

# Council Minutes

**SEPTEMBER 4, 2001**

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL  
HELD ON TUESDAY, SEPTEMBER 4, 2001, 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, Rogers, Bennett, Taylor and Mayor Harrison. Mayor Harrison led in the Pledge of Allegiance to the Flag.

## **AGENDA CHANGES**

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to accept the Council agenda with amendments as follows: - Adding payments to Consent Agenda for Centennial Jubilee Celebration, item 5.d.: 1) Brite Star Productions, Inc., fireworks display, \$7,500 2) Maravela's Banquets & Catering, picnic meals, \$7,000 - Amending payment in Consent Agenda to Michael Stried for tuition reimbursement, from \$300 to \$150, item 5.d. - Removing approval of August 27, 2001 Executive Session minutes from Consent Agenda, item 5.a., and changing to item 11.a. - Adding to consider acceptance of Grant of Easement for Applebee's development, item 8.j. - Adding discussion of real estate to Executive Session, item 11 The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

## **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 August 21, 2001 at 7:05 P.M. and a Special Meeting held on August 27, 2001 at 4:05 P.M., with all members having previously received copies. (b) DEPARTMENTAL REPORTS: Zion Fire/Rescue Dept. Monthly Report, August, 2001; City Clerk's Monthly Report, August, 2001 (c) BILLS: Vouchers 77207 through 77341 drawn on the National City Bank, \$426,806.96: First Midwest Bank, \$3,741.51: Total: \$430,548.47 9/4/01 (d) PAYMENTS: Ancel, Glink, Diamond, Bush, DiCianni & Rolek, PC, legal services, \$1,498.02, \$1,260.00, \$843.75, \$3,256.09, \$2,295.00, \$135.00, \$11,250.00; Total: \$20,537.86; Michael Stried, tuition reimbursement, \$150.00; Illinois Dept. of Transportation, reimbursement for construction costs on Galilee Avenue improvements, \$56,664.16; Ciorba Group, Inc., engineering services

rendered on Galilee Avenue improvements, \$21,672.96; Peklay Surveying Co., Ltd, topographical survey, \$15,000.00; McClure Engineering Associates, Inc., engineering services for LLC Subdivision, \$3,569.83, \$5,095.42, \$7,709.54, \$1,309.46, \$4,584.98 & \$20,385.00; Total: \$42,654.23; CDW Government, Inc., computer equipment, \$2,450.00; Accidental Auto Body, Inc., vehicle damage repairs, \$972.10; Camp Dresser & McKee, Inc., services rendered on Zion Municipal Landfill, \$10,516.14; T. Wallace Blacktopping, paving City Hall parking lot, \$4,400.00; Brite Star Productions, Inc., fireworks display, \$7,500.00; Maravela's Banquets & Catering, picnic meals, \$7,000.00 (e)  
PROCLAMATION: Chamber of Commerce Week - September 9-15, 2001  
The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **CITIZEN COMMENTS**

Daniel Shafter noted concerns regarding the front sidewalk and raised parkway area, causing water retention. Mr. Shafter also noted concerns regarding children walking in the streets and parked vehicles blocking streets. Commissioner Taylor stated that Mr. Shafter's house was built too low in relation to the street and curbing, causing standing water.

Verena Owen requested an update and copy of a Host Agreement with SkyGen. Mayor Harrison stated there is nothing new to report at this time. Attorney Rolek stated the draft Host Agreement is not releasable at this time.

### **ECONOMIC DEVELOPMENT FUND**

It was moved by Commissioner Bennett, seconded by Commissioner Taylor that a Resolution (01-R-16) be passed authorizing an Economic Development Fund collateralized account at Bridgeview Bank. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

### **NATIONAL CITY BANK SERVICES AGREEMENT**

It was moved by Commissioner Bennett, seconded by Commissioner Rogers that a Resolution (01-R-17) be passed approving a Master Treasury Management Services Agreement with National City Bank of Michigan/Illinois, allowing for electronic account access. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

### **911 EQUIPMENT**

A memo (01-DOC-113) was received from John Stark, regarding a loan for the purchase of 911 equipment and software. Chief LaBelle stated the

Positron unit will not handle the ten digit wireless phones for 911 service, and the recorder has failed and is no longer usable. The State has mandated that this service be in place by September 1, 2001. Chief LaBelle stated the Positron is available from SBC, their current supplier, for a cost of \$45,266.00. The recorder is available from Voice Print International at a cost of \$23,466.50. A loan is needed in the amount of \$150,000 to fund the New World Systems Aegis Combined Multi-jurisdictional Law Enforcement/Fire/EMS Computer Aided Dispatch Program. Bridgeview Bank has submitted a proposal for a rate of interest at 4.00% for a 48-month loan. Commissioner Bennett stated fees, due to the City from wireless providers, are now being forwarded from the State, which would help relieve some of these expenses. 9/4/01 It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to waive bids and approve the purchase and maintenance agreement with SBC for the Positron unit for a total cost of \$45,266.00. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to waive bids and approve the purchase of the recorder equipment with Voice Print International for a total cost of \$23,466.50. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. It was moved by Commissioner Bennett, seconded by Commissioner Rogers to approve a \$150,000 48-month loan for the purchase of 911 equipment and software, as presented, with Bridgeview Bank at a rate of 4.00% interest. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

