

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, NOVEMBER 16, 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 Flammini, Taylor, Bennett and Mayor Harrison. Commissioner DeTienne was absent.

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 a presentation by David Zumwalt, Chairman of the Zion Township Republican Committee

Changes to Announcements:

- Adding a Special Council Meeting on December 3 at 4:00 PM
- December 3 – 6:30 PM Grand Opening of Kringles Kingdom and Santa’s House
- December 7 – Next Regular City Council Meeting (not Dec 21)
- December 21 – Next Township Board Meeting (not Dec 7)

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

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES** of a Regular Meeting held on November 2, 2004 at 7:00 P.M. and approval but not release of Closed Session minutes of a meeting held on November 2, 2004 at 7:00 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** Detailed Balance Sheet and Detailed Revenue & Expense Report, period ending October 31, 2004; Building Inspector’s Monthly Report, October, 2004; Public Works Department Monthly Report, October, 2004
- (c) **BILLS:** Vouchers 88678 through 88841 drawn on National City Bank, \$1,305,792.61
- (d) **PAYMENTS:** Media Assets, program development and presentation for patrol officers, \$2,400.00; Leader Department Stores, 2708 Sheridan Road, Façade Grant Program reimbursement, \$93,750.00; Roger’s Interiors, 2267 Sheridan Road, Façade Grant Program reimbursement, \$5,537.55
- (e) **PROCLAMATION:** Bible Week – November 21-28, 2004

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

PURCHASE OF 2922-24 SHERIDAN ROAD

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that a Resolution (04-R-30) be passed purchasing certain property located within the City of Zion commonly known as 2922 and 2924 Sheridan Road, Zion, Illinois. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

ZION TOWNSHIP REPUBLICAN COMMITTEE

On behalf of the Zion Township Republican Committee, Chairman Dave Zumwalt commented that the committee was pleased to see the overall cooperation on the alcohol referendum issue, suggesting a conservative approach would be best in moving forward on this matter. Mayor Harrison stated Zion has a good Liquor Control Commission. Mayor Harrison noted currently there are no licenses available, and the City intends to move forward carefully on this issue.

EMPLOYEE HOLIDAY GIFTS

A memo (04-DOC-158) was received from Clerk Mackey, regarding holiday gifts for City employees. Ms. Mackey recommended checks be processed for all full-time and part-time employees, auxiliary, paid-on-call & volunteers in the amount of \$25.00.

It was moved by Commissioner Bennett, seconded by Commissioner Flammini to approve the preparation of employee holiday checks, as recommended. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

CITY TOWING

Chief Malcolm recommended the renewal of the City's towing contracts for 2005 at the current rates as follows:

- \$125.00 per tow
- \$30.00 per day for storage.
- \$35.00 per day for accident tows
- \$35.00 per item – additional equipment fee

Chief Malcolm recommended a one-year renewal of these contracts with Roger Whitmore Automotive and Auto Center of Beach Park with the continuation of alternating month service.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve the renewal of the City towing contracts for January 1, 2005 through December 31, 2005 with Roger Whitmore Automotive and Auto Center of Beach Park, as recommended. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

3309 & 3313 SHARON PLACE/SIDEWALK VARIANCE APPEAL

A memo (04-DOC-159) was received from Brian Usher, regarding an appeal to the requirements for sidewalk variances. The builder at 3309 and 3313 Sharon Place plans to construct homes in an area where there is no existing sidewalk. Commissioner Taylor imposed the in-lieu of fee requirement for the sidewalks, rather than requiring their installation. The sidewalk fee is \$3.75 per square foot, or a total of \$5,335.63 for these properties. The builder is requesting to not pay this fee.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to deny the request for waiver of the fee requirement for sidewalks at 3309 and 3313 Sharon Place. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

COUNTRYWOOD HILLS SUBDIVISION/PHASES 2, 3 & 4

A memo (04-DOC-160) was received from Brian Usher, requesting permission to release letters of credit and accept maintenance bonds for Phases 2, 3 and 4 of Countrywood Hills Subdivision. Public improvements have been inspected and meet all City Codes.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to grant permission to release letters of credit and accept the maintenance bonds for Phases 2, 3 and 4 of Countrywood Hills Subdivision. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

TAB OF BIDS/DEMOLITION OF 2816 EZRA, 1015 & 1221-1225 27TH STREET

A Tabulation of Bids (04-DOC-161) was received from John Jones regarding the demolition of 2816 Ezra, 1015 27th Street, and 1221-1225 27th Street. Mr. Jones recommended awarding the contract to the lowest responsible and responsive bidder who met all specifications, Campanella & Sons, Inc., for the amount of \$39,892.00. Commissioner Bennett questioned whether or not this project includes the restoration of the property as well as removal of utilities. Mr. Jones stated restoration and utility removal up to the lot line is the contractor's responsibility.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to award the contract for the demolition of 2816 Ezra, 1015 27th Street and 1221-1225 27th Street to Campanella & Sons, Inc. for a total amount of \$39,892.00. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

GALILEE PARK SUBDIVISION/FINAL PLAT

The Planning and Zoning Commission considered a request for Final Plat approval for Galilee Park Subdivision, as petitioned by George Torres dba Forever Construction – Zoning Docket 02-Z-5. The Planning/Zoning Commission recommended approval. This plan is for an eight lot, single-family subdivision. Mr. Torres has obtained all permits. Mr. Jones stated this subdivision includes a development agreement including impact fees, which has been reviewed by staff and legal counsel. Commissioner Bennett noted this agreement states it is the city's responsibility to bring utilities to the property. Brian Usher stated that the utilities already exist up to the property.

