

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, SEPTEMBER 21, 2004, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, ZION, ILLINOIS

.....

Little Miss Zion Alyssa Gonzalez called the meeting to order.

Junior Miss Zion Ashley Lipsey called for the roll, and the following answered present: Commissioners Bennett, DeTienne, Taylor, Flammini and Mayor Harrison.

Miss Zion Brittany Johnston led in the Pledge of Allegiance to the Flag.

Mayor Harrison thanked and congratulated the young ladies.

AGENDA CHANGES

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

- Adding Proclamation for Zion-Benton Kiwanis Club Peanut Days on September 24 & 25, 2004 to the Consent Agenda, item 6.d.
- Adding a Special Presentation from the Nostalgia Days Committee, item 5.d.

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

JUBILEE DAYS PARADE AWARDS

Rich Walker, Executive Director of the Jubilee Days Festival Commission, presented the Jubilee Days/Labor Day parade awards as follows:

Grand Marshal Award for most beautiful entry:	Zion's Festival of Lights Kringle's Kingdom King & Queen
Sweepstakes Award for best animation entry:	Community Christian Church of Waukegan, IL
Jubilee Director's Choice for best musical entry:	North Point Church and 38 Acres Band, Winthrop Harbor, IL
President's Choice for most original entry:	Subway on Sheridan Road
Theme Award for best theme presentation:	Zion-Benton American Legion Post #865
Mayor's Award for overall best:	Agerholm-Gross Detachment Marine Corp League Living Iwo Jima Float, Racine, WI

MIDWESTERN REGIONAL MEDICAL CENTER

On behalf of Midwestern Regional Medical Center, Chief Operations Officer Mike White presented a check in the amount of \$10,000 to the Fire and Police Departments. Mr. White stated the hospital wishes to give back to the community, thanking the city and the departments for all they have done over the years for the hospital.

NOSTALGIA DAYS

On behalf of the Nostalgia Days Committee, Lisa Isaacs presented plaques to the City of Zion, Fire and Police Departments, ESDA, Zion-Benton News and Ed Pilar, thanking all for again helping to make the June 2004 Nostalgia Days successful.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES** of a Regular Meeting held on September 7, 2004 at 7:00 P.M. and approval but not release of Closed Session minutes of a meeting held on September 7, 2004 at 7:00 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** Detailed Balance Sheet and Detailed Revenue & Expense Reports for period ending August 31, 2004; Building Inspector's Monthly Report, August, 2004
- (c) **BILLS:** Vouchers 88073 through 88255 drawn on National City Bank, \$1,331,989.99
- (d) **PROCLAMATIONS:** International Hispanic/Latino Mental Health Week – October 3-9, 2004; Winthrop Harbor Lions Club Candy Days – October 15 & 16, 2004; Domestic Violence Awareness Month – October, 2004; Zion-Benton Kiwanis Club Peanut Days – September 24 & 25, 2004

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

SIDEWALK ESCROW POLICY

Commissioner Taylor requested this item be tabled, in order for criteria to be prepared for the sidewalk escrow policy. No action was taken on this item.

IMPACT FEES

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that an Ordinance (04-0-32) be passed amending the Subdivision Code so as to provide for the dedication of school sites, park lands or the payment of cash contributions in lieu thereof and the dedication of capital improvement and equipment fees. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that an Ordinance (04-0-33) be passed establishing developer donations, per the adopted impact fee schedule, under Section 82-156 through 82-160 of the Zion Municipal Code. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

PAY TELEPHONES

Mayor Harrison stated the city wishes to regulate and eliminate some of the outdoor pay phones located on private property. Attorney Puma noted this ordinance should be referred to the Planning and Zoning Commission for their recommendation prior to being approved by the Council.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to refer the proposed ordinance regulating pay telephones to the Planning and Zoning Commission. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

ADMINISTRATIVE ADJUDICATION

Attorney Puma stated the City wishes to establish a code hearing department and system of administrative adjudication for the prosecution and correction of Code violations. Pertaining to the appointment of a Code Administrator, Commissioner Taylor questioned who would make the decision for this appointment. Commissioner DeTienne recommended the appointment be made by the Mayor with the approval of the Council.

