

Council Minutes

MAY 15, 2001

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL
HELD ON TUESDAY, MAY 15, 2001, AT 6:00 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, DeTienne, Taylor, Bennett and Mayor Harrison.

AGENDA CHANGES

Mayor Harrison requested 1) adding a Special Presentation for the Zion Chamber Orchestra, item 5.a., and 2) adding the appointment of Department Heads and City Officials, item 12.a.a.

EXECUTIVE SESSION

It was moved by Commissioner Taylor, seconded by Commissioner Rogers that the Council recess to Executive Session at 6:02 p.m. to discuss probable litigation. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

The Council reconvened at 6:32 p.m. with all members present. It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that the Council recess the City Council meeting at 6:32 P.M. and reconvene at 7:00 P.M. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

Mayor Harrison called the meeting back to order at 7:00 P.M.

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

ZION CHAMBER ORCHESTRA

Mayor Harrison presented a plaque to Pastor Ron Arden, congratulating the Zion Chamber Orchestra on being named the Illinois' Chamber Ensemble of the Year.

PUBLIC HEARING - INDUSTRIAL REVENUE BOND FINANCING/HORIZON VILLAGE

Mayor Harrison opened the public hearing for Industrial Revenue Bond Financing for Horizon Village at 7:07 P.M. Attorney Sharon Eiseman stated this financing is for the multi-family housing project of Horizon Village. The City is not responsible for the debt service, as bonds are secured through mortgages. Mayor Harrison stated this is not new housing, but allows Horizon Village to be renovated and remodeled. Peter Cioni stated the bond financing allows new developers to rehab the property with no increase in the number of units. Mayor Harrison invited questions and/or comments from the public, and there were none. Mayor Harrison declared the hearing closed at 7:12 P.M.

PUBLIC HEARING - NORTH SHERIDAN BUSINESS DEVELOPMENT DISTRICT

Mayor Harrison opened the public hearing for the creation of the North Sheridan Business Development and Redevelopment District at 7:12 P.M. Attorney Sharon Eiseman noted that State law allows the establishment of a business district in order to encourage development. Peter Cioni stated this business district would include Sheridan Road from 17th Street south to 24th Street, ½ block east and west of Sheridan Road from 17th Street to 24th Street, and a portion of Route 173 from Sheridan Road west of the Jewel and Zion Shopping Center. The establishment of this district would benefit the redevelopment of the northern downtown corridor. Mayor Harrison invited questions and/or comments from the public, and there were none. Mayor Harrison declared the hearing closed at 7:20 P.M.

CONSENT AGENDA

It was moved by Commissioner Bennett, seconded by Commissioner Taylor that the Consent Agenda be approved as follows: (a) MINUTES of a Regular Meeting and Swearing-in of New Officers and Executive Session held on May 1, 2001 at 6:01 P.M. and a Budget Workshop/Special Meeting and Executive Session held on May 7, 2001 at 3:45 P.M., with all members having previously received copies. (b) DEPARTMENTAL REPORTS: Building Inspector's Report, April, 2001; Fire/Rescue Department Monthly Report, April, 2001; Public Works Department Monthly Report, April, 2001 (c) BILLS: Vouchers 76145 through 76366 drawn on the National City Bank, \$775,554.84; First Midwest Bank, \$136,579.78; Total: \$912,134.62 (d) PAYMENTS: Timothy R. Evans, legal services, \$525.00; James, Gustafson and Thompson, Ltd., legal services rendered for Fire/Police Commission review of rules & regulations, \$500.00; E & MC Group, consulting services rendered on peaker plant evaluation, \$2,143.00; MSI Strategic Communications, professional services rendered on external communication activities, \$4,045.82; T. Wallace Blacktopping, Inc., work performed on alley resurfacing project, \$251,450.00; Teska Associates, Inc., services rendered on downtown façade, \$16,733.15; Terry's Peotone Ford/Lincoln/Mercury, 2001 Ford Crown Victoria squad car, \$21,224.00; 2000/2001 Lake County Municipal League dues, \$1,781.54; KSPC, Inc.,

squad car equipment/installation, \$2,590.64, \$1,139.99; \$2,175.61; \$2,590.64 & \$1,679.89; Total: \$10,176.77; Belli & Kenny, LLC, development services, March, 2001, \$84,107.12 The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

