

Council Minutes

NOVEMBER 6, 2001

MINUTES OF A REGULAR MEETING AND PUBLIC HEARING OF THE ZION CITY COUNCIL HELD ON TUESDAY, NOVEMBER 6, 2001, AT 6:02 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, ZION, ILLINOIS

Mayor Harrison called the public hearing to order.

On call of the roll the following answered present: Commissioners Bennett, Rogers, Taylor and Mayor Harrison. Commissioner DeTienne arrived at 6:25 P.M.

PUBLIC HEARING/ NORTH SHORE SANITARY DISTRICT

Mayor Harrison declared the public hearing for the North Shore Sanitary District annexation agreement open at 6:02 P.M.

Peter Cioni stated this hearing is for the proposed annexation agreement with North Shore Sanitary District. A public hearing for the Planning and Zoning Commission will be held on November 8 to consider rezoning from R30 to General Industrial.

Mayor Harrison invited questions and/or comments from the public.

Jim Howard questioned why the City would be interested in annexating the North Shore Sanitary landfill. Mayor Harrison stated not all of the land is landfill. This is an opportunity to increase the City's industrial or commercial area. Attorney Rolek noted if annexed, the City is not required to purchase this property. Mr. Howard questioned the size of this property. Attorney Conzelman stated the property is 411 acres.

Verena Owen questioned the expiration of the option and what percentage of the property was not landfill. Attorney Rolek stated the option expires by May 2002, and 250 acres is not landfill. Attorney Conzelman stated of the 411 acres, 250 are not filled. Ms Owen questioned whether or not their property south of 9th Street has a liner. Mayor Harrison stated this property does not have a liner and could be used for recreational purposes. Ms. Owen questioned whether or not the topography of the filled areas could be changed, and Attorney Conzelman stated this area could not be changed. Ms. Owen questioned whether or not there are leachate pumps, and Attorney Conzelman stated leachate pumps are in place. Mayor Harrison noted if the property is annexed, the City would not assume any environmental liabilities. Ms. Owen questioned the location of

the "exception" noted in the annexation agreement. Attorney Conzelman stated this is approximately 15 acres on the southeast side, which is near the northwest corner of Green Bay and 9th Street.

Abe Goldsmith questioned the developable acreage, and who carries liability. Mayor Harrison stated 250 acres are developable, and the owner has liability.

John Matijevich questioned whether or not the "exception" was part of the annexation agreement. Attorney Rolek stated the entire parcel is being considered for annexation. Mr. Matijevich stated he is opposed to including the reference to the minergy plant in the annexation agreement, noting alternative methods are available.

Susan Zingle questioned whether or not it was the intent to build a minergy plant in both Zion and Waukegan. Attorney Conzelman stated both plants would not be built, noting it costs \$26,000,000 to build a minergy plant. Attorney Rolek stated the annexation agreement is a partnership of two governmental agencies, in order to help the community and its finances. Mayor Harrison stated the agreement allows for both Zion and North Shore Sanitary District to be able to disconnect from this agreement if needed. Ms. Zingle stated she would like North Shore Sanitary District to investigate other methods for disposal of waste.

Verena Owen questioned if North Shore Sanitary District gets an IEPA permit, does this permit preclude City Codes. Attorney Rolek stated IEPA and EPA permits would apply. Mayor Harrison stated North Shore Sanitary District would not be able to consider bringing in out-of-district sludge without going through full IEPA hearings.

Jim Howard questioned whether or not the real estate sales contract, contained as part of the annexation agreement, requires the City to purchase this property. Mayor Harrison stated the sales contract just gives the City an option. Attorney Rolek stated the annexation does not require the City to purchase the property.

John Matijevich questioned whether or not the City discussed this agreement with other governmental bodies, and Mayor Harrison stated it has not been discussed. Hearing no further questions or comments, Mayor Harrison adjourned the public hearing at 6:46 P.M.

Mayor Harrison called the regular meeting to order at 7:07 P.M.

