

Council Minutes

AUGUST 6, 2002

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL
HELD ON TUESDAY, AUGUST 6, 2002, AT 7:00 P.M. IN THE CITY
COUNCIL CHAMBERS, CITY HALL, ZION, ILLINOIS

Mayor Pro-Tem Bennett called the meeting to order.

On call of the roll the following answered present: Commissioners Rogers, DeTienne and Mayor Pro-Tem Bennett. Mayor Harrison and Commissioner Taylor were absent.

Mayor Pro-Tem Bennett led in the Pledge of Allegiance to the Flag.

AGENDA CHANGES

It was moved by Commissioner DeTienne, seconded by Commissioner Rogers to accept the Council agenda with amendments as follows:

- Deleting to consider ordinance repealing and replacing Sections 94-41, 116 and 119; Utilities; connection permits and fees, item 8.c.
- Deleting consideration of positions in Building Department, item 12.
- Deleting salary adjustment, City Clerk, under Consent Agenda, item 5.d., and deferring issue to next salary ordinance

The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried.

CONSENT AGENDA

It was moved by Commissioner Rogers, seconded by Commissioner DeTienne that the Consent Agenda be approved as follows: (a) MINUTES of a Regular Meeting and Closed Session held on July 16, 2002 at 7:08 p.m. and a Workshop/Special Meeting and Closed Session held on July 22, 2002 at 1:20 p.m., with all members having previously received copies. (b) DEPARTMENTAL REPORTS: City Clerk's Monthly Report, July, 2002; Tuition Reimbursement Committee Report (c) BILLS: Vouchers 80358 through 80605 drawn on National City Bank, \$2,156,306.07 (d) PAYMENTS: Ancel, Glink, Diamond, Bush, DiCianni & Rolek, P.C., legal services, \$350.00, \$175.00, \$877.50, \$204.50, \$33.75, \$407.50, \$641.25, \$102.51, \$232.50, \$628.75, \$635.00, \$70.00, \$303.75, \$1,435.21, \$70.00, \$630.00, \$490.00; Total: \$7,287.22; ENSR Corp., BRG Program, \$16,726.86 & \$3,590.88; Total: \$20,317.74 (e) PROCLAMATION: School's Open Safety Week - August 19 - 23, 2002

The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried. 8/6/02

AMEND PERSONNEL AUTHORIZATION/PUBLIC WORKS & BUILDING DEPT.

It was moved by Commissioner DeTienne, seconded by Commissioner Rogers that a Resolution (02-R-27) be passed amending the Personnel Authorization pertaining to positions in Public Works and the Building and Zoning Department. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried. Resolution passed.

VENDOR LIST/POLICE UNIFORMS

A memo (02-DOC-90) was received from Chief Malcolm requesting approval to establish a vendor list for the purchase of police uniforms and to waive the requirement for bids. The list would include the following companies: American Outfitter M.E. Uniform, Inc. New York Clothiers Galls, Inc. Uniform Den, Inc. J & G Uniform Lark Uniform It was moved by Commissioner DeTienne, seconded by Commissioner Rogers that a Resolution (02-R-28) be passed establishing an approved vendor list for the purchase of Police uniforms and other job related items, as presented, and waiving the requirement for bids. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried. Resolution passed.

AMEND MUNICIPAL CODE/REQUIRED PERMITS

It was moved by Commissioner Rogers, seconded by Commissioner DeTienne that an Ordinance (02-0-45) be passed amending the Municipal Code of the City of Zion, as amended, Chapter 10, Buildings and Building Regulations, Section 10-4(A)(2), regarding required permits and review of construction documents. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried. Ordinance passed.

AMEND MUNICIPAL CODE/RENEWAL OF PERMITS

It was moved by Commissioner Rogers, seconded by Commissioner DeTienne that an Ordinance (02-0-46) be passed amending the Municipal Code of the City of Zion, as amended, Chapter 10, Buildings and Building Regulations, Section 10-7, regarding the renewal of permits. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried. Ordinance passed.

