

Council Minutes

December 19, 2000

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL
HELD ON TUESDAY, DECEMBER 19, 2000 AT 7:01 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 Monk, Taylor, Bennett, Rogers and Mayor Harrison.

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

AGENDA CHANGES

Commissioner Bennett requested adding to consider an emergency purchase of repair parts for a snowplow, item 10.m.

Mayor Harrison requested 1) adding an agreement for a business redevelopment with GGG Development and Applellinois for improvement of the infrastructure and site location at Sheridan Road and Route 173, item 10.n., and 2) changing Citizen Comments from item 11 to item 7.f.

FESTIVAL OF LIGHTS DECORATING CONTEST

Mayor Harrison announced Festival of Lights residential decorating contest winners. A total of 24 entries were received, with the following homes receiving awards: John & Ginny Kennedy 3178 27th Street Sharon Willis 2018 Gilboa Ave. Harvey & Bonnie Jackson 2208 Elim Ave. Johnny Washington 2508 Gabriel Ave. Craig Ostrander 1904 Sunshine Lane

RESOLUTION/EMPLOYEE RECOGNITION

It was moved by Commissioner Monk, seconded by Commissioner Bennett that a Resolution (00-R-50) be passed commending Alex Dimitrijevic for 20 years of service and dedication to the City of Zion. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

PUBLIC HEARING - TAX LEVY

Mayor Harrison opened the public hearing for the 2000/01 City of Zion tax levy at 7:12 P.M. Mayor Harrison invited questions and/or comments from

the public. A question was asked regarding the percentage of tax increase. Commissioner Taylor stated the levy represents a 7.6% decrease, not an increase. The corporate and special purpose taxes for 1999 were \$5,403,263 with total assessed value of \$422,129,924. The proposed taxes to be levied for 2000 are \$4,990,000 with total assessed value of \$370,000,000. Revenue in the General Fund would decrease due to the loss of Commonwealth Edison. Mayor Harrison declared the hearing closed at 7:23 P.M.

CONSENT AGENDA

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that the Consent Agenda be approved as follows: (a) MINUTES of a Regular Meeting and Executive Session held on December 5, 2000 at 7:02 P.M. and a Special Meeting held on December 7, 2000 at 1:37 P.M., with all members having previously received copies. (b) DEPARTMENTAL REPORTS: Building Inspector's Report, month ending November 30, 2000; Fire/Rescue Department Monthly Report, November, 2000; Public Works Department Monthly Report, November, 2000 (c) BILLS: Vouchers 73782 through 73910 drawn on the National City Bank, \$748,254.39; Midwest Bank, \$5,417.37: Total: \$753,671.76 (d) PAYMENTS: Ancel, Glink, Diamond, Bush, DiCianni & Rolek, P.C., legal services, \$8,356.25; Timothy R. Evans, legal services, \$2,250.00; Deigan & Associates, environmental engineering consultant services, \$2,713.61; MSI Strategic Communications, development services rendered, \$83,000.00; Rydin Decal, vehicle license decals & aluminum tags, \$1,690.00; Hampton, Lenzini and Renwick, Inc., close out old MFT projects, \$1,229.50 & services rendered on 29th Street project, \$637.69; Total: \$1,867.19; Belli & Kenny, L.L.C., development services rendered for November, 2000; \$54,412.96 (e) RECEIVE & PLACE ON FILE: Audited Financial Statements and Supplemental Information, April, 30, 2000 The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

CITIZEN COMMENTS

James Howard noted complaints regarding snowplowing on certain streets and the City's handling of various matters. Amos Taylor stated he is opposed to curbside garbage pick-up, as well as having to purchase a garbage container. Mayor Harrison stated the Council previously discussed curbside pick-up, but decided against such a program. The Council is in favor of sturdy carts with lids. A program is being developed for those unable to afford the cost of a container. Approximately 3,000 carts would be put into implementation this spring. Toni Larsen questioned whether or not her concern regarding garbage trucks picking up recycling materials was looked into by Public Works. Brian Usher stated he contacted Onyx Waste Services, formerly BFI, wherein the company used a regular truck during a few pick-ups for the purpose of just picking up recyclable goods.