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that an Ordinance (04-0-34) be passed establishing a system of administrative adjudication, amending Section 3-5 (B), wherein the Code Administrator would be appointed by the Mayor with the approval of the City Council. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ANNEXATION/9785 WEST 17TH STREET

It was moved by Commissioner Flammini, seconded by Commissioner Bennett that an Ordinance (04-0-35) be passed annexing certain territory to the City of Zion commonly known as 9785 West 17th Street. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

FIRE & POLICE COMMISSION

Mayor Harrison recommended the appointment of Mark Thorn to the Fire and Police Commission.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to appoint Mark Thorn to the Fire and Police Commission. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

TIF REVIEW BOARD

Mayor Harrison recommended the appointment of Shantal R. Taylor to the TIF Review Board. Ms. Taylor would serve as a citizen representative on the Board.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to appoint Shantal R. Taylor to the Zion TIF Review Board. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

B.C. AUTOMOTIVE LEASE

Commissioner Flammini stated Bill Cofer, owner of B.C. Automotive, has requested an extension of the lease for his auto salvage and storage facility at 2809 Damascus Avenue. The lease expires on May 1, 2005, and an extension would assist Mr. Cofer for finance purposes. Commissioner Flammini recommended a five-year extension plus an additional five-year option, noting the City would be able to terminate the agreement with 60 days notice. The current annual lease of \$14,400 would be increased by \$1,200 per year starting May 1, 2005.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne to renew the lease with B.C. Automotive for the operation of an auto salvage yard effective May 1, 2005 through April 30, 2010 with an additional 5 year option to April 30, 2015, with terms and lease payments as recommended. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

OFFICE FURNITURE/ACCOUNTS & FINANCE

A memo (04-DOC-130) was received from Greg Schneider, requesting permission to waive bids and purchase office furniture for the Accounts and Finance Department. Mr. Schneider requested purchasing the furniture from Office Depot for a total of \$1,534.92 plus shipping. This is a budgeted item.

It was moved by Commissioner Bennett, seconded by Commissioner Taylor to grant permission to waive bids and purchase office furniture for the Accounts and Finance Department from Office Depot for a total cost of \$1,534.92. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

USED COMPUTER EQUIPMENT

A memo (04-DOC-131) was received from Greg Schneider, requesting permission to redistribute or donate used computer equipment as follows:

- One computer to Business Development Council office
- One computer to Public Service Program at 2323 Hebron Avenue
- Two computers to Police Department
- One computer to Fire/Rescue Department
- One computer to John Jones for work purposes
- Four computers to be donated to recognized charitable organization

Commissioner Bennett stated, since new computers were purchased to replace the used hardware, the used computers should not be redistributed or repaired.

It was moved by Commissioner Bennett, seconded by Commissioner Flammini to grant permission to redistribute or donate used computer equipment, as recommended. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

TAB OF BIDS/SECURITY GATE/PUBLIC SERVICE FACILITY

A Tabulation of Bids (04-DOC-132) was received from Chief Malcolm, regarding the installation of a security gate for the Public Service Facility at 2323 Hebron Avenue. Chief Malcolm recommended awarding the contract to the lowest responsive and responsible bidder, Shogren Fence, Inc., for the amount of \$8,097. This is a budgeted item. Commissioner Bennett stated a security gate is not needed at the Public Service Facility.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to award the contract for the installation of a security gate at the Public Service Facility to Shogren Fence, Inc. for the amount of \$8,097. The vote on roll call was: Commissioners Bennett, nay; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

LIVESCAN SYSTEM/POLICE DEPT.