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

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

AGENDA CHANGES

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to accept the Council agenda with amendments as follows: - Adding to consider final approval of the Downtown Redevelopment Program, item 9.a.a. - Closed Session pertaining to the discussion of personnel and real estate, item 11.a. - Deleting to consider approval of a Downtown Redevelopment Façade Grand Program grant award, item 9.j. - Removing approval of Minutes of a Special Meeting held on October 29, 2001 at 4:03 p.m. from the Consent Agenda to a separate item prior to the Consent Agenda for voting purposes The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

SPECIAL PRESENTATION/TRUMAN HUDSON

A plaque was presented to retired Township Supervisor Truman Hudson, recognizing him for over 20 years of dedicated service to the community. Mayor Harrison stated Mr. Hudson not only served as Township Supervisor, but also as a local principal and educator for many years.

OCTOBER 29, 2001 MINUTES

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the Minutes of a Special Meeting held on October 29, 2001 at 4:03 P.M. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, pass; 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 Closed Session held on October 16, 2001 at 7:02 P.M., a Special Meeting held on October 23, 2001 at 4:18 P.M., with all members having previously received copies. 11/6/01 (b) DEPARTMENTAL REPORTS: Building Department Monthly Report, October, 2001; City Clerk's Monthly Report, October, 2001; Police Department Monthly Report, September, 2001; Public Works Department Monthly Report, September, 2001 (c) BILLS: Vouchers 77808 through 78062 drawn on the National City Bank, \$1,204,112.25; First Midwest Bank, \$79,522.11; Bank of Waukegan, \$12,171.73; Bridgeview Bank, \$15,745.63; Total: \$1,311,551.72 (d) PAYMENTS: Ancel, Glink, Diamond, Bush, DiCianni & Rolek, P.C., legal services, \$11,250.00; Treasurer, State of Illinois (Dept. of Transportation), reimbursement of construction costs for Galilee Avenue project, \$233,197.83; Perry Appraisal Service, services rendered at 2805 Elisha, \$450.00; Baxter & Woodman Consulting Engineers, services rendered on Sheridan Road Streetscape renderings, \$6,000.00 & water main replacement, Gilboa to Bethesda Blvd., \$508.00; Total: \$6,508.00; Ciorba Group, Inc., engineering services rendered on Galilee Avenue improvement project, \$24,869.53; KSPC, Inc., squad care

updates, \$8,294.34; identix, Inc., fingerprinting system, \$9,486.00; SBC, E911 product purchase and maintenance service agreement, \$11,182.50
(e) RECEIVE & PLACE ON FILE: Zion Police Pension Fund Annual Audit Report for fiscal year ended April 30, 2001 The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

MARINE CORPS PROCLAMATION

Mr. W. C. Bremner requested the passage of a proclamation, recognizing the 226th anniversary of the United States Marine Corp. on November 10, 2001. It was moved by Commissioner Bennett, seconded by Commissioner Rogers that a Proclamation be passed, recognizing November 10, 2001 as the 226th anniversary of the United States Marine Corp., and forwarding a copy of this proclamation to the Marine Corps Headquarters in Washington, D.C, and a copy to Mr. Bremner. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

CITIZEN COMMENTS

Tom Jablonski questioned whether or not there is a plan to repair the streets. Mayor Harrison stated there is a plan to fix some of the major roadways, including a study regarding bonds and financing on this matter.

VOTER REGISTRATION MONTH

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that a Resolution (01-R-26) be passed supporting November 2001 as Voter Registration Month. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

FIRST MIDWEST BANK

It was moved by Commissioner Bennett, seconded by Commissioner Taylor that a Resolution (01-R-27) be passed authorizing First Midwest Bank as a depository, also authorizing certain City of Zion officers for purposes of withdrawals or taking action on designated accounts. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

DOWNTOWN REDEVELOPMENT PROGRAM

Mayor Harrison stated meetings have been taking place with various committees regarding the Downtown Redevelopment Program. The chairman of each committee has also been meeting with the Organization Committee, in order to develop plans for this project. Commissioner

Bennett recommended the development of a single simplified document summarizing the procedures of this program, requesting Peter Cioni, Commissioner Rogers, Paul Bouchard and he put together this document. Mayor Harrison stated the Downtown Redevelopment Program will be placed on the November 20 agenda for consideration of this document.