TAX LEVY - CORPORATE PURPOSES

It was moved by Commissioner Taylor, seconded by Commissioner Monk that an Ordinance (00-0-97) be passed levying taxes in the amount of \$4,990,000.00 for corporate purposes for the current fiscal year commencing on the 1st day of May, 2000 and ending on the 30th day of April, 2001 for the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

TAX LEVY-STREET AND BRIDGE

It was moved by Commissioner Monk, seconded by Commissioner Bennett that an Ordinance (00-0-98) be passed providing for an additional tax levy in the amount of \$297,000.00 for street and bridge purposes for the current fiscal year commencing on the 1st day of May, 2000 and ending on the 30th day of April, 2001 for the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

AUTHORIZING CONTRACT/REMOVAL OF TREES

It was moved by Commissioner Bennett, seconded by Commissioner Monk that an Ordinance (00-0-99) be passed authorizing a contract for the removal of 30 dangerous and diseased trees with Un-Limb-It Tree Service for a total cost of \$7,600.00. Mayor Harrison stated the City is looking for individuals interested in serving on a new commission. This commission would replace the Environmental Concerns Commission and the Shade Tree Commission with Sandra deBruyn serving as chair. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

AUTHORIZING CONTRACT/MATTHEW PLACE WATERSHED STUDY

It was moved by Commissioner Bennett, seconded by Commissioner Monk that an Ordinance (00-0-100) be passed authorizing a contract for the Matthew Place drainage and watershed study with Harza Engineering Company, Inc. for a total cost of \$22,600.00. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

AMENDING MUNICIPAL CODE/CONTAINERIZED GARBAGE

It was moved by Commissioner Taylor, seconded by Commissioner Rogers that an Ordinance (00-0-101) be passed amending the Municipal Code of the City of Zion, as amended, Chapter 74, Sections 74-1, 2, 7, 8, 12, 13 and 15, regarding containerized garbage. The vote on roll call was:

Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

AMENDING MUNICIPAL CODE/TIF REVIEW BOARD

It was moved by Commissioner Monk, seconded by Commissioner Bennett that an Ordinance (00-0-102) be passed amending the Municipal Code of the City of Zion, as amended, Chapter 2, adding Sections 2-641, 642 & 643, officially creating the TIF Review Board. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

VARIANCE/2009 HORIZON COURT

It was moved by Commissioner Monk, seconded by Commissioner Taylor that an Ordinance (00-0-103) be passed granting a variance from Article V, Section 102-130, regarding the appearance of an industrial building, for a proposed addition at 2009 Horizon Court. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

LOCAL GOVERNMENT TAXPAYERS' BILL OF RIGHTS ACT

It was moved by Commissioner Taylor, seconded by Commissioner Rogers that an Ordinance (00-0-104) be passed adopting provisions of the Illinois Local Government Taxpayers' Bill of Rights Act in connection with rights and responsibilities related to locally imposed and administered taxes of the City of Zion, Illinois. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ANIMAL CONTROL OFFICER VACANCY

A memo (00-DOC-180) was received from Chief Malcolm, requesting permission to fill a vacancy for the full-time Animal Control Officer position. The vacancy was created due to Joseph Paavilainen being accepted as a police officer. It was moved by Commissioner Monk, seconded by Commissioner Bennett to grant permission to post and advertise for the vacant Animal Control Officer position. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

CITY ENTRANCE SIGNS FOR CIVIC ORGANIZATIONS

A memo (00-DOC-181) was received from the Kiwanis Club regarding the City entry signs for civic organizations. Jim Wiedner, representing the Kiwanis Club, stated the entry signs for civic organizations have deteriorated. A new wooden frame was designed by John Rich of Rich Signs. This frame would accommodate 12 organization logos. The current

signs hold 9 logos. This proposed design would cost \$765.00 each including installation. There are 5 City entry signs. Mr. Wiedner requested that the City donate \$3,825.00 for the total cost of this project. Mayor Harrison noted a local businessman, Joe Kristan, operates a powder coating company, and a coated metal sign might be less expensive. Commissioner Taylor recommended deferring this request for consideration until budget hearings. The Council agreed to defer this request for discussion during budget hearings.

