

Council Minutes

July 16, 2002

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL
HELD ON TUESDAY, JULY 16, 2002, AT 7:08 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 Bennett, DeTienne, 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: - Delete request to install No Parking signs along Emmaus and 23rd Street, item 9.c. - Move the approval of the Regular Meeting Minutes of July 2, 2002 from the Consent Agenda, item 5.a. to a separate vote, item 5.a.a. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

MEETING MINUTES

It was moved by Commissioner Bennett, seconded by Commissioner Taylor to approve the minutes of a Regular Meeting held on July 2, 2002 at 7:00 P.M. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Rogers, pass; Taylor, aye; and Mayor Harrison, aye. Motion carried. It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the minutes of a Closed Session Meeting held on July 2, 2002 and a Workshop/Special Meeting held on July 10, 2002 at 4:07 P.M. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

CONSENT AGENDA

It was moved by Commissioner Bennett, seconded by Commissioner Taylor that the Consent Agenda be approved as follows: (a) DEPARTMENTAL REPORTS: Detailed Balance Sheet and Detailed Revenue & Expense Report, for 2 periods ending June 30, 2002; Building Inspector's Report, June, 2002; Public Works Monthly Report, June, 2002 (b) BILLS: Vouchers 80240 through 80357 drawn on National City Bank,

\$485,202.36; First Midwest Bank, \$2,749.51; Total: \$487,951.87 (c)
PAYMENTS: Ancel, Glink, Diamond, Bush, DiCianni & Rolek, P.C., legal services, \$13,250.00; Business Districts, Inc., services rendered on the Downtown Improvement Project, \$6,135.52; Biotron, Inc., yearly maintenance contract, \$1,600.00 The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

CITIZEN COMMENTS

Jim Howard requested clarification of a statement made by Mayor Harrison pertaining to businesses, which were in Newport Township. Mayor Harrison stated the businesses he had mentioned were "brought into" Newport Township. Mr. Howard also questioned the minergy process. Mayor Harrison stated minergy recycles materials, and is an alternative to landfills. Mr. Howard questioned if the City owns the vacant lot north of Ace Hardware. Mayor Harrison stated the City doesn't own this property. Mr. Howard asked if phase two of the Calpine project had been started. Mayor Harrison stated he is not aware of plans for starting phase 2. Mr. Howard questioned whether or not Calpine would be installing berms. Mayor Harrison stated the berms would be done in conjunction with the paving of 9th Street and after the approval of Stormwater Management.

AMEND PERSONNEL AUTHORIZATION/ACCOUNTS & FINANCE/FIRE RESCUE DEPTS.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that a Resolution (02-R-25) be passed amending the Personnel Authorization pertaining to positions in Accounts and Finance and the Fire/Rescue Department. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

AMEND MUNICIPAL CODE/TOBACCO PRODUCTS

It was moved by Commissioner Rogers, seconded by Commissioner Taylor that an Ordinance (02-0-43) be passed amending the Municipal Code of the City of Zion, as amended, Chapter 62, Sections 62-207 through 62-209, regarding the prohibition of the possession of tobacco products by those under the age of 18, and regulating the sale and distribution of tobacco products. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

VARIANCE/2306 HEBRON AVENUE

It was moved by Commissioner Rogers, seconded by Commissioner Bennett that an Ordinance (02-0-44) be passed granting a variance from

Section 102-152(2) of the Zion Municipal Code to erect a garage and install a front entrance drive at 2306 Hebron Avenue. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

AT&T COMCAST MERGER

Attorney Rolek stated AT&T Broadband has merged and transferred control to AT&T Comcast. The City would need to either adopt an ordinance or resolution giving consent to the transfer of control. The City also would need to execute the transfer agreement recognizing the merger, which is incorporated by reference in the ordinance/resolution. It was moved by Commissioner Bennett, seconded by Commissioner Taylor that a Resolution (02-R-26) be passed consenting to the change of control of the cable television franchisee from AT&T Corporation to AT&T Comcast Corporation. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed. It was moved by Commissioner Bennett, seconded by Commissioner Taylor to authorize the execution of the incorporated Change of Control Agreement for the cable television franchise from AT&T Corporation to AT&T Comcast Corporation. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

BUILDING PERMITS

A memo (02-DOC-89) was received from John Jones regarding requirements for building permits. Current requirements state that an original building permit is good for one year as long as work commences within six months, and a renewal is permitted for a period of six months upon application. Mr. Jones recommended permits issued would authorize work for a period of one year provided that any such work commences within six months of date of issuance. Mr. Jones also recommended deletion of the requirement for architectural plans for residential rehabilitation projects in excess of \$15,000 and commercial rehabilitation projects in excess of \$5,000. Mr. Jones requested authorization to waive the requirement for submittal of professional construction documents if it is found the nature of the work could be reviewed by staff. Commissioner Bennett stated this requirement was incorporated in the Code because adequate plans had not been supplied in the past and decisions could be discretionary. Commissioner Rogers stated this requirement has created difficulties for business owners wishing to participate in the Downtown Façade Grant Program. Mr. Jones stated an architectural plan would still be required when a structural change necessitates an architect's review. Commissioner Taylor questioned if new construction would still require an architect's stamp. Mr. Jones stated all new construction would require an architect's stamp. It was moved by Commissioner Rogers, seconded by Commissioner Taylor to approve amending the requirements for the expiration, renewal and review of permits, as recommended, and for an

ordinance to be prepared accordingly. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

Brian Usher presented an update of Public Works projects:

- Route 173 water main project is almost completed
- Dowie Memorial Drive and 27th Street are currently under repair
- 33rd Street is scheduled to start repairs around August 1
- Sheridan Road Improvement Project - repairs will soon start on the east side of Sheridan Road; Installation of trees, decorative work and lighting expected to start August 1

July 22	Blood Drive at City Hall
July 22	Special Meeting / Budget Workshop
August 3	Lake County Art League Fine Arts Show At North Point Marina
August 6	Regular City Council Meeting
August 20	Township Board Meeting / Regular City Council Meeting

CLOSED SESSION

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that the Council recess to Closed Session at 7:46 p.m. to discuss personnel, collective bargaining, pending litigation, probable litigation and purchase of real estate. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Rogers, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Bennett, seconded by Commissioner Taylor to reconvene the Regular Council meeting at 10:20 p.m. with all members present. The vote on roll call was: Commissioners Bennett, aye; DeTienne, 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 DeTienne and unanimously approved the meeting be adjourned at 10:20 p.m. Motion carried.