

Council Minutes

December 5, 2000

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL
HELD ON TUESDAY, DECEMBER 5, 2000, AT 7:02 P.M. IN THE CITY
COUNCIL CHAMBERS, CITY HALL, ZION, ILLINOIS

Mayor Harrison called the meeting to order.

On call of the roll the following answered present: Commissioners Rogers, Bennett, Monk, Taylor and Mayor Harrison.

Mayor Harrison led in the Pledge of Allegiance to the Flag.

AGENDA CHANGES

Mayor Harrison requested 1) deleting a payment from the Consent Agenda to SBC Global Network, annual maintenance contract, \$14,789.25, item 5.d.; 2) deleting to consider donation to Kiwanis for City entry signs for civic organizations, item 8.a.; 3) deleting to consider Real Estate Sale Contract with North Shore Sanitary District, item 8.k.; 4) adding to consider Sales Tax Rebate Agreement for Applebees Restaurant, item 8.k.; 5) adding a Tabulation of Bids for the 21st Street sanitary sewer main, item 8.o.; 6) adding to consider appointments to the TIF Review Board, item 8.p.; and 7) to move Citizen Comments from item 9 to item 5.f.

Commissioner Taylor requested adding to consider the renewal of the workers compensation insurance with Illinois Public Risk Fund, item 8.a.

Commissioner Rogers requested 1) deleting the discussion regarding special parking permit for Church of Joy, item 8.f.; 2) deleting to consider amendments to the sign ordinance, item 8.g.; and 3) adding to consider waiver of building permit fees for Faith Tabernacle Church, item 8.q.

CONSENT AGENDA

It was moved by Commissioner Monk, seconded by Commissioner Taylor that the Consent Agenda be approved as follows: (a) MINUTES of a Regular Meeting and Executive Session held on November 21, 2000 at 7:03 P.M., with all members having previously received copies. (b) BILLS: Vouchers 73667 through 73781 drawn on the National City Bank, \$511,921.07; First Midwest Bank, \$74,474.82; Total: \$586,395.89 (c) DEPARTMENTAL REPORTS: Police Activity Reports, October, 2000 (d) PAYMENTS: Daniels, Mauro & Pinsel, legal services, \$10,000.00; SBC

Business Communications Services/Ameritech, annual maintenance service for 911 system and equipment, \$13,695.00; Computer Information Systems, Inc., license renewal & annual maintenance contract, \$4,800.00; Martin Oil Marketing, Ltd., purchase of Lots 3 -12 in Block 13 Receiver's Subdivision, \$50,320.00 (e) RECEIVE & PLACE ON FILE: Zion Police Pension Fund Annual Audit Report for fiscal year ending April 30, 2000 The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

CITIZEN COMMENTS

Toni Larsen stated that her recycling items were being picked up and placed in the regular garbage trucks. Brian Usher stated Onyx/BFI is now able to co-mingle recycling items, which are separated at a special facility. Mr. Usher stated he would contact the company to verify this process, and notify them of Ms. Larsen's concern.

HORIZON VILLAGE/REVENUE BONDS

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that a Resolution (00-R-48) be passed of intention to issue Revenue Bonds of the City of Zion, Lake County, Illinois, in an aggregate principal amount not to exceed \$15,000,000 to finance all or a portion of the cost of acquiring land, buildings and related improvements, demolishing buildings, constructing buildings and related improvements and acquiring furnishings, equipment and related property to be installed therein for Horizon Partners, L.P., or its designee; authorizing the execution of a Memorandum of Agreement by and between the City and said Company; and related matters. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

AMENDING PERSONNEL AUTHORIZATION

It was moved by Commissioner Monk, seconded by Commissioner Rogers that a Resolution (00-R-49) be passed amending the Personnel Authorization, adding one Patrolman in the Police Department. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