#### **AUDITOR/FISCAL YEAR APRIL 30, 2001**

A memo (01-DOC-114) was received from John Stark, requesting permission to accept a proposal from Evoy, Kamschulte, Jacobs and Company for the City of Zion's audit for the fiscal year ending April 30, 2001. This proposal, excluding the Police and Firemen's Pension Funds, is in the amount of \$23,000.00, which is an increase of \$500.00 more than the preceding year. Audits for both the Police Pension Fund and the Firemen's Pension Fund are already being conducted by this firm. Commissioner Rogers requested to require that the person doing the audit is a CPA. It was moved by Commissioner Bennett, seconded by Commissioner Taylor to accept the proposal from Evoy, Kamschulte, Jacobs and Company for the City of Zion's audit of all funds, excluding the Police and Firemen's Pension Funds, for the fiscal year ending April 30, 2001 in the amount of \$23,000.00, subject to the audit being conducted by a CPA. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

#### **WATER BILL PAYMENT SCHEDULE/2300 LEWIS AVE.**

A memo (01-DOC-115) was received from Commissioner Bennett, regarding the water bill for the seventeen-unit apartment complex at 2300 Lewis Avenue. The installation of the trace meter reading system at this address found the old reader to be inaccurate, resulting in a bill of \$2,589.70. The owner has established a payment schedule, which is within the City policy. However, while resolving this issue, a late fee was added of \$110.15. Commissioner Bennett recommended waiving the late fee and approving the payment schedule over the next nine months. This plan has been approved by the property owner. It was moved by Commissioner Bennett, seconded by Commissioner Taylor to waive the \$110.15 late fee and approve the payment schedule for the water bill at 2300 Lewis Avenue, as recommended. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **BC AUTOMOTIVE LICENSE AGREEMENT**

Commissioner Rogers recommended an extension of B.C. Automotive's license agreement, leasing City property at 2809 Damascus Avenue as follows: May 1, 2002 - April 30, 2003 @ \$1,000.00 per month May 1, 2003 - April 30, 2004 @ \$1,100.00 per month Plus an option to extend for a third year with 90 days written notice: May 1, 2004 - April 30, 2005 @ \$1,200.00 per month 9/4/01 It was moved by Commissioner Rogers, seconded by Commissioner Taylor to approve the extension of B.C. Automotive's license agreement, leasing City property at 2809 Damascus Avenue, as recommended. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **POLICE AMMUNITION**

A memo (01-DOC-116) was received from Chief Malcolm, requesting permission to purchase ammunition for the Police Department's training and general duty needs through a State of Illinois bid. Chief Malcolm recommends purchasing the ammunition through Shore Galleries, Inc. for a total cost of \$5,932.59. It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to approve the purchase of ammunition for the Police Department through a State of Illinois bid with Shore Galleries, Inc. for a total cost of \$5,932.59. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **MUNICIPAL CODE UPDATES/SECTION 10 & SECTION 78**

A memo (01-DOC-117) was received from John Jones, recommending updates to the Municipal Code to: International Building Code 2000 International Residential Code 2000 International Property Maintenance Code 2000 International Mechanical Code 2000 Commissioner DeTienne questioned why it is necessary to utilize international codes. Mr. Jones

stated BOCA codes will no longer be in place by 2003, and the Fire Department has already updated to international codes. Commissioner Rogers stated this will allow for standardization of the Building Codes, which concurs with the Fire Department. Commissioner Bennett stated these standards help in facilitating trade. Commissioner Rogers stated the utilization of international codes also benefits developers by having the same codes in multiple communities. It was moved by Commissioner Rogers, seconded by Commissioner Bennett to approve amending various sections of the Municipal Code, updating to the International 2000 Building Code, Residential Code, Property Maintenance Code and Mechanical Code, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners DeTienne, pass; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **33RD STREET CONSTRUCTION PROJECT**

A memo (01-DOC-118) was received from Brian Usher, regarding an increase in the cost of storm sewer work performed on the 33rd Street construction project. Change Order #2 involves the replacement of a storm sewer pipe at an additional cost of \$4,100.00. Change Order #3 involves the need to have stabilized the area prior to reburying the sewer line at an additional cost of \$1,167.50. Mr. Usher recommended increasing the contract amount with Campanella and Sons, Inc. in the amount of \$5,267.50 for this additional work. It was moved by Commissioner Taylor, seconded by Commissioner Rogers to approve Change Order #1 and Change Order #2 totaling \$5,267.50 with Campanella and Sons, Inc. for work performed on the 33rd Street construction project. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **FUEL STORAGE SYSTEM**

