

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JUNE 15, 2004, AT 7:07 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, Flammini, Taylor, Bennett and Mayor Harrison.

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

AGENDA CHANGES

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

- Deleting to request permission to advertise for bids for a fence for Peace Park, item 9.g.
- Deleting to consider economic development assistance request from El Lago Restaurant, item 9.h.
- Deleting to request temporary road closure, item 9.k.
- Adding the discussion of the purchase and lease of real estate to Closed Session, item 11.

The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

LAKE COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT

Karl Molek, on behalf of Lake County, presented a \$74,536 check for the Lake County Community Development Block Grant for an emergency medical ambulance. Mr. Molek stated the County has also awarded Zion a grant in the amount of \$108,350 for pre-emptive traffic signals. Mayor Harrison thanked Mr. Molek and Lake County for the assistance.

CONSENT AGENDA

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that the Consent Agenda be approved as follows:

- (a) **APPROVAL OF MINUTES** of a Regular Meeting held on June 1, 2004 at 7:02 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** Detailed Balance Sheet & Detailed Revenue and Expense Report, period ending May 31, 2004; Building Inspector's Report, May, 2004; Minutes of Regular Meeting of the Zion Business Development Council, May 12, 2004
- (c) **BILLS:** Vouchers 87200 through 87313 drawn on National City Bank, \$647,242.46
- (d) **PAYMENTS:** Computer Discount Warehouse (CDW), purchase of computer tablets, \$3,762.51

The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

AREA 3 SOUTH SHERIDAN ROAD REDEVELOPMENT

It was moved by Commissioner Bennett, seconded by Commissioner Taylor that a Resolution (04-R-16) be passed calling a public hearing concerning the intent of the Council of the City of Zion, Lake County, Illinois, to sell \$2,200,000 General Obligation Bonds (Area 3 South Sheridan Road Special Tax Allocation Fund Alternate Revenue Source). The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that an Ordinance (04-0-17) be passed authorizing the issuance of Taxable General Obligation Bonds (Area 3 South Sheridan Road Special Tax Allocation Fund Alternate Revenue Source) of the City of Zion, Lake County, Illinois, in the aggregate principal amount of \$2,200,000 for the purpose of defraying the cost of certain Area 3 South Sheridan Road redevelopment costs. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

VARIANCE/2407 GILBOA AVENUE

It was moved by Commissioner Flammini, seconded by Commissioner Taylor that an Ordinance (04-0-18) be passed granting a variance to a residential building at 2407 Gilboa Avenue, permitting alterations to a non-conforming use. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

REZONING/2785 GALILEE AVENUE

It was moved by Commissioner Flammini, seconded by Commissioner Bennett that an Ordinance (04-0-19) be passed rezoning the property at 2785 Galilee Avenue from R-5 (Residential) to LB (Local Business). The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

CITY AUDIT

A memo (04-DOC-75) was received from Greg Schneider, requesting approval of a contract for conducting the City's audit. This 3-year contract would be for the fiscal years May 1, 2004 through April 30, 2007. Audits would be for general purpose plus the two TIF Districts, but would not include the fire and police pensions. Mr. Schneider recommended contracting with Jenkins & Vojtisek, SC for the 3-year contract at a cost of \$27,500 per year.

It was moved by Commissioner Bennett, seconded by Commissioner Flammini to approve a 3-year contract with Jenkins & Vojtisek, SC for the purpose of conducting the City's general and TIF District audits at a cost of \$27,500 per year. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

BOARDS AND COMMISSIONS

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to appoint the following members to City Boards and Commissions:

Accident Review Board

Doug Malcolm
Dale Colwell

Citizens' Law Enforcement Advisory Commission

David Schneider
Hazel Frost
Debbie Lewis
Amos Taylor
Donna Linder
Jonathan Hadnott

