City Clerk, who handles licenses. Mayor Harrison noted concerns regarding displays on sidewalks, public rights-of-way and parking areas. Mayor Harrison recommended the permit be administered under the Director of Building, who is also the Health and Safety Officer. Mr. Jones stated he would prefer requiring a permit, so he would be able to address safety issues. Commissioner Flammini recommended that the permit would need to be renewed every calendar year with no fee required.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini that an Ordinance (07-0-25) be passed amending the Municipal Code of the City of Zion, as amended, Chapter 14, regarding offering or displaying goods for sale outdoors, which would require an annual calendar based permit with no fee, subject to attorney review. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ZBTHS PROJECTS/REQUEST FOR FEE WAIVER

A memo (07-DOC-52) was received from Ron Colangelo, regarding a request from Zion-Benton Township High School to waive fees for the Pearce Campus renovation and the installation of a waterline to the soccer/football field. Commissioner Taylor stated the fees for the tap on and the right-of-way work would be approximately \$11,070. There would be additional fees for the renovation work. The Council agreed that there should be no cost to the City for these ZBTHS projects.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve Zion-Benton Township High School's request for waiver of the fees for the Pearce Campus renovation and installation of a waterline to the soccer/football field, subject to no cost to the City. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

TAB OF BIDS/ROUTE 173 WATERMAIN REPLACEMENT PROJECT

A Tabulation of Bids (07-DOC-53) was received from Ron Colangelo for the Route 173 Watermain Replacement Project. Mr. Colangelo recommended awarding the contract to the lowest responsible and responsive bidder, Elmwood Enterprises, in the amount of \$433,098. Commissioner Taylor stated this work needs to be completed as soon as possible, because if the State passes its budget, State plans include repaving Route 173 from Lewis Avenue east to Sheridan Road.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to award the contract for the Route 173 Watermain Replacement Project to Elmwood Enterprises for an amount not to exceed \$433,098. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

LAKE COUNTY VISITORS BUREAU/SUMMER SPACES MARKETING CAMPAIGN

A memo (07-DOC-54) was received from Delaine Rogers, recommending participating in the Lake County Illinois Convention and Visitors Bureau (LCICVB) Summer Spaces Joint Marketing Campaign. The campaign attracts tourism opportunities, including listings in magazines, television, newspapers and web based media. The Village of Winthrop Harbor has agreed to participate in this program, sharing the \$25,000 total cost. Winthrop Harbor would contribute \$5,000, with the \$20,000 to be paid by Zion. This is a budgeted Cable Fund item.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve participating in the LCICVB Summer Spaces Joint Marketing Campaign for the total amount of \$25,000, and invoicing the Village of Winthrop Harbor for \$5,000 of this cost. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

AUTO ZONE RESUBDIVISION

A memo (07-DOC-55) was received from Delaine Rogers, recommending the re-subdivision of city owned property at 3003-3049 Sheridan Road for the relocation of Auto Zone. Auto Zone is purchasing 200 feet of the Sheridan Road frontage, allowing the City to retain the northern 50 feet as a separate lot. The City currently has a lease/option agreement with Dreyer's Auto Service for this 50-foot lot. Auto Zone is proceeding with the purchase of the 200-foot parcel, subject to the receipt of a No Further Remediation Letter from the Illinois Environmental Protection Agency. This process is currently underway.

It was moved by Commissioner Flammini, seconded by Commissioner Bennett to approve the re-subdivision of 3003-3049 Sheridan Road into 2 parcels, as presented, for the relocation of Auto Zone. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

TAB OF BIDS/SALE OF 1913-1917 SHERIDAN ROAD

A Tabulation of Bids (07-DOC-56) was received from Delaine Rogers, regarding the sale of 1913-1917 Sheridan Road. The City received one qualified bid from RLC Enterprises in the amount of \$345,000. The City purchased this property for \$310,000. RCL Enterprises is a franchisee representing several nationally recognized restaurants. There are no incentives attached to this project, and the bidder would pay all permit and tap on fees.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to award the sale of 1913-1917 Sheridan Road to RLC Enterprises for the total amount of \$345,000, subject to the preparation of an ordinance and real estate contract. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

NORTH SHORE SANITARY DISTRICT AGREEMENT/TRUMPET ROAD

A memo (07-DOC-57) was received from Delaine Rogers, recommending an amendment to the North Shore Sanitary District (NSSD) Real Estate Contract for the construction of Trumpet Road in Trumpet Park. This amendment would allow the City to acquire title to land in Trumpet Park for Trumpet Road and infrastructure relative to detention, utilities and wetlands. This improvement would create accessible buildable sites. NSSD has agreed to allow payment for the right-of-way property to be made as interior lots are sold or leased. If approved, this agreement would then be presented to the NSSD Board on June 13.

It was moved by Commissioner Bennett, seconded by Commissioner Flammini to approve the Agreement regarding Trumpet Park and Third Amendment to the Real Estate Contract with North Shore Sanitary District, subject to the city attorney's review. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

DYNACOIL LOT "C"/2000 BLOCK OF LEWIS AVENUE

A memo (07-DOC-58) was received from Delaine Rogers, regarding property in the 2000 block of Lewis Avenue, referred to as Dynacoil Lot "C". The City has an option to purchase this 4.69-acre parcel, but at this time is not pursuing any project at this location. The property owners have received an offer to purchase from a buyer proposing to construct a commercial building. Ms. Rogers recommended the city waive its option to purchase and allow this private development to proceed. Mayor Harrison requested, and the Council agreed, to hold this item until after closed session.

ANNOUNCEMENTS

Mayor Harrison stated budget workshops have been held, and 2007/08 budget expenses are very similar to that of the previous year. The City's portion of the tax bill for all City of Zion taxpayers has decreased. Mayor Harrison stated the hope is to set a balanced budget in the near future, yet continue to provide increased services, including improved streets and more police officers.

- June 6 Zion Liquor Control Commission Meeting
- June 7 CVS Pharmacy Groundbreaking Ceremony
- June 8 Midwestern Regional Medical Center's Celebrate Life Event
- June 16 Zion Historical Society "Trash to Treasure" Community Lawn Sale
- June 19 Township Board Meeting at 6:30 P.M.
- June 19 City Council Meeting at 7:00 P.M.
- June 21, 22 & 23 Nostalgia Days

CLOSED SESSION

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that the Council recess to Closed Session at 8:01 p.m. to discuss personnel, purchase and sale of real estate, and probable and pending litigation. The vote on roll call was: Commissioners DeTienne, aye; Bennett, 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 9:47 p.m. with all members present. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

6/5/07

DYNACOIL LOT "C"/2000 BLOCK OF LEWIS AVENUE

Mayor Harrison stated the Council discussed the City's existing option to purchase property in the 2000 block of Lewis Avenue.

It was moved by Commissioner Flammini, seconded by Commissioner Bennett to waive its option to purchase the property in the 2000 block of Lewis Avenue. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, 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 Flammini and unanimously approved the meeting be adjourned at 9:52 p.m. Motion carried.

City Clerk

Approved June 19, 2007