A memo (01-DOC-119) was received from Brian Usher, regarding a proposal for the design of a fuel storage and dispensing system. Mr. Usher recommended accepting a proposal from Baxter & Woodman at a cost not to exceed \$27,500 for the engineering design of a fuel system to be located at the Public Works facility. Commissioner Rogers stated she is opposed to installing gasoline tanks, and prefers utilizing local businesses. Commissioner Bennett questioned whether or not this proposal is for one or two tanks. Mr. Usher stated the study is for two tanks, as the cost of a second tank is nominal. Mr. Usher noted concerns regarding a reliable 24-hour source for fuel. Commissioner Rogers noted concerns regarding liability and changes in technology. Commissioner Taylor stated the city has a need for an immediate fuel supply for emergency and off-hour vehicles. Commissioner Taylor also stated that every community he has contacted owns their own tanks, and therefore, they are not paying retail prices for fuel. Mayor Harrison stated tanks today are more efficient and constructed of safe materials. It was moved by Commissioner Taylor,

seconded by Commissioner DeTienne to approve the acceptance of a fuel storage engineering design proposal from Baxter & Woodman at a cost not to exceed \$27,500 for a fuel storage and dispensing system to be located at Public Works. The vote on roll call was: Commissioners DeTienne, aye; Rogers, nay; Bennett, nay; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **33RD STREET BRIDGE LIGHTING FIXTURES**

A memo (01-DOC-120) was received from Brian Usher regarding the purchase of lighting fixtures for the 33rd Street bridge. Several lighting options were reviewed. Staff agreed that fixtures provided by Sternberg Vintage Lighting Company were the most applicable for the location. The lights cost a total of \$5,035.20 for four lights. It was moved by Commissioner Taylor, seconded by Commissioner Rogers to waive bids and authorize the purchase of four lighting fixtures for the 33rd Street bridge from Sternberg Vintage Lighting Company for a total cost of \$5,035.20. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **APPLEBEE'S DEVELOPMENT/EASEMENT AGREEMENT**

Peter Cioni recommended accepting a Grant of Easement with Nick Goutanis and GGG Development, Inc. for the Applebee's business development and redevelopment project. This easement would be for public utilities and widening the alley off 21st Street. It was moved by Commissioner Bennett, seconded by Commissioner Taylor to accept the Grant of Easement with Nick Goutanis and GGG Development, Inc. for the Applebee's business development and redevelopment project. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **ANY OTHER MATTERS**

Brian Usher reported on the status of the Galilee Avenue project. Curbs are currently being poured, and restoration of driveways and landscaping should take place by the end of this week. The final asphaltting is anticipated in two to three weeks.

Mayor Harrison stated the Centennial Committee and Chairman Chief LaBelle are to be commended for their time and efforts in planning the marvelous celebration and events which took place over Labor Day weekend. Everyone involved will be recognized at the September 18 Council meeting.

### **ANNOUNCEMENTS**

September Winthrop Harbor Lions Club - conducting

18 mobile hearing screening from 1:00 - 3:00  
p.m. at West Marine in Winthrop Harbor

September  
18 City Council Meeting

### **EXECUTIVE SESSION**

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that the Council recess to Executive Session at 8:28 p.m. to discuss personnel, probable litigation and real estate. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Bennett, seconded by Commissioner Rogers to reconvene the Regular Council meeting at 10:23 p.m. with all members present. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **LAW ENFORCEMENT PERSONNEL**

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that an Ordinance (01-0-40) be passed amending the Municipal Code of the City of Zion, as amended, Chapter 50, pertaining to law enforcement personnel, eliminating the classification of Captain in the Zion Police Department. The vote on roll call was: Commissioners DeTienne, aye; Rogers, nay; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett that an Ordinance (01-0-41) be passed amending the Municipal Code of the City of Zion, as amended, Chapter 50, creating two (2) Deputy Chief positions within the Zion Police Department. The vote on roll call was: Commissioners DeTienne, aye; Rogers, nay; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

### **ANIMAL CONTROL OFFICER**

It was moved by Commissioner Rogers, seconded by Commissioner DeTienne to approve amending the Animal Control Officer job classification from a Pay Grade 8 to a Pay Grade 5. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **BUILDING DEPARTMENT PERSONNEL**

It was moved by Commissioner Rogers, seconded by Commissioner Taylor to approve deleting the position of Property Maintenance Inspector,

adding one (1) Code Enforcement Officer position, amending the Code Enforcement Officer job classification from a Pay Grade 9 to a Pay Grade 11, and amending the Personnel Authorization accordingly. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **EXECUTIVE SESSION MINUTES**

It was moved by Commissioner Taylor, seconded by Commissioner Rogers to approve the Executive Session minutes held on August 27, 2001, as amended. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **SPECIAL DUTY POLICY/POLICE DEPARTMENT**

It was moved by Commissioner DeTienne, seconded by Commissioner Rogers to direct the City Attorney to draft a Special Duty Policy for the Police Department. The vote on roll call was: Commissioners DeTienne, aye; Rogers, aye; Bennett, 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 Rogers and unanimously approved the meeting be adjourned at 10:29 p.m. Motion carried.