A memo (04-DOC-133) was received from Chief Malcolm, requesting permission to renew a maintenance agreement for the LiveScan System for the Police Department. Identix provides the system, which stores digital fingerprints, including parts and support for an annual cost of \$6,582.26. This is a budgeted item.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to approve the renewal of the maintenance agreement for the LiveScan System for the Police Department with Identix, Inc. for an annual amount of \$6,582.26. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

ZION CROSSING/GREEN BAY ROAD & ROUTE 173

A memo (04-DOC-134) was received from John Jones regarding Zion Crossing Development, a proposed development at the southeast corner of Green Bay Road and Route 173. John Jones stated this project would be considered a minor commercial subdivision, noting infrastructure concerns have been addressed. Mr. Barnes of Exceed Development stated they propose to build a gas station and fast food restaurant, along with other restaurants and retail businesses in other phases. The 6.5 acre development would be screened from adjacent residential property. Exceed Development will be extending sanitary sewer from the east along Route 173, and will be tying into an existing water main on Green Bay Road.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve the Zion Crossing Development. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

2501 LYDIA AVENUE/LOT WIDTH VARIANCE

The Planning and Zoning Commission considered a request for approval of a subdivision with a lot width variance for 2501 Lydia Avenue, as petitioned by Jim Funderburk – Zoning Docket 04-Z-16. The Planning/Zoning Commission recommended approval. Mr. Funderburk wishes to divide this lot into two parcels in order to build two single-family homes. The width of one parcel would be 2.7 feet short of width requirements.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne to grant approval of a subdivision with a width variance for 2501 Lydia Avenue, as requested, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

2816 EZRA AVENUE DEMOLITION

A memo (04-DOC-135) was received from John Jones, requesting permission to advertise for bids for the demolition of 2816 Ezra Avenue per a court order to demolish. Upon demolition, the City would place a lien on this private property and then proceed with foreclosure.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to grant permission to advertise for bids for the demolition of 2816 Ezra Avenue. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

1015, 1221 & 1227 27TH STREET/DEMOLITIONS

Memos (04-DOC-136) were received from Delaine Rogers, requesting permission to advertise for bids for the demolition of 1015, 1221 and 1227 27th Street. Funding for the demolitions would be paid from TIF #1.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to grant permission to advertise for bids for the demolition of 1015, 1221 and 1227 27th Street. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

TRUMPET BUSINESS PARK

A memo (04-DOC-137) was received from Delaine Rogers, requesting permission to proceed with the interview process for Trumpet Business Park developer proposals. Ms. Rogers stated four developers have met the criteria for this project. Per staff recommendations, the top two developers would be presented to the Council at the October 5 meeting. Ms. Rogers stated a Council workshop could then be scheduled, in order to meet the selected developers.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to grant permission to proceed with the interview process for Trumpet Business Park developer proposals. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

2655 SHERIDAN ROAD/AIR CONDITIONER CONDENSER

A memo (04-DOC-138) was received from Delaine Rogers, regarding air conditioning condenser repairs for 2655 Sheridan Road. The replacement of the entire system would cost almost \$34,000. An alternative proposal was received from McDonough Mechanical Services in the amount of \$9,957 for replacement of the condenser. Mr. Rogers recommended utilizing line item 65-02-902-290 for this repair, in order to close on the building at the end of the lease in October 2004.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve condenser repairs for 2655 Sheridan Road from McDonough Mechanical Services in the amount of \$9,957. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

FAÇADE PROGRAM CELEBRATION

A memo (04-DOC-139) was received from Delaine Rogers, requesting approval to hold a Façade Program celebration dinner. This event would honor the Zion Business Development Council (ZBDC), business owners, as well as the committees involved in the process. Ms. Rogers requested approval of this event, utilizing up to \$3,800 from the ZBDC budget for dinner and award expenses.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve the Façade Program celebration dinner, utilizing ZBDC funds not to exceed \$3,800. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

September 24 & 25	Zion Kiwanis Peanut Days
September 25	Grand Opening of Awards, Etc. at 2269 Sheridan Road
October 5	City Council Meeting
October 19	Township Board Meeting
October 22	Festival of Lights Spaghetti Dinner Fundraiser
October 30	Mayor's Safe Halloween Week & Trick-or-Treat in Zion

CLOSED SESSION

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini that the Council recess to Closed Session at 8:08 p.m. to discuss sale and purchase of real estate, potential litigation, pending litigation and personnel. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to reconvene the Regular Council meeting at 9:58 p.m. with all members present. The vote on roll call was: Commissioners Bennett, aye; DeTienne, 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 Flammini, seconded by Commissioner Bennett and unanimously approved the meeting be adjourned at 9:58 p.m. Motion carried.

City Clerk