

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, SEPTEMBER 7, 2004, 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, Bennett, Taylor, Flammini and Mayor Harrison.

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

**AGENDA CHANGES**

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

- Adding the discussion of potential litigation to Closed Session, item 11.

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

**PUBLIC HEARING**

**EDWARDS ROAD AREA JOINT LOCAL LAND RESOURCE MANAGEMENT PLAN**

Mayor Harrison declared the public hearing open regarding the Edwards Road Area Joint Local Land Resource Management Plan at 7:03 P.M. Mayor Harrison stated this plan has been recommended by the Route 173 Corridor Council made up of Lake County, the Villages of Antioch, Old Mill Creek and Wadsworth and the City of Zion. A joint public hearing was held last month.

Mayor Harrison invited questions and/or comments.

A resident of Newport Township stated the map shows a setback for commercial development, and questioned whether or not this indicates the development of strip malls along Route 173, and if it would affect his property value. Mayor Harrison stated the setback is not part of this plan. Mayor Harrison stated it is his opinion that each community would not impose development in another community. President Furlan of Wadsworth had indicated at the joint public hearing that any possible development on Route 173 would be discussed at a later time. Attorney Rolek recommended to the Wadsworth resident that he contact an appraiser regarding his property value. Mayor Harrison stated this plan is only for Edwards Road, in order to preserve what is there.

Mayor Harrison invited other questions and/or comments, and there were none.

Mayor Harrison declared the public hearing closed at 7:15 P.M.

**LAKE COUNTY CDBG PROGRAM**

Lake County Planner Karl Molek provided information on the 2005 Lake County Community Development Block Grant (CDBG) Program. Eligible public projects include:

- Storm sewer/drainage improvements
- Sanitary sewer improvements and extensions
- Water system installations and improvements
- Roadway improvements
- Fire protection equipment-under specific circumstances

The maximum grant per applicant per year is \$150,000 for an eligible activity in an area that would principally benefit low and moderate-income citizens. Applications will be available next week with funds to be delivered in May 2005.

**CONSENT AGENDA**

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

- (a) **APPROVAL OF MINUTES** of a Regular Meeting held on August 17, 2004 at 7:00 P.M. and approval but not release of Closed Session minutes of a meeting held on August 17, 2004 at 7:00 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** City Clerk's Monthly Report, August, 2004
- (c) **BILLS:** Vouchers 87955 through 88072 drawn on National City Bank, \$786,327.21; Add back voided check, \$29.95; Total: \$786,357.16
- (d) **PAYMENTS:** Kenneth Anderson, tuition reimbursement, \$104.54; BJJ Development, façade reimbursement for Subway Restaurant at 3325 Sheridan Road, \$50,000.00

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

**EDWARDS ROAD AREA JOINT LOCAL LAND RESOURCE MANAGEMENT PLAN**

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that a Resolution (04-R-25) be passed adopting the Edwards Road Area Joint Local Land Resource Management Plan as provided for in the Local Land Resource Management Planning Act. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

**HEALTH INSURANCE/CERTIFICATE OF DEPOSIT**

It was moved by Commissioner Bennett, seconded by Commissioner Taylor that a Resolution (04-R-26) be passed designating Lake Forest Bank as the depository for the City's health insurance. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

**ADMINISTRATIVE ADJUDICATION**

Attorney Rolek stated a few minor changes still need to be made regarding the establishment of the administrative adjudication system, and requested this ordinance be tabled until the next regular meeting.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to table establishing an Administrative Code Hearing Department for the purpose of organizing and operating a system of administrative adjudication until the September 21 Council meeting. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**NIMS SYSTEM**

Chief LaBelle stated Homeland Security Presidential Directive 5 established the National Incident Management System (NIMS). NIMS provides a nationwide system for preparing for and responding to disaster incidents. Chief LaBelle recommended adopting this system, which assures the City's ability to apply for Federal grants and contracts. Chief LaBelle stated future training would be provided.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini that an Ordinance (04-0-31) be passed adopting the National Incident Management System (NIMS) as established by Homeland Security Presidential Directive 5. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**WATER MAIN CONNECTION/10232 YALE AVENUE, BEACH PARK**

A letter (04-DOC-122) was received from the Village of Beach Park, requesting that 10232 Yale Avenue, Beach Park, Illinois be allowed to connect to the Zion water main. The Village of Beach Park has no objection to this property receiving water from Zion, as it is not available through the Village of Beach Park.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to grant permission for 10232 Yale Avenue, Beach Park, Illinois to connect to the Zion water main. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**LAPTOP COMPUTERS/POLICE VEHICLES**

A memo (04-DOC-123) was received from Chief Malcolm, requesting permission to purchase 10 laptop computers for police vehicles. The purchase would be through a State of Illinois bid from CDS Office Technologies for a total cost of \$38,430. The purchase would be divided between the Capital Outlay fund and the Law Enforcement Block Grant fund.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to approve the purchase of 10 laptop computers for police vehicles through a State bid from CDS Office Technologies for a total amount not to exceed \$38,430. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**LEASE OF COPIER/PUBLIC WORKS**