WATER BILL/10115 CRISSY AVE.

A memo (01-DOC-149) was received from Accounts and Finance, regarding the balance of the water bill for 10115 W. Crissy Avenue, Beach Park. The water bill payment was previously waived for this address, as it was discovered this water usage was not the homeowner's responsibility. This waiver should have included an additional \$1,011.75 during a 2-week period when the curb box was being fixed. It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to waive payment for the balance of a water bill in the amount of \$1,011.75 for Todd Gordon, 10115 W. Crissy Avenue, Beach Park, Illinois. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

ZION-BENTON TOWNSHIP HIGH SCHOOL/RESOURCE OFFICER

A memo (01-DOC-150) was received from Clerk Mackey, regarding the intergovernmental agreement with Zion-Benton Township High School for the School Resource Officer. This agreement expires April 31, 2002, which is prior to the close of the school year. Superintendent Gary Fields has requested extension of the current agreement to June 14, 2002. No other terms would be amended. Mayor Harrison recommended extension of this agreement to June 30, 2002, in case the school year is extended. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve amending the intergovernmental agreement with Zion-Benton Township High School for the School Resource Officer, extending the expiration date to June 30, 2002. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

ZION POLICE PENSION FUND TAX LEVY

A letter (01-DOC-151) was received from Dwight Ower, President, Zion Police Pension Fund, requesting approval of the tax levy for the fiscal year starting May 1, 2001. The Zion Police Pension Fund is requesting a tax levy of \$449,019.00. The tax levy requirements are set by the Illinois Department of Insurance. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the Zion Police Pension Fund tax levy in the amount of \$449,019.00 for the fiscal year starting May 1, 2001 and ending April 30, 2002. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

PROPERTY MAINTENANCE INSPECTOR

A memo (01-DOC-152) was received from John Jones, requesting permission to add a Property Maintenance Inspector position in the Building and Zoning Department. Mr. Jones also requested posting and advertising for this position. It was moved by Commissioner Rogers, seconded by Commissioner Taylor to grant permission to add a Property Maintenance Inspector position in the Building and Zoning Department, posting and advertising for this position, and for the Personnel Authorization to be amended accordingly. The vote on roll call was: Commissioners DeTienne, aye; Bennett, nay; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

BUILDING ADVISORY PANEL

A memo (01-DOC-153) was received from Commissioner Rogers, recommending the appointments of Shirley Thorn and Debbie McBride to the Building Advisory Panel. It was moved by Commissioner Rogers, seconded by Commissioner Bennett to approve the appointments of Shirley Thorn and Debbie McBride to the Building Advisory Panel. The vote on roll call was: Commissioners DeTienne, pass; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

MEMORIAL UNITED METHODIST CHURCH/FIRE ALARM FEES

A memo (01-DOC-154) was received from Chief LaBelle, regarding a request from the Memorial United Methodist Church to waive fees for installation of a fire alarm system. The fees are as follows: · Fire alarm plan review \$100 · Fire alarm submittal fee \$100 · Fire alarm system acceptance \$180 Chief LaBelle recommended waiving the plan review and submittal fee for a total of \$200. Chief LaBelle recommended charging the system acceptance fee of \$180, as upon completion of the work, it will be necessary to test the system. Commissioner Bennett stated he is opposed to waiving fees for non-profit organizations, unless the Code is amended to allow for such waiver of fees. Attorney Rolek stated waivers should be consistent and not be specialized. It was moved by Commissioner DeTienne, seconded by Commissioner Rogers to waive the plan review and submittal fee for a total of \$200 for the fire alarm system installation at Memorial United Methodist Church, and for an ordinance to be prepared regarding the waiver of fees for non-profit organizations. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