CITY TOWING

A memo (00-DOC-182) was received from Clerk Mackey regarding the renewal of the City towing contracts. The companies currently conducting the City's towing, Roger's Towing Service and Auto Center of Beach Park, have agreed to the renewal of their contracts for 2001 with the following fees: Flat fee for daytime towing 6:00 a.m. to 6:00 p.m.: \$75.00 Flat fee for nighttime towing 6:00 p.m. to 6:00 a.m.: \$85.00 Separate fee for accidents 24 hours per day: \$10.00 Storage fee: \$15.00 It was moved by Commissioner Monk, seconded by Commissioner Rogers to approve the renewal of the City towing contracts for 2001 with Roger's Towing Service and Auto Center of Beach Park. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

PURCHASE OF 2112 EMMAUS AVENUE

Commissioner Rogers stated the \$1.00 purchase of 2112 Emmaus Avenue has been accepted by H.U.D. The closing is scheduled for later this month. Commissioner Rogers stated, upon closing, the Building Department would conduct an inspection, noting items, which need to be brought into compliance. The property would be placed for sale by going out to bid. Commissioner Rogers stated options would be to either demolish the house or remodel it as a single-family unit. 12/19/00 It was moved by Commissioner Rogers, seconded by Commissioner Taylor to approve the purchase of 2112 Emmaus Avenue for \$1.00 and to place the property for sale by going out to bid. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

PURCHASE & LEASE OF GARBAGE CONTAINERS

A proposal (00-DOC-183) was presented by Commissioner Bennett for the sale, lease, service and warranty of residential waste carts. Representatives of Onyx Waste Services met with Council members and City staff to discuss implementing the use of carts for all residential garbage pick-up as of May 1, 2001. The proposal is as follows: - A listing of approved carts will be maintained by the Building Department, as well as the enforcement of the program. - Requests to purchase or lease the carts will be handled by Accounts and Finance Department. - Public

Works will handle servicing and warranty claims. · The warranty period will be five years or the manufacturer's warranty, whichever is shorter. · Carts, 95 gallon and 65 gallon, will be sold for \$50, with payment in advance. The price may be adjusted from time to time to reflect the City's actual cost of each cart. · Carts may be leased for \$1.31 per month with the cost added to the waste/water bill. The price may be adjusted from time to time to reflect the City's actual cost. · Only one cart would be leased to each customer/resident. Additional carts must be purchased. · It would be the Director of Public Works responsibility to decide whether or not to repair or replace in-warranty failures of Zarn or Americart carts. In-warranty claims and service of Onyx will be the responsibility of Onyx. · The City will prorate a credit of \$10 per each complete 12-month period of the remaining warranty of failed Zarn or Americart carts sold by the City. These carts are warranted for 5 years from the date of sale. Records of the sale dates are maintained by Public Works. The warranty is void if the cart is not at the same address or with the original owner. · The 65-gallon cart will be limited to residents with special needs, as determined by the Building Department. · Failed carts detected by Onyx drivers will be reported to the Building Department. Carts leased by Onyx will be serviced by Onyx, while carts under City warranty will be referred to Public Works. Failed carts out of warranty will be the responsibility of the resident for repair or replacement. · Missing carts or carts damaged by traffic are not the responsibility of the City. Commissioner Rogers suggested adding to the policy a provision for waiving fees for residents who demonstrate proof of financial hardship. Commissioner Taylor noted however that the fees to be charged are exactly the City's costs for the carts. Commissioner Taylor proposed stating the carts will be sold and leased at the City's cost, instead of referring to exact dollar figures. The City would not be obligated to Onyx beyond the term of the contract. Commissioner Bennett stated the contract expires in three years. The Council agreed to approve the policy with amendments: · excluding all references to Onyx Waste Services, · excluding the costs for sale and lease of carts, stating the carts would be sold and leased at the City's cost, and · handling the provision of waiving fees for residents who demonstrate proof of financial hardship outside of the policy. It was moved by Commissioner Monk, seconded by Commissioner Rogers to approve the Policy for the Sale, Lease, Service and Warranty of Residential Waste Carts, as amended. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