VICIOUS OR DANGEROUS ANIMALS

Mayor Pro Tem Bennett stated the City is considering establishing regulations to protect people from vicious or dangerous dogs. Attorney Rolek stated the Animal Control Officer receives several calls per week regarding vicious dogs.

David Kautzman questioned what is a vicious dog.

Attorney Rolek stated a vicious dog is based on specific actions of a particular dog.

Mr. Kautzman stated the problem lies with the animal's owner.

Timothy Solomon stated he has experienced problems with his neighbor's dog running loose, which is not a pit bull.

Barbara Dehler stated she did research on laws regarding dogs, and she discovered pit bulls were not the breed causing the most attacks. Ms. Dehler stated the City should enforce the laws already in place, and make the owners responsible.

Eva Fojudzki stated she is a professional animal trainer for PetSmart. Ms. Fojudzki stated the more difficult dogs are not pit bulls. Genetics are not the reason for aggression, but rather nature and nurturing. Ms. Fojudzki offered her expertise, should the Council so request.

Chris Fischer questioned how partial pit bull breeds could be determined, and disagreed with the wording in the proposed ordinance.

Tom Rapinchuk stated he is a professional dog handler, and problem animals are the results of problem owners. Mr. Rapinchuk stated the ordinance should not be breed specific, and better licensing procedures could help control the problem.

Robert Vines stated abused or mistreated dogs are created by their owners.

Roseann Clifton stated the City needs to crack down on unlicensed animals and their owners.

Rhonda Schiller questioned who is going to judge what is a vicious animal.

Vincent Branyik stated he is a pit bull owner and has had no problems with his dog.

Nancy Decker witnessed animal abuse of a pit bull in another community, stating people need to be held accountable for their pets.

Donald Cunningham questioned who would make the determination when a dog is vicious or dangerous.

Angie Foreman is part of the American Pit Bull Rescue Club and has taken in dogs that are grateful for proper treatment.

Samantha Ryan stated she has pit bull dogs, which are very friendly.

Ambur Burnup stated the City should pursue the people who are raising pit bulls for fighting. Mike Higgin noted concerns that someone could say his dog is vicious just because he is loud or barks.

Scott Rinda stated it is unfair to characterize one breed as vicious, as part of the problem could be a containment issue.

Patty Rapson stated she has known other types of dogs to bite more than pit bulls.

Stahlin Vela stated the behavior of a dog is affected by its training.

Georgine Knight stated she is a dog trainer for the Zion Park District, and stated the problem lies with the owners and not the animals. Ms. Knight suggested the City purchase a video camera for animal control enforcement.

George Gibbs stated a person could make any breed vicious, if the owner trains the dog to be vicious.

Mayor Pro Tem Bennett stated that a lot of helpful information has been offered, and all comments will be considered in reviewing this matter. It was moved by Commissioner Rogers, seconded by Commissioner DeTienne to table establishing regulations prohibiting the possession or harboring of pit bull terriers, vicious animals or dangerous animals within the City limits of the City of Zion, Illinois. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried.

FIREMAN'S PENSION FUND TAX LEVY

A memo (02-DOC-91) was received from Robert Guerin, Secretary, Zion Fireman's Pension Fund, requesting approval of the annual tax levy for the year beginning May 1, 2001 and ending April 30, 2002. The requested tax levy is \$325,512. This amount is determined by the Illinois Department of Insurance. It was moved by Commissioner DeTienne, seconded by Commissioner Rogers to approve the Zion Fireman's Pension Fund tax levy in the amount of \$325,512 for the year beginning May 1, 2001 and ending April 30, 2002. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried.

ZION-BENTON TOWNSHIP HIGH SCHOOL/RESOURCE OFFICER

Zion-Benton Township High School has requested renewal of the intergovernmental agreement for continuation of the school resource officer. The City would reimburse ZBTHS the amount of \$23,000 for this one-year agreement.

Milton P. Jensen stated he is opposed to any bonus money paid by Winthrop Harbor and Zion to the school resource officer.