A memo (04-DOC-124) was received from Brian Usher, requesting permission to enter into a lease for a replacement copier at Public Works. The current lease with NorthShore Business Technology has expired. Mr. Usher recommended leasing a new copier for a three-year period at a rate of .0222 per copy. The current copy rate is .0275.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to grant permission to enter into a three-year contract with NorthShore Business Technology for the lease of a replacement copier, as presented, for Public Works. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**PURCHASE OF PRINTER/PUBLIC WORKS**

A memo (04-DOC-125) was received from Brian Usher, requesting permission to purchase a replacement color printer for Public Works. Mr. Usher recommended purchasing a Xerox laser printer from CDW-G for a cost of \$3,846.95, with the cost to be divided between the Water and Public Works Departments.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to grant permission to purchase a color printer for Public Works from CDW-G for a cost of \$3,846.95. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**AIR CONDITIONER UNITS/PUBLIC WORKS**

A memo (04-DOC-126) was received from Brian Usher, requesting permission to replace two air conditioner units for the Public Works training room. The current units are no longer operable, and Mr. Usher recommended purchasing new units from Olson Comfort Systems for a total cost of \$1,806.00.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to grant permission to purchase two air conditioner units for the Public Works training room through Olson Comfort Systems for a total cost of \$1,806.00. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**REPLACEMENT OF GUTTERS & DOWNSPOUTS/PUBLIC WORKS**

A memo (04-DOC-127) was received from Brian Usher, regarding the replacement of gutters and downspouts at the Public Works facility. The existing gutter design causes water to run into Public Works' front office. Contractors were contacted, and the lowest quote to correct the problem was received from Bane Nelson, Inc. for a total cost of \$7,450.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve the replacement of gutters and downspouts at the Public Works facility through Bane Nelson, Inc. for an amount not to exceed \$7,450. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**TAB OF BIDS/SHERIDAN PARK FENCE**

A Tabulation of Bids (04-DOC-128) was received from Delaine Rogers, regarding the Sheridan Park fence project. The bids received for this project were substantially higher than expected, therefore Ms. Rogers presented the following options:

1. Funds could be allocated to complete the project as bid,
2. The project could be re-bid in the spring as part of the 2005/06 budget, or
3. The project could be withdrawn.

Due to the unexpected cost, Ms. Rogers recommended the project be withdrawn. Mayor Harrison stated since the proposals are all over \$100,000 and any changes would weaken the project, this is not practical at this time. Mayor Harrison noted the City has a lease on this property in order to control the construction projects, therefore the Council may wish to re-examine the lease at a later date. Commissioner Taylor questioned whether or not the fence height could be reduced to 3 feet. Ms. Rogers stated a reduction in the fence height would become a liability issue. Commissioner DeTienne stated he discussed the high cost of the proposed fence with the property owner.

It was moved by Commissioner Bennett, seconded by Commissioner Taylor to reject all bids for the Sheridan Park fence project. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**FORMER MARTIN OIL PROPERTY/3100 BLOCK OF SHERIDAN ROAD**

A memo (04-DOC-129) was received from Delaine Rogers regarding city-owned property in the 3100 block of Sheridan Road, formerly known as the Martin Oil property. Ms. Rogers suggested offering the site for sale through a public bid as follows:

1. The bidder would accept all responsibility and costs for all IEPA requirements.
2. The minimum bid would reflect all monies invested by the city.
3. There would be no TIF or economic development incentives.

Ms. Rogers requested advertising for bids with specifications to first be approved by the Council. Commissioner Bennett stated the Council should discuss the sale price prior to going to bid. Commissioner Taylor recommended discussing this item in closed session. The Council agreed to defer this discussion.

**ANNOUNCEMENTS**

Mayor Harrison thanked the Jubilee Days Festival Committee for the Labor Day holiday parade and activities. Mayor Harrison also thanked the Zion Ministerial Association for the Mayor’s Prayer Breakfast.

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| September 10 | Grand Opening of Senor Toucan Restaurant  |
| September 11 | 2 <sup>nd</sup> Annual Police Dept Open House sponsored by the Citizens Law Enforcement Advisory Commission |
| September 16 | Grand Opening of Aldi’s Food Store  |
| September 21 | Township Board Meeting – 6:30 p.m.  |
| September 21 | City Council Meeting – 7:00 pm.   |

**CLOSED SESSION**

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that the Council recess to Closed Session at 7:56 p.m. to discuss the sale and purchase of real estate and potential litigation. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to reconvene the Regular Council meeting at 9:22 p.m. with all members present. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, 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 Flammini and unanimously approved the meeting be adjourned at 9:22 p.m. Motion carried.

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City Clerk