AUTHORIZING CONTRACT/TELEPHONE SYSTEM/FIRE/RESCUE DEPT

It was moved by Commissioner Monk, seconded by Commissioner Bennett that an Ordinance (00-0-94) be passed authorizing a contract for a telephone/paging system for the Fire/Rescue Department with Radicom, Inc. in the amount of \$15,483.00. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ZION LIQUOR CONTROL ORDINANCE

It was moved by Commissioner Bennett, seconded by Commissioner Taylor that an Ordinance (00-0-95) be passed entitled the Zion Liquor Control Ordinance, Chapter 56 of the Zion Municipal Code. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

WORKERS COMPENSATION INSURANCE

Commissioner Taylor presented a memo (00-DOC-170) regarding workers compensation insurance. Commissioner Taylor recommended renewing this coverage with the Illinois Public Risk Fund (IPRF). The City has utilized IPRF for the past eleven years through Pitcher Insurance Brokerage. The annual premium for 2001 would be \$286,486.00, representing a 4.4% increase over the previous year. A deposit of \$71,622.00 would be due on December 14. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the annual renewal of the City's workers compensation insurance with Illinois Public Risk Fund, authorizing the initial deposit of \$71,622.00. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

REMOVAL OF DANGEROUS & DISEASED TREES

A memo (00-DOC-171) was received from Brian Usher, regarding the removal of dangerous and diseased trees. Numerous complaints have been received, resulting in 30 trees being found to be in hazardous condition. Mr. Usher stated quotes were received for removal of these trees. The lowest quote is from Un-Limb-It Tree Service for a total cost of \$7,600.00. It was moved by Commissioner Bennett, seconded by Commissioner Monk to waive bids and approve contracting with Un-Limb-It Tree Service in the amount of \$7,600.00 for the removal of 30 dangerous and diseased trees, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

MATTHEW PLACE WATERSHED STUDY

A memo (00-DOC-172) was received from Brian Usher, regarding storm water problems along Matthew Place and Lydia Avenue. Proposals have been received from five engineering firms for a comprehensive study of the watershed area. Mr. Usher stated staff recommends acceptance of the proposal from Harza Engineering Company, Inc. as the most comprehensive study at a cost not to exceed \$22,600.00. The work would include a neighborhood meeting, with work to be completed within 90 days. The Stormwater Management Agency would reimburse 50% of the project upon completion. It was moved by Commissioner Taylor,

seconded by Commissioner Bennett to waive bids and approve contracting with Harza Engineering Company, Inc. for the Matthew Place drainage and watershed study at a cost not to exceed \$22,600.00, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

STREET LIGHTING/30TH ST & EMMAUS AVE

A memo (00-DOC-173) was received from Brian Usher, regarding additional streetlights in the areas of 30th Street to Carmel and Elisha Avenue to Emmaus Avenue. The Neighborhood Watch group in this area has requested additional and improved street lighting. The total annual cost for this lighting would be \$1,906.92. Mr. Usher stated the neighborhood has requested 1000 watt bulbs, however, the spillover lighting in the neighborhood would be significant, and suggested doing a more thorough study of lighting on these corners. Mayor Harrison recommended the Neighborhood Watch group view other streetlights with 1000-watt bulbs. Commissioner Taylor suggested that a streetlight bulb with wattage between 100 and 1000 be considered. Commissioner Bennett suggested changing the streetlight's lighting pattern, wherein by moving the arm of the light, lighting would be reflected on the street and not into the homes on the corners. The Council agreed for Brian Usher to meet with the Neighborhood Watch group, providing the Council's suggestions, and to readdress this issue at a future meeting.