It was moved by Commissioner Flammini, seconded by Commissioner Bennett to approve the Final Plat for the Galilee Park Subdivision. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

NE CORNER OF ROUTE 173 & GREEN BAY ROAD/REZONING

The Planning and Zoning Commission considered a request for a zoning change from residential (R-30) to highway business (HB) for a retail/commercial development at the northeast corner of Route 173 and Green Bay Road, as petitioned by Great Lakes Credit Union – Zoning Docket 04-Z-18. The Planning/Zoning Commission recommended approval.

It was moved by Commissioner Flammini, seconded by Commissioner Bennett to approve rezoning the northeast corner of Route 173 and Green Bay Road from residential (R-30) to highway business (HB), and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

PAY TELEPHONES

The Planning and Zoning Commission considered an amendment to the Zoning Code for the regulation of pay telephones – Zoning Docket 04-Z-17. The Planning/Zoning Commission recommended approval. Mr. Jones stated this ordinance would allow the regulation of existing pay telephones on private property, in order to discourage criminal activity.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor that an Ordinance (04-0-40) be passed amending the Municipal Code of the City of Zion, as amended, adding Zoning Section 102-163 regarding the regulation of pay telephones. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

FESTIVAL OF LIGHTS EVENT

A memo (04-DOC-162) was received from Delaine Rogers, regarding additional activities complimenting Kringle's Kingdom and the Festival of Lights. The Zion Business Development Council is willing to assist in organizing and working events for downtown participation. These events would encourage attendance both for Kringle's Kingdom and for local businesses. Events would include the Holiday Passport Program, trolley or sleigh rides, warming stations with hot chocolate and a decorating contest. Ms. Rogers requested a budget of \$9,000 for this project, with funds taken from the Cable Fund, since this is for promotional and tourism support.

It was moved by Commissioner Bennett, seconded by Commissioner Flammini to approve a \$9,000 budget for the downtown Festival of Lights events, as recommended. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

LAKE COUNTY TRIATHLON EVENT

A memo (04-DOC-163) was received from Delaine Rogers, regarding a proposed triathlon event in Zion. The Lake County Convention and Visitors Bureau has approached Zion about hosting an event in August of 2005. This event would be mainly held in the Illinois State Park with the bike loop portion crossing onto Zion streets. This would be a multi-day event attracting many participants, volunteers and spectators. Ms. Rogers stated representatives from the State Park, Zion Park District, civic groups, as well as city staff would be invited to determine if the project is manageable. Ms. Rogers requested permission to proceed with the Lake County Convention and Visitors Bureau regarding the viability of this event.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to grant permission to proceed with the concept of a triathlon event in Zion with details to be provided to the Council as available. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

SENIOR ASSISTED LIVING FACILITY/TIF GRANT

A memo (04-DOC-164) was received from Delaine Rogers, regarding a proposed TIF Grant for a proposed assisted living facility project. The Barton Management Group proposes constructing this privately owned project, which would be fully on the tax roles. Ms. Rogers stated this project would add approximately \$250,000 in annual revenue to TIF District #3. The TIF Review Board recommends approval of a \$1,980 grant for a state required Phase One environmental study. Mayor Harrison stated this facility would be the only one of its kind in Lake County and only the second in the state.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve a TIF Business Grant not to exceed \$1,980 payable to TEM Environmental for a Phase One environmental study for the development of a senior assisted living facility. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

PHOENIX THEATER MARKET STUDY/TIF GRANT

A memo (04-DOC-165) was received from Delaine Rogers, regarding a proposed TIF Grant for a market study for a proposed new Cineplex in TIF District #3. The owners of Mecca Entertainment Group wish to determine if this project is viable. The TIF Review Board recommends approval of a \$9,000 grant to complete this market analysis. Any costs related to travel or lodging would be the responsibility of the Mecca Entertainment Group.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve a TIF Business Grant not to exceed \$9,000 payable to Phoenix Theater Development, Inc. for a market analysis for a proposed movie theater project. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

PURCHASE OF 2780 SHERIDAN ROAD

It was moved by Commissioner Bennett, seconded by Commissioner Flammini that a Resolution (04-R-31) be passed purchasing certain property located within the City of Zion commonly known as 2780 Sheridan Road, Zion, Illinois for the amount of \$200,000. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

PROPERTY TAX LEVY

Greg Schneider presented the proposed 2004 Tax Levy for taxes paid in 2005. It was recommended setting the proposed tax