FEE & PERMIT SCHEDULE/NEW CONSTRUCTION

A memo (01-DOC-155) was received from Chief LaBelle, requesting to amend the Fee and Permit Schedule for new construction. The current submittal fee is \$.02 per square foot. Chief LaBelle recommended

changing the fee to a flat rate of \$200, as all other submittal fees have a flat rate. It was moved by Commissioner DeTienne, seconded by Commissioner Rogers to approve amending the Fee and Permit Schedule for new construction, changing the submittal fee to a flat rate of \$200, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

TAB OF BIDS/AMBULANCE

A Tabulation of Bids (01-DOC-156) was received from Chief LaBelle, regarding the purchase of an ambulance. Chief LaBelle recommended awarding the contract to the lowest responsible and responsive bidder, who met all specifications and requirements, Horton Emergency Vehicles represented by 5-Alarm Fire and Safety Equipment, Inc., for the total amount of \$144,837 including options. Chief LaBelle noted discounts are available for pre-payment, and delivery is expected within 7 to 8 months. It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to award the contract for the purchase of an ambulance to Horton Emergency Vehicles in the amount of \$144,837, subject to financing as arranged by Accounts and Finance. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

TAB OF BIDS/MODULE OFFICES & FURNITURE/POLICE DEPT.

A Tabulation of Bids (01-DOC-157) was received from Chief Malcolm, regarding the purchase and installation of five module office spaces and furniture. Chief Malcolm recommended awarding the contract to the lowest responsible and responsive bidder, K-Log, for the total amount of \$14,340. It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to award the contract for the purchase and installation of five module office spaces and furniture to K-Log, in the amount of \$14,340. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

DOMINOS PIZZA/DOWNTOWN REDEVELOPMENT FAÇADE GRANT PROGRAM

A memo (01-DOC-158) was received from Peter Cioni, regarding renovations to Domino's Pizza. Owner Dan Shanahan made improvements to the store during the development phase of the Downtown Redevelopment Program. Mr. Shanahan had requested to participate as soon as this program was underway. Renovations to Dominos Pizza are completed, and the total cost of the project was \$101,561.48. Mr. Shanahan is requesting a grant in the amount of \$21,700, which is per the formula of this program. Mayor Harrison noted Mr. Shanahan and Dominos Pizza were shown as one of the examples of business improvements. It was moved by Commissioner Bennett,

seconded by Commissioner Taylor to approve a grant for Dominos Pizza in the amount of \$21,700, which is to be paid from the Economic Development Fund. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

CLERK/SECRETARY/PUBLIC WORKS

A memo (01-DOC-159) was received from Brian Usher, requesting permission to post and advertise for the vacant part time clerk/secretary position in Public Works. This is a budgeted position. It was moved by Commissioner Taylor, seconded by Commissioner Rogers to grant permission to post and advertise for the part time clerk/secretary in Public Works. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

2000 BLOCK ELIM ALLEY

A memo (01-DOC-160) was received from Brian Usher, regarding the alley in the 2000 block between Elim Avenue and Sheridan Road. Mr. Usher recommended creating a one-way southbound segment in the alley between 20th Street and the Applebee's property. The portion of the alley between the north side of Applebee's property and 21st Street would remain two way. Commissioner DeTienne noted concerns regarding garbage pickup with this proposal, and requested the Police Chief review this matter. Commissioner Taylor also requested the police consider the traffic count, in order to ascertain whether or not there is a problem. A resident in this area stated a problem exists with drivers speeding through the alley. It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to table the creation of a one-way segment in the alley in the 2000 block between Elim Avenue and Sheridan Road until November 20, in order to allow the police to provide a recommendation regarding the alley and its traffic. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

TAB OF BIDS/WATER LEAK DETECTION SURVEY

A Tabulation of Bids (01-DOC-161) was received from Brian Usher, regarding services for a water leak detection survey. Mr. Usher recommended awarding the contract to the lowest responsible and responsive bidder, Severn Trent Pipeline Services, in the amount of \$10,400. It was moved by Commissioner Taylor, seconded by Commissioner Rogers to award the contract for the water leak detection survey to Severn Trent Pipeline Services in the amount of \$10,400. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