CONTAINERIZED GARBAGE

A memo (00-DOC-174) was received from John Jones, regarding amendments to the containerized garbage ordinance. Mr. Jones stated these changes to Section 74, Solid Waste, would bring the Code into compliance with the new program. Commissioner Taylor stated the amendment referring to the hours of garbage pickup states "trash carts shall be placed at location of collection no earlier than 5:00pm the day prior to scheduled collection..." Commissioner Taylor stated this section should also include that trash carts shall be placed at location of collection no later than 6:00am the day of collection. It was moved by Commissioner Rogers, seconded by Commissioner Taylor to amend Section 74, Solid Waste, bringing it into compliance with the new containerized garbage program, including hours of collection, as recommended. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

ZION POLICE PENSION FUND TAX LEVY

A letter (00-DOC-175) was received from Dwight Ower, President, Zion Police Pension Fund, requesting approval of the tax levy for the fiscal year starting May 1, 2000. The Zion Police Pension Fund is requesting a tax levy of \$389,163.00. The tax levy requirements are set by the Illinois

Department of Insurance. It was moved by Commissioner Taylor, seconded by Commissioner Monk to approve the Zion Police Pension Fund tax levy in the amount of \$389,163.00 for the fiscal year starting May 1, 2000 and ending April 30, 2001. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

POLICE OFFICERS/VACANCIES

A memo (00-DOC-176) was received from Chief Malcolm, requesting permission to fill vacancies and hire seven police officers. An eligibility list has been posted, and basic training will be offered starting January 7. It was moved by Commissioner Monk, seconded by Commissioner Rogers to grant permission to hire seven police officers based on the Police Officer Eligibility List. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

UNIMPROVED NORTH AVENUE/VACATION

Peter Cioni, stated property owners have been contacted regarding possible interest in the vacation of the unimproved sections of North Avenue. At this time, replies have not been received. This issue was deferred.

APPLEBEES/SALES TAX REBATE AGREEMENT

It was moved by Commissioner Taylor, seconded by Commissioner Rogers to approve the Sales Tax Rebate Agreement with AppleILLINOIS II, L.L.C. regarding the operation of an Applebee's Restaurant at 2015 Sheridan Road. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

UNIMPROVED ALLEYS

A memo (00-DOC-177) was received from Commissioner Bennett, considering the vacation of unimproved alleys. Recommendations for 29 parcels are as follows: No action to be taken on unimproved alleys that are part of a public facility Beulah Park School parking lot Beulah Park School playground Joanna and 21st Street City Park Lakeview School playground Former Pearce Campus high school East School playground West School Zion Public Library No action to be taken on other unimproved alleys 1900 block of Elizabeth 1800 block of Kedron 1700 block of Joanna 1800 block of Joppa 12/5/00 Attorney to research unimproved alleys to ascertain ownership 2000 block of Joanna 1900 block of Jethro Lakeview Church parking lot Apartment parking lot north of Route 173 and Galilee Parking east of a business/apartments south of Route 173 and Galilee Unimproved alleys to be vacated or sold in

amounts to cover surveying and legal costs 2000 Joppa 2000 block of Jethro-east/west 20th Street alley 1900 block of Jethro -east/west 20th Street alley 2000 block of 20th Street-north/south 20th Street alley 1900 block of 20th Street- north/south 20th Street alley 1700 block of 20th Street-north/south 20th Street alley 2000 block of Bethesda-east/west 20th Street alley 2100 block of Jethro-north/south 21st Street alley Ravine Drive, west/north of 1700 Gideon 1700 block of Gideon, near Ravine Dr. - Developer to be contacted regarding possible sale Alleys to be studied by Engineering and considered for improvement 2300 Ravine T alleys Extension of alley between 1906 and 1910 Joppa It was moved by Commissioner Taylor, seconded by Commissioner Monk to approve action be taken on the vacation of unimproved alleys, as recommended. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

LIQUOR CONTROL BOARD APPOINTMENTS

Mayor Harrison presented a memo (00-DOC-178), recommending the appointments of the following individuals to the Liquor Control Board: Nadine Thorn - with term expiring April 30, 2002 Terry McNabb - with term expiring April 30, 2003 Sharon Ransom - with term expiring April 30, 2004 It was moved by Commissioner Bennett, seconded by Commissioner Monk to approve the appointments of Nadine Thorn, Terry McNabb and Sharon Ransom to the Liquor Control Board, as recommended. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