CITIZEN COMMENTS

Nancy Shelton questioned the status of a vacant house on 29th Street and Ezekiel. Attorney Rolek stated the City has obtained a demolition order through the court, and demolition should occur within 45 days. Commissioner Rogers stated the Building Department has also been working to maintain this property, while the City has been working with the court.

Lyle DeGraff stated a house at 2914 Gilead has been condemned, and items have been removed from this vacant home. Commissioner DeTienne and Chief Malcolm will meet with Mr. DeGraff on this matter.

Verena Owen noted concerns regarding the leachate recirculation process, as proposed by the Onyx Zion landfill. Ms. Owen stated she feels EPA requirements should be more stringent, and further studies are needed prior to granting approval. Toni Larsen questioned if SkyGen was ready to break ground. Mayor Harrison stated SkyGen has not even submitted an application for a permit. John Jones stated an application has not even been submitted to Lake County Stormwater Management, and this agency must approve the application prior to the City.

CARMEL HOUSE/INDUSTRIAL REVENUE BOND FINANCING

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that a Resolution (01-R-6) be passed authorizing the execution and delivery of an Intergovernmental Cooperation Agreement and certain related documents regarding Industrial Revenue Bond financing for Urban Innovations. This agreement allows for the acquisition and renovation of Carmel House. The City is not liable for these bonds. Peter Cioni stated Carmel House is subsidized housing, and like the Horizon Village project, status quo of the number of subsidized units will be maintained. Mr. Cioni will send a letter to the Illinois Housing Authority to this effect. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

PROPERTY CONVEYANCE/2875 GALILEE AVENUE

It was moved by Commissioner Taylor, seconded by Commissioner Rogers that a Resolution (01-R-7) be passed conveying certain property, commonly known as 2875 Galilee Avenue, to Miguel A. Garcia and Flordeliza Garcia. The vote on roll call was: Commissioners Rogers, aye;

DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye.
Motion carried. Resolution passed.

NORTH SHERIDAN ROAD BUSINESS DISTRICT DEVELOPMENT

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that an Ordinance (01-0-23) be passed designating a certain area in the City of Zion as the North Sheridan Road Business Development and Redevelopment District. The commercially zoned area consists of approximately 30 acres, extending between 24th Street and Logan Court (17th Street). The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye.
Motion carried. Ordinance passed.

WATERWORKS & SEWERAGE REVENUE BONDS

It was moved by Commissioner Bennett, seconded by Commissioner Taylor that an Ordinance (01-0-24) be passed authorizing the issuance of General Obligation Bonds (Waterworks and Sewerage System Alternate Revenue Source) of the City of Zion, Lake County, Illinois, in the aggregate principal amount of \$3,500,000 for the purpose of defraying the cost of refunding certain previously issued Waterworks and Sewerage Revenue Bonds of the City and of improving the existing waterworks and sewerage system of the City. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

It was moved by Commissioner Taylor, seconded by Commissioner Rogers that an Ordinance (01-0-25) be passed authorizing the issuance of Waterworks and Sewerage Revenue Bonds of the City of Zion, Lake County, Illinois, in the aggregate principal amount of \$3,500,000 for the purpose of defraying the cost of refunding certain previously issued Waterworks and Sewerage Revenue Bonds of the City and of improving the existing waterworks and sewerage system of the City. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

SETBACK VARIANCE/2020 SHERIDAN ROAD (7-ELEVEN)

It was moved by Commissioner Rogers, seconded by Commissioner Taylor that an Ordinance (01-0-26) be passed granting a front yard building setback variance for 2020 Sheridan Road (7-Eleven). The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