Mayor Pro Tem Bennett stated the school resource officer is an employee of Zion-Benton Township High School, and not an employee of the City. It was moved by Commissioner DeTienne, seconded by Commissioner Rogers to approve the intergovernmental agreement with Zion-Benton Township High School for the partial funding for the School Resource Officer, as requested, from July 1, 2002 through June 30, 2003. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried.

ROUTE 173 & SHERIDAN RD/RESUBDIVISION

A memo (02-DOC-92) was received from Peter Cioni, regarding a request to resubdivide Alyben's Subdivision at the southeast corner of Route 173 and Sheridan Road. Owner Jim Kaplan wishes to resubdivide the property from 5 lots to 2 lots. Lot 1 would have 24,445 square feet and Lot 2 would have 19,846 square feet. It was moved by Commissioner Rogers, seconded by Commissioner DeTienne to approve the resubdivision of Alyben's Subdivision from 5 lots to 2 lots, as requested. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried.

FAÇADE GRANT PROGRAM/PIZZA HOUSE

A memo (02-DOC-93) was received from Peter Cioni, regarding a facade grant application from Pizza House at 2409 Sheridan Road. The Appearance Committee approved the request, recommending a grant in the amount of \$12,500.00. The overall project cost is \$23,633.22. This business has met the requirements of this program, and plans have been approved by the Building Department. It was moved by Commissioner Rogers, seconded by Commissioner DeTienne to approve the façade grant in the amount of \$12,500.00 for improvements at Pizza House, 2409 Sheridan Road. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried.

LAKE COUNTY PARTNERS

A letter (02-DOC-94) was received from the Lake County Partners regarding membership renewal. Dues would be \$1,750.00, which is a \$1,250 increase over the previous year. Lake County Partners is initiating a five-year business recruitment program to attract businesses to Lake County. Peter Cioni stated this organization works with the Lake County

Economic Development Commission, working to attract new businesses. Mr. Cioni stated the Lake County Partners has been a good resource, and he recommends continuing participation. It was moved by Commissioner DeTienne, seconded by Commissioner Rogers to approve membership renewal with Lake County Partners for the annual amount of \$1,750.00. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried.

DEIGAN & ASSOCIATES/ENVIRONMENTAL REGULATIONS

A letter (02-DOC-95) was received from Gary Deigan, Deigan & Associates, regarding environmental consulting services. Mr. Deigan would be involved with reviewing and redrafting various environmental performance zoning standards. Mr. Deigan estimated the work to cost \$3,500, including hourly charges plus direct expenses. Peter Cioni stated a comprehensive update of environmental ordinances is needed. Mayor Pro Tem Bennett stated budgeted funds are available, and noted Mayor Harrison has suggested allowing up to a maximum of \$10,000 for these services. Attorney Rolek suggested approval of the contract as presented but with a maximum amount for services. It was moved by Commissioner Rogers, seconded by Commissioner DeTienne to approve a consulting agreement with Deigan & Associates for the review and redrafting of various environmental performance zoning standards for an amount not to exceed \$10,000. Commissioner DeTienne questioned the agreement's Section 6, Compensation, stating the City would be responsible for any expenses associated with producing invoice documentation. Attorney Rolek recommended deleting this sentence from the agreement. At this time Commissioner Rogers amended her motion and Commissioner DeTienne amended his second to approve a consulting agreement with Deigan & Associates for the review and redrafting of various environmental performance zoning standards for an amount not to exceed \$10,000, deleting a statement in Section 6, Compensation, requiring payment for production of invoice documentation. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried.

POLICE AMMUNITION

A memo (02-DOC-96) 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. The State bid vendor is Shore Galleries, Inc. for a total cost of \$4,436.22. It was moved by Commissioner DeTienne, seconded by Commissioner Rogers 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 \$4,436.22. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried.

EMERGENCY EXIT SIGNS/POLICE ADMINISTRATION BUILDING

A memo (02-DOC-97) was received from Chief Malcolm, requesting permission to advertise for bids for the installation of six lighted emergency exit signs for the Police Administration Building. Policy standards through CALEA and the Department of Corrections require these signs to be in place. It was moved by Commissioner DeTienne, seconded by Commissioner Rogers to grant permission to advertise for bids for the purchase and installation of six lighted emergency exit signs for the Police Administration Building. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried.