COMPUTERIZED STREET SIGNS

A Tabulation of Bids (01-DOC-162) was received from Brian Usher, regarding the purchase of a computerized sign machine. Mr. Usher recommended awarding the contract to the sole bidder, Traffic & Parking Control Company, Inc., in the amount of \$12,138.00. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to award the contract for the purchase of a computerized sign machine to Traffic & Parking Control Company, Inc. in the amount of \$12,138.00. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

STREET LIGHT MAINTENANCE

A Tabulation of Bids (01-DOC-163) was received from Brian Usher, regarding the maintenance of streetlights. Mr. Usher recommended awarding the contract to the sole bidder, Belski Electric, as follows: - Street light maintenance: \$65.00/hour + equipment - Emergency street light repair: \$97.50/hour + equipment - Street light locate: \$61.00/each Mayor Harrison questioned whether or not it would be possible to determine the total cost of these services. Mr. Usher stated the work is done as needed on an on-call basis for repairs. This maintenance contract would be for one year with a one-year renewal option. Commissioner Bennett stated this contractor has not provided a requested map of the underground system. Attorney Rolek stated "as-built" plans should be provided by developers, and contractual development agreements should be established. Mr. Usher stated another contractor submitted a no-bid letter, since they did not want to keep the required stock of light poles. There has been no former contract for these maintenance services. 11/6/01 It was moved by Commissioner Taylor, seconded by Commissioner Rogers to award the contract for the maintenance of streetlights to Belski Electric, as recommended, subject to the submittal of all plans. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

SANITARY SEWER STUDY

A memo (01-DOC-164) was received from Brian Usher, requesting that a sanitary sewer study be conducted in an area bounded by Salem Blvd, Lewis Avenue, 23rd Street and Galilee Avenue. There are recurring problems in this area, which appear to be related to the inflow and infiltration of rainwater to the sanitary sewer system. Mr. Usher requested contracting with Baxter & Woodman Consulting Engineers for this budgeted item, in order to conduct this study at a cost not to exceed \$49,500. Commissioner Taylor stated this study would be step 1, and step 2 would involve investigating illegal hookups. Commissioner Taylor requested that Attorney Rolek check into the City's rights in conducting this investigation. Commissioner Bennett questioned whether or not the sanitary sewer study would identify homes with illegal hookups, stating these hookups cripple the sewer system. Mr. Usher stated this study

would detect illegal hookups. Attorney Rolek stated other communities have required disconnection and/or property regrading to correct these problems, and he will provide a proposed policy and ordinance regarding enforcement. Attorney Rolek stated special service areas could also be created in the neighborhoods to alleviate cost concerns in correcting individual problems. Commissioner Bennett suggested applying the \$49,000, which would be paid for this study, to help offset disconnection costs for 10 homes. Commissioner Taylor stated he is opposed to forcing older homes to install sump pumps, if they were not required to have sump pumps at the time they were built. Commissioner Bennett recommended correcting the illegal hookups, and then writing a policy to address the overall problem. Mr. Usher stated Baxter & Woodman would be ready to start in two weeks with four weeks needed to complete the study. Commissioner Bennett stated if this study is being considered, the target area should be smaller. Mayor Harrison noted concerns regarding extra expenses in the Baxter & Woodman contract. Attorney Rolek stated the expenses could be negotiated. It was moved by Commissioner Taylor, seconded by Commissioner Rogers to authorize contracting with Baxter & Woodman Consulting Engineers for the sanitary sewer study, as requested, at a cost not to exceed \$49,500, subject to the Attorney's review of the contract, also directing the Attorney to provide a proposed policy and ordinance addressing enforcement issues. The vote on roll call was: Commissioners DeTienne, nay; Bennett, nay; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

ANY OTHER MATTERS

Mayor Harrison thanked everyone involved for making the Mayor's Safe Halloween Walk a successful event.

ANNOUNCEMENTS

November 8 Planning & Zoning Commission Meeting

November 20 Township Meeting City Council Meeting

CLOSED SESSION

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that the Council recess to Closed Session at 9:09 p.m. to discuss personnel and real estate. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Rogers, 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; Rogers, 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 9:47 p.m. Motion carried.