AMENDMENTS TO SIGN ORDINANCE

Commissioner Rogers presented proposed amendments to the Sign Ordinance. The current ordinance addresses specific signs, such as political and garage sales, and does not apply to other general issues. The proposals include: · A non-commercial sign is limited to one per property not exceeding six square feet or six feet in height. · The signs must be constructed of durable material. · Signs shall stand alone and anchored to the ground. · The sign and exact content shall be registered through the

Building Department and shall contain no obscene or vulgar language, symbols or artwork. · The display will be limited to 30 days. · The penalty for failure to register or remove a sign upon expiration shall be \$25.00 with each day thereafter considered a separate violation. · Any resident may appeal a non-traffic citation by filing an appearance with the Building Advisory Panel. Commissioner Taylor questioned whether or not the current ordinance denies displaying signs with other issues.

Commissioner Rogers stated currently non-political signs are limited to small address signs in residential areas. There would be no fee for registering under this proposal, and an appeal process is available for those who have been refused a permit. It was moved by Commissioner Rogers, seconded by Commissioner Bennett to approve the amendments to the Sign Ordinance, as proposed, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

BUILDING HEIGHTS/GARAGES & ACCESSORY BUILDINGS

John Jones requested consideration of approving building heights for garages and accessory buildings. Zion currently has a height restriction of 15 feet, while a neighboring community has approved a height of 18 feet for accessory buildings. Mr. Jones stated any change to the Zoning Ordinance would require conducting a public hearing before the Zoning Board of Appeals. It was moved by Commissioner Rogers, seconded by Commissioner Taylor to remand the consideration of changing the building height restriction for garages and accessory buildings to 18 feet to the Zoning Board of Appeals. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

DREYERS AUTO SERVICE/SIGN GRANT

A memo (00-DOC-184) was received from Peter Cioni, requesting consideration of a \$500.00 sign grant from TIF funds for Dreyer's Auto Service. This business installed a freestanding sign at their 3001 Sheridan Road location. It was moved by Commissioner Taylor, seconded by Commissioner Monk to approve a \$500 sign grant from TIF funds for Dreyer's Auto Service. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

2701 SHERIDAN ROAD/LANDSCAPE GRANT

A memo (00-DOC-185) was received from Peter Cioni, requesting consideration of a \$2,000.00 landscape grant for 2701 Sheridan Road. Jim Pitcher, owner of Raper Real Estate, applied for this 50/50 matching grant from the Downtown TIF Rehab Program. Mr. Pitcher had receipts for landscaping improvements totaling \$5,296.95. It was moved by Commissioner Monk, seconded by Commissioner Rogers to approve a

\$2,000 landscape grant from the Downtown TIF Rehab Program for 2701 Sheridan Road. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

PARKING REQUIREMENTS VARIANCE/3051-3053 SHERIDAN ROAD

The Zoning Board of Appeals considered a request for a variance regarding minimum off street parking requirements for 3051-3053 Sheridan Road, as petitioned by Paul Aken - Zoning Docket 00-Z-12. The Zoning Board recommends approval of this request, subject to the condition that all future uses of the building, which vary from its current use, must be reviewed by the Zoning Board and approved by the City Council. Mr. Aken wishes to construct a second story addition to the building for use as a private printing museum. Mr. Aken collects antique printing equipment and conducts tours and printing demonstrations. Commissioner Rogers stated if this building is doubled in size and later sold, a future owner could be hindered by the lack of parking. Mr. Aken stated his current building is only 4,000 square feet, and not the 7,000 square feet that was earlier reported. A second floor would make the structure a total of 8,000 square feet. Peter Cioni stated a restrictive covenant could be placed on the deed, so if it is sold, a new owner would know about the variance. It was moved by Commissioner Rogers, seconded by Commissioner Taylor to approve the minimum off street parking requirements variance, allowing construction of a second story addition at 3051-3053 Sheridan Road, subject to all future uses of the building, which vary from its current use needing City approval, and a restrictive covenant being placed on the property's deed, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