CLEANING SERVICES/POLICE ADMINISTRATION BUILDING

A memo (02-DOC-98) was received from Chief Malcolm, requesting approval of a contract for cleaning services for the Police Administration Building. The current cleaning firm, TLC Custom Cleaning, has submitted a contract in the amount of \$30,000 per year, which would be effective August 1, 2002 and would include the following: · General cleaning and maintenance · Cleaning of air system and acoustical ceiling, and · Emergency cleaning and maintenance It was moved by Commissioner DeTienne, seconded by Commissioner Rogers to approve the contract with TLC Custom Cleaning for cleaning services at the Police Administration Building, as presented. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried.

NO PARKING SIGNS/VARIOUS LOCATIONS

A memo (02-DOC-99) was received from Chief Malcolm, recommending that "No Parking" signs be installed as follows: · Along the east side of Emmaus Avenue, from Shiloh Blvd. to 23rd Street · Along the north side of 23rd Street, from Emmaus Avenue to Enoch Avenue · Along the east side of Lorelei Drive, from Douglas Drive to Highland Drive The posting of signs along Emmaus Avenue and 23rd Street will allow for greater safety for children playing at Shiloh Park. Signs along Lorelei Drive would allow for safe passage of two lanes of traffic. It was moved by Commissioner DeTienne, seconded by Commissioner Rogers to approve the installation of "No Parking" signs, as recommended, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried.

COMPUTER LICENSE UPGRADES

A memo (02-DOC-100) was received from Greg Schneider, recommending the purchase of MicroSoft Office license upgrades. These upgrades would be installed on the existing 60 workstations for a total cost of \$15,000.00. Mr. Schneider stated funds have been budgeted for this proposed purchase from CDW Computer Center. It was moved by Commissioner Rogers, seconded by Commissioner DeTienne to grant

permission to purchase 60 MicroSoft Office computer license upgrades from CDW Computer Center for a total cost of \$15,000. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried.

AUDITOR/FISCAL YEAR 2001/2002

A memo (02-DOC-101) was received from Greg Schneider, 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, 2002. This proposal, including the Police and Firemen's Pension Funds, is in the amount of \$28,500.00. It was moved by Commissioner Rogers, seconded by Commissioner DeTienne to accept the proposal from Evoy, Kamschulte, Jacobs and Company for the City of Zion's audit of all funds, including the Police and Firemen's Pension Funds, for the fiscal year ending April 30, 2002 in the amount of \$28,500.00. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried.

EMERGENCY GENERATOR/POLICE ADMINISTRATION BUILDING

A memo (02-DOC-102) was received from Chief Malcolm, requesting permission to advertise for bids for an emergency generator for the Police Administration Building. This generator would provide backup power in the event of an outage or emergency. It was moved by Commissioner DeTienne, seconded by Commissioner Rogers to grant permission to advertise for bids for an emergency generator for the Police Administration Building. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried.

ANNOUNCEMENTS

August 8	Building Advisory Committee Meeting
August 16	Coalition for Healthy Communities Caddis Classic
August 19	Reception for Peter Cioni
August 20	Township Board Meeting / City Council Meeting

CLOSED SESSION

It was moved by Commissioner Rogers, seconded by Commissioner DeTienne that the Council recess to Closed Session at 9:14 p.m. to discuss personnel, collective bargaining, purchase of real estate and pending litigation. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried.

It was moved by Commissioner Rogers, seconded by Commissioner DeTienne to reconvene the Regular Council meeting at 9:50 p.m. with

same members present. The vote on roll call was: Commissioners Rogers, aye; DeTienne, aye; and Mayor Pro-Tem Bennett, aye. Motion carried.

ADJOURN

There being no further business to come before the Council at this time, it was moved by Commissioner Rogers, seconded by Commissioner DeTienne and unanimously approved the meeting be adjourned at 9:50 p.m. Motion carried.