Electrical Commission

John Jones
Chief David LaBelle
Erwin Christensen
Constance Corder
Charlie Revis

Festival of Lights Commission

Ann Ennesser
Carol Ruesch
John Plowman
Les Martin

Fire and Police Commission

William Bremner

Liquor Control Commission

Sharon Ransom

Planning and Zoning Commission

Bruce Quinn
Daron Mackey
Ernest Isley

Police Pension Board

Dr. Dennis McCreary

TIF Review Board

Dorothy Mitchell

The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

BUILDING DEPARTMENT VACANCY

A memo (04-DOC-76) was received from John Jones, requesting to fill a vacancy in the Building Department. The vacancy is for a part-time Building Inspector. Mr. Jones requested filling this position at a maximum hourly rate not to exceed \$15.00 per hour. Commissioner Bennett stated the position needs an updated job description. Mr. Jones stated he plans to meet with staff to consider possible job description changes in the Building Department, including this vacant position.

It was moved by Commissioner Flammini, seconded by Commissioner Bennett to approve posting and advertising for a part-time Building Inspector at a maximum hourly rate not to exceed \$15.00 per hour. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

VARIANCE/1504 WINTHROP COURT

The Planning and Zoning Commission considered a request for a variance regarding front and rear yard setbacks for property at 1504 Winthrop Court, as petitioned by Bruce Lachell – Zoning Docket 04-Z-14. The Planning/Zoning Commission recommended approval. Mr. Lachell, who has a contract to purchase this property from the present owner, has requested a 25-foot front yard setback and a 12-foot rear yard setback, due to the triangular shape of this lot. Mayor Harrison noted the portion of Kedron Avenue immediately to the west of this property has been vacated, and if Kedron Avenue adjacent to this property was also vacated, there would not be a need for the variance. The City would need to arrive at a price with the applicant for the vacated portion of roadway.

Attorney Rolek recommended either sending this matter back to the Planning and Zoning Commission, since a vacation would alter the placement of the house, or tabling the issue to review all details. Mayor Harrison recommended checking into the price the city received for the vacated portion of Kedron Avenue.

It was moved by Commissioner Bennett, seconded by Commissioner Flammini to table the request for the setback variances for property at 1504 Winthrop Court, in order to review the alternatives. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ALLEY VACATION/9785 17TH STREET

A memo (04-DOC-77) was received from John Jones, regarding a request to vacate an alley south of 9785 17th Street. The property owner wishes to also annex into the city, however the lot does not currently meet minimum lot requirements. The addition of the vacated portion of the alley would bring the total lot size to 10,520 square feet. Commissioner Taylor stated this lot and alley are not in Zion, but are contiguous point-to-point, recommending the property be annexed into Zion and then the alley could be vacated. Attorney Rolek stated the annexation must take place first. Commissioner Flammini noted the value of the vacation must also be established. Commissioner Bennett stated, for the alleys the City wanted to vacate, adjacent property owners paid the legal costs and related fees, noting none of these included private requests for vacations. Commissioner Flammini stated with this alley vacation, this property would become a buildable lot. Peggy Lang, property owner, stated she wishes to sell her property to Jim Funderburk for construction of a single family home. Commissioner Bennett questioned the location of the utilities. Michael Cain, Mrs. Lang's son, stated Zion's water main and sewer line runs down the north side of 17th Street. Brian Usher stated there are no utilities in the alley.

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne to approve the preparation of annexation documents, with all direct costs to be born by the property owner, and for the annexation to be R-10 residential zoning. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