BUILDING APPEARANCE VARIANCE/2009 HORIZON COURT

The Zoning Board of Appeals considered a request for a building appearance variance for an addition to an industrial building at 2009 Horizon Court, as petitioned by S & D Development - Zoning Docket 00-Z-11. The Zoning Board recommends approval of this request, subject to the condition that the exterior of the addition be constructed of similar materials to the current building and in similar proportions. The industrial park is almost completely built, with all of the buildings of similar construction. S & D Development is proposing a 6,100 square foot addition to their existing metal building of 4,746 square feet. It was moved by Commissioner Monk, seconded by Commissioner Bennett to approve the building appearance variance for the addition to an industrial building at 2009 Horizon Court, as proposed, subject to the exterior of the addition being constructed of similar materials to the current building and in similar proportions, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

TAB OF BIDS/21ST ST. SANITARY SEWER

A Tabulation of Bids (00-DOC-179) was received from Brian Usher, regarding the sanitary sewer main extension on 21st Street. Mr. Usher recommends awarding the contract to the lowest responsible and responsive bidder, D.K. Contractors, Inc., in the amount of \$69,983.50. Mr. Usher also requested that, due to the urgency of this project, that the second reading of the ordinance be waived. It was moved by Commissioner Bennett, seconded by Commissioner Rogers to award the contract for the sanitary sewer main extension on 21st Street to D.K. Contractors, Inc., waiving the second reading; therefore, passing Ordinance (00-0-96) authorizing a contract with D.K. Contractors, Inc. in the amount of \$69,983.50 for the 21st Street sanitary sewer main extension project. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

TIF REVIEW BOARD APPOINTMENTS

Mayor Harrison recommended appointments to the TIF Review Board as follows: Jim LaBelle Bill Warren Jerry Zoephel Juanita Winfrey Dorothy Mitchell Donna Flammini Mayor Harrison noted three vacancies remain on the TIF Review Board. Peter Cioni recommended not filling the vacancies, since the Board would need additional members in attendance to meet the requirements for a quorum. Mayor Harrison suggested that regularly scheduled meetings be posted, and an ordinance be drafted establishing the TIF Review Board as an official City Board. It was moved by Commissioner Rogers, seconded by Commissioner Taylor to approve the appointments to the TIF Review Board, as recommended, and for an ordinance to be prepared establishing the TIF Review Board as an official City Board. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

FAITH TABERNACLE CHURCH/BUILDING PERMIT FEES

Commissioner Rogers stated an accessory building of the Faith Tabernacle Church and Food Pantry was destroyed in a recent fire. The church is requesting a waiver of building permit fees in the amount of \$216.00, in order to start reconstruction. The church has been receiving private donations, business donations and cooperation, and volunteer work done by contractors. It was moved by Commissioner Rogers, seconded by Commissioner Monk to grant permission to waive building permit fees in the amount of \$216.00 for the Faith Tabernacle Church and Food Pantry. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

ANY OTHER MATTERS

Mayor Harrison thanked the Festival of Lights, the Chamber of Commerce, the Zion Park District, and everyone involved, including all volunteers, for their time and efforts on the Festival of Lights opening ceremony, the opening of Santa's House, and Kringle's Kingdom. Mayor Harrison stated former Mayor Chuck Paxton was instrumental in starting the Festival of Lights project, thanking him for his vision in bringing this program to Zion.

ANNOUNCEMENTS

December 19 City Council Meeting

EXECUTIVE SESSION

It was moved by Commissioner Monk, seconded by Commissioner Bennett that the Council recess to Executive Session at 8:20 p.m. to discuss the purchase and sale of real estate, collective bargaining, personnel and possible litigation. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

The Council reconvened at 10:58 p.m. with all members present.

BELLI & KENNY DEVELOPMENT SERVICES

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to authorize an expenditure not to exceed \$150,000.00 for a development team for the City of Zion per Belli & Kenny L.L.C. development services. The vote on roll call was: Commissioners Rogers, aye; Bennett, aye; Monk, 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 Bennett, seconded by Commissioner Taylor and unanimously approved the meeting be adjourned at 11:10 p.m. Motion carried.