REZONING/2015-2017 SHERIDAN ROAD

The Zoning Board of Appeals considered a request for rezoning 2015-2017 Sheridan Road from R-30 (Residential) to HB-2 (Highway Business), as petitioned by Nick Goutanis - Zoning Docket 00-Z-13. The Zoning Board recommended approval of this request. The HB-2 zoning is consistent with adjacent property. The City recently annexed this property, which is at the northeast corner of Highway 173 and Sheridan Road. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the rezoning of 2015-2017 Sheridan Road from R-30 (Residential) to HB-2 (Highway Business), and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

TIF REVIEW BOARD APPOINTMENT

Mayor Harrison recommended the appointment of John Brown to the TIF Review Board. It was moved by Commissioner Rogers, seconded by Commissioner Taylor to approve the appointment of John Brown to the TIF Review Board. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

EMERGENCY PURCHASE/SNOW PLOW REPAIR PARTS

A memo (00-DOC-186) was received from Brian Usher, requesting permission to make an emergency purchase of snow plow repair parts. Mr. Usher stated these repair parts are needed to ensure continued response to the heavy snowfalls. The cost of these parts would be \$3,536.86 from the only authorized supplier in northern Illinois, Lyons Equipment Company. It was moved by Commissioner Bennett, seconded by Commissioner Taylor to waive bids and grant permission to purchase snow plow repair parts from Lyons Equipment Company in the amount of \$3,536.86, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

BUSINESS REDEVELOPMENT AGREEMENT/APPLEBEES

It was moved by Commissioner Monk, seconded by Commissioner Rogers to approve an Agreement for Business Redevelopment with GGG Development, Inc. and Applellinois II, LLC for the improvement of the infrastructure and site location of the property at Sheridan Road and Route 173. Mayor Harrison stated the owner of the former Horizion Restaurant and representatives of Applebees have reached an agreement, so as soon as a gas line is capped, demolition will proceed. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

ANY OTHER MATTERS

Demolition is currently underway of the former Ford dealership on Sheridan Road just north of 33rd Street. The Stiles-Kem building, which was adjacent to the First Midwest Bank has been demolished, and the former Ponderosa will be demolished upon completion of the dealership building.

BDI will soon be making a presentation regarding plans for redevelopment of the downtown area.

Belli & Kenny, LLC has been hired to attract manufacturing/industrial businesses.

A public relations firm has also been hired to assist in this effort. Mayor Harrison stated Skygen/Calpine was granted an air permit by the EPA on December 8.

ANNOUNCEMENTS

December 25 & 26, 2000	City Hall Closed
January 1 & 2, 2001	City Hall Closed
January 3, 2001	City Council Meeting

EXECUTIVE SESSION

It was moved by Commissioner Taylor, seconded by Commissioner Monk that the Council recess to Executive Session at 9:35 p.m. to discuss personnel, and purchase and sale of real estate. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

The Council reconvened at 11:23 p.m. with all members present.

SOIL REMOVAL/PARKING AREA WEST OF WALGREENS

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to authorize payment to Gold's Materials in the amount of \$5,940.00 for the removal of dirt and grading the apartment parking area west of the new Walgreen's building; addressing a letter to Walgreens for reimbursement. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, aye; and Mayor Harrison, aye. Motion carried.

PUBLIC AFFAIRS/LINE ITEM TRANSFER

It was moved by Commissioner Taylor, seconded by Commissioner Monk to approve a line item transfer for Public Affairs in the amount of \$2,500.00 from Consultant 10-01-1-02-150 to Travel and Conference 10-01-1-02-240. The vote on roll call was: Commissioners Monk, aye; Taylor, aye; Bennett, aye; Rogers, 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 Rogers and unanimously approved the meeting be adjourned at 11:36 p.m. Motion carried.