29TH ST. & LEWIS AVE/PROPOSED CONDOMINIUM PROJECT

A letter (04-DOC-78) was received from Jim Funderburk, requesting to waive the impact fee requirements for a proposed condominium project at 29th Street and Lewis Avenue. Mr. Funderburk wishes to construct five 14-unit condominium buildings. Attorney Rolek noted the City has a commitment with governmental bodies regarding impact fees. Mayor Harrison stated a special Council meeting is scheduled for June 24 to discuss impact fees. Commissioner DeTienne stated the proposed project would be for senior citizens, so it shouldn't impact the schools, noting seniors shouldn't have to pay increased costs due to added impact fees. Attorney Rolek questioned whether or not Mr. Funderburk would agree to place a covenant on the project for seniors only. Mr. Funderburk stated he would agree to a covenant for age 50 and older tenants only. Mayor Harrison noted Mr. Funderburk's other condominiums have had no impact on the schools. Commissioner Bennett questioned how the city could single out specific groups as to whether or not impact fees would apply, noting rescue services are utilized substantially more for seniors. Commissioner Taylor stated this proposed project would not have a negative impact on the schools or parks. Attorney Rolek stated the covenant could be written with restrictions allowing certain ages, and that it would not be leased to persons under a certain age. Commissioner Flammini noted this project would be similar to Mr. Funderburk's other condominiums, and a covenant could be written for adults only. Mayor Harrison stated projects could be reviewed individually regarding impact fees.

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne to direct staff to work with Mr. Funderburk to develop a PUD for the proposed condominium project at 29th Street and Lewis Avenue, including conditions, by-laws, declarations and covenants, and allowing for the waiver of impact fees.

Commissioner Bennett recommended deferring this item until more information is available on this project. Attorney Rolek stated the project would need to be a Planned Unit Development (PUD), since a zoning change is required, which would require a hearing through the Planning and Zoning Commission. Brian Usher stated staff is currently negotiating with developers for two other senior projects regarding impact fees. Delaine Rogers requested the Council defer this item until after the special Council meeting on June 24. Commissioner Flammini recommended placing this item on the June 24 agenda, as this request could impact other projects. Mayor Harrison requested the vote for this item be held until June 24.

At this time, Commissioner Taylor withdrew his motion and Commissioner DeTienne withdrew his second. Mr. Funderburk asked to withdraw his request for this project. Mayor Harrison stated he is in favor of the project, but the process needs to be conducted in the correct order. Mr. Funderburk agreed to defer his request to the special meeting on June 24.

MAPPING DATA BASE SYSTEM

A memo (04-Doc-79) was received from Delaine Rogers, requesting to subscribe to a software and mapping data base system, which will allow for better planning and marketing of available development sites. AnySite Online through MapInfo provides this web-based data resource. Ms. Rogers stated the regular annual fee is \$2,385, but the City has been offered a first year subscription for the reduced price of \$995.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to grant permission to subscribe to AnySite Online through MapInfo for a first year cost of \$995. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ZION'S COMPREHENSIVE PLAN

A memo (04-DOC-80) was received from Delaine Rogers, recommending updating the City of Zion's Comprehensive Plan. As previously directed by the Council, staff has researched various consulting firms to update the 1992 Comprehensive Plan. Three firms responded to inquiries. Ms. Rogers stated it was determined Camiros, Inc. best incorporates the city's concept for the project, meets budget limits and has a positive history with the city. Ms. Rogers recommended accepting Camiros, Inc. proposal in the amount of \$45,000. Commissioner Bennett stated overall goals need to be directed through the Council. Ms. Rogers stated Camiros would be directed not to provide redundant statistics and data previously presented. Attorney Rolek stated an updated comprehensive plan would help in court regarding zoning issues. Commissioner Taylor recommended holding a public hearing when all information is available.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to accept the proposal from Camiros, Inc. for an amount not to exceed \$45,000 for the update of Zion's Comprehensive Plan. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

June 24	Special City Council Meeting – 1:30 P.M.
June 24 – 26	Nostalgia Days
July 5	City Offices closed for Independence Day
July 6	Regular City Council Meeting
July 20	Township Board Meeting

CLOSED SESSION

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that the Council recess to Closed Session at 9:20 p.m. to discuss personnel and the sale, purchase and lease of real estate. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to reconvene the Regular Council meeting at 10:30 p.m. with all members present. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye; Bennett, 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 10:30 p.m. Motion carried.

City Clerk