DEPARTMENT HEADS AND CITY OFFICIALS

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

Robert Rolek and the Law Firm of Ancel, Glink, Diamond, Bush, DiCianni & Rolek - City and Prosecuting Attorneys Judy Mackey - City Clerk Jack Diliberti - ESDA Coordinator Ken Anderson - Asst. ESDA Coordinator Rachel Fisher - Treasurer John Stark - Comptroller Brian Usher - Director of Public Works & Engineering Peter Cioni - Director of Community Development John Jones - Director of Building and Zoning & Health and Safety Officer David LaBelle - Fire/Rescue Chief Douglas Malcolm - Police Chief The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

BICYCLE AUCTION

A memo (01-DOC-55) was received from Chief Malcolm, requesting permission to conduct a bicycle auction on Saturday, May 19, 2001 at 9:00 A.M. in the Police Administration Building garage. It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to grant permission to conduct a bicycle auction on Saturday, May 19, 2001 at 9:00 A.M. in the Police Administration Building garage. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

RAVINE DRIVE ALLEYWAY

Commissioner Bennett stated the property owner adjacent to an alleyway on Ravine Drive, between Galilee and Gilead, is requesting to lease this alley. This area is now graveled and has been used as a driveway. Mr. Ralph Miller wishes to lease this alley, and the other adjacent property owner has no objection. Mr. Miller would asphalt this area, maintaining the surrounding landscaping. Commissioner Bennett suggested charging a nominal annual fee of \$10.00. Attorney Rolek recommended approving a license, instead of a lease. It was moved by Commissioner Bennett, seconded by Commissioner Taylor to direct Attorney Rolek to prepare a license with Ralph Miller for the use and maintenance of the alleyway on Ravine Drive, between Galilee and Gilead, as presented. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

FIRE PREVENTION BUREAU/FEE & PERMIT SCHEDULE

Chief LaBelle presented a Fee and Permit Schedule (01-DOC-56) for the Fire Prevention Bureau. This schedule includes fees for the following: · subdivision review · new construction · fire alarm · extinguishing systems · demolition · underground tank removal · annual fire prevention inspections These are usual and customary fees based on comparisons with surrounding municipalities. It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to approve the Fire Prevention Bureau Fee and Permit Schedule, as presented. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

SUMMER EMPLOYEES/PUBLIC WORKS

A memo (01-DOC-57) was received from Brian Usher, requesting permission to post positions and hire temporary summer employees in the Public Works Department as follows: Engineering Division 2 Street Division 3 Water & Sewer Division 3 It was moved by Commissioner Taylor, seconded by Commissioner Bennett to grant permission to post positions and hire eight temporary summer employees for the Public Works Department, as requested. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

WATER METER INTERROGATOR

A memo (01-DOC-58) was received from Brian Usher, requesting permission to purchase a water meter-interrogating unit. This unit reads the TRACE meters in a quicker and more efficient manner. This device, which normally sells for \$30,000, can be obtained from Badger Meter, Inc. for \$16,000 including training. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to waive bids and approve the purchase of a TRACE mobile water meter interrogator from Badger Meter, Inc. in the amount of \$16,000. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

TAB OF BIDS

A Tabulation of Bids (01-DOC-59) was received from Brian Usher, regarding public improvements to 33rd Street and Elizabeth Avenue. Mr. Usher recommended awarding the contract to the lowest responsible and responsive bidder, Campanella and Sons, Inc., for the total amount of \$911,844.60. This project includes the installation of roadway, street lighting, sanitary sewer, storm water system, sidewalks and a detention pond. Campanella and Sons has agreed to issue a credit to the City for a portion of the work to be performed regarding the detention pond. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to award the contract for public improvements for 33rd Street and Elizabeth Avenue to Campanella and Sons, Inc in the amount of \$911,844.60, as recommended, subject to the appropriate credits to be issued by Campanella and Sons pertaining to the detention pond. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ZION SHOPPING CENTER REDEVELOPMENT

A memo (01-DOC-60) was received from Peter Cioni, recommending an amendment to the Zion Shopping Center Redevelopment Agreement. This amendment would remove the cost of public improvements from the TIF reimbursement, instead paying for the improvements from City funds.

Mayor Harrison noted the City is responsible for the roadway and public improvements, however is not responsible for costs related to the shopping center. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to direct Attorney Rolek to draft an amendment to the Zion Shopping Center Redevelopment Agreement, as recommended. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

RESUBDIVISION OF LOTS/2000 BLOCK OF HEBRON

A memo (01-DOC-61) was received from Peter Cioni, considering the resubdivision of Lots 23, 24 and 25 in Block 111 of Zion City Subdivision; 2000 block of Hebron Avenue from 3 lots into 2 lots. Each of the two lots would be 63 feet wide with 8,889 square feet per lot, and would conform to the zoning ordinance. Mr. Cioni stated there are outstanding liens on these lots, and recommended conditioning the approval upon payment of those liens. It was moved by Commissioner Bennett, seconded by Commissioner Rogers to approve the resubdivision of Lots 23, 24 and 25 in Block 111 of Zion City Subdivision, 2000 block of Hebron Avenue, as recommended, subject to the payment of all liens. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

BUSINESS REDEVELOPMENT AGREEMENT/SHERIDAN ROAD & 21ST STREET

A memo (01-DOC-62) was received from Peter Cioni, regarding a demolition agreement with James Kaplan Companies for the vacant commercial buildings at the southeast corner of Sheridan Road and 21st Street. An agreement has been prepared, which would reimburse Mr. Kaplan up to \$35,000 for demolition costs. This agreement would require that new commercial development would occur within one year from the completion of the demolition. Mr. Cioni stated the staff would prefer reimbursing Mr. Kaplan up to \$35,000 only after a new development occurs. Mr. Kaplan is requesting reimbursement upon completion of the demolition. Attorney Rolek stated the City could pay the reimbursement upon demolition and attach a lien to the property, however, this would complicate the mortgage. Mr. Kaplan stated he may be doing development in phases, starting on the south end of the property. Mr. Kaplan stated he could agree to reimbursement upon issuance of a building permit. Attorney Rolek stated he could re-write the agreement with this condition. It was moved by Commissioner Rogers, seconded by Commissioner Taylor to approve a Contingent Agreement for a Business Redevelopment Donation to James Kaplan Companies for Preparation of a Site at Sheridan Road and 21st Street for Redevelopment, conditioned upon the reimbursement, of up to \$35,000 for the demolition, to take place upon issuance of a building permit for commercial development. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

BEULAH PARK SUBDIVISION/FINAL PLAT OF SUBDIVISION

Peter Cioni requested consideration of conditions for approval of the Final Plat of Subdivision of Beulah Park Subdivision as follows: 1. Gilboa Avenue, between 17th Street and 18th Street, shall be improved with curbs and gutters and repaved by the City at an estimated cost of \$66,717.43 2. Property owner, Ivo Krizek, shall be responsible for \$14,911.33 of these improvements, which is to be paid to the City prior to recording the final plat. 3. Property owner shall be responsible for all other subdivision improvements as required by the City's subdivision ordinance and engineering standards, including the construction of public sidewalks in front of each lot. 4. Director of Public Works shall approve final engineering plans including final grading, drainage plans and sump pump discharge lines. 5. Property owner shall be responsible for all engineering and plan review fees incurred by the City. It was moved by Commissioner Bennett, seconded by Commissioner DeTienne that an Ordinance (01-0-27) be passed approving the Final Plat of Subdivision for the Beulah Park Subdivision, subject to conditions as presented. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ZION-SHERIDAN LLC SUBDIVISION/FINAL PLAT OF SUBDIVISION

A memo (01-DOC-63) was received from Peter Cioni, recommending approval of the Final Plat of Subdivision for the Zion-Sheridan LLC Subdivision, including a total of 8 lots. The Planning Commission has reviewed this project and also recommends approval. It was moved by Commissioner Taylor, seconded by Commissioner Rogers to approve the Final Plat of Subdivision for the Zion-Sheridan LLC Subdivision. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

TIF DISTRICT/FUND REDISTRIBUTION

A memo (01-DOC-64) was received from Peter Cioni regarding the Downtown TIF District funds for 2000 tax collection. Through 1999, the City previously redistributed tax increment payments collected for two hospital parcels located in the TIF District. The Assessor has since redistributed the assessed valuation of the original hospital improvement over three lots. Mr. Cioni stated the amount for redistribution for 2000 would be \$107,449.86. Commissioner Bennett stated he does not believe the City is responsible for such redistribution. It was moved by Commissioner DeTienne, seconded by Commissioner Rogers to approve that \$107,449.86 from the Sheridan Road Downtown TIF District be distributed to local taxing bodies for 2000 tax collection, as recommended, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; Taylor, pass; Bennett, nay; and Mayor Harrison, aye. Motion carried.

ZION ONYX LANDFILL OPERATING PERMIT

A memo (01-DOC-65) was received from Peter Cioni, regarding proposed modifications to the Zion Onyx Landfill operating permit. The changes involve a proposed leachate recirculation application. The proposed changes have been reviewed by the Solid Waste Agency of Lake County and Camp, Dresser & McKee (CDM) consulting engineers.

Jim Lewis addressed the concerns of CDM as follows:

- CDM raised a concern regarding the permeability of auto fluff. Mr. Lewis stated auto fluff will comply with State requirements, plus another material will be proposed to serve in the same capacity.
- CDM raised a concern regarding potential freezing of the header system. Mr. Lewis stated this design has been used in several Wisconsin sites without problems.
- CDM suggested not sloping the trenches for ease of construction. Mr. Lewis stated a 1% slope has been found to be the optimum balance.
- CDM suggests a minimal usage of tire chips. Mr. Lewis stated Onyx has not experienced a difference in performance in using tire chips versus stones in the trenches. Onyx also feels this is a creative way for reusing tires.
- CDM raised a concern that the draft application does not refer to the capability of the gas system in relation to the predicted gas increase. Onyx agrees to include this demonstration in the final application.
- CDM suggests the need for an operational manual. Onyx agrees, however, this manual would not be included with the permit application.

Mayor Harrison noted concerns regarding the piggyback design plus the added weight and density. Mr. Lewis stated piggybacking would not be approved without a soil surcharge plan, and further density studies could be completed.

Mayor Harrison recommended researching other facilities with similar recirculation processes, stating the application permit should contain maximum density figures. Mr. Lewis stated Onyx has not yet submitted the permit to the IEPA, and plans to submit in one week. Upon completion, the final application would be submitted to the City.

Attorney Rolek stated, due to the significant modifications, City approval would be needed.

Verena Owen stated the main concern is having an operational procedure and manual. Mr. Lewis stated, due to periodic changes, which are site-specific, Onyx would like to maintain the manual on a local level and not include it in the IEPA permit.

Attorney Rolek recommended postponing the application and hiring an outside specialist to review the documents. The Council agreed to Attorney Rolek's recommendation. No action was taken on this item.

ANNOUNCEMENTS

May 19	Tire Collection & Sales of composters at City Hall
May 21	Special Meeting / Budget Workshop
May 22	Liquor Control Commission
June 5	City Council Meeting

EXECUTIVE SESSION

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

The Council reconvened at 9:58 p.m. with all members present.

ADJOURN

There being no further business to come before the Council at this time, it was moved by Commissioner Bennett, seconded by Commissioner DeTienne and unanimously approved the meeting be adjourned at 9:58 p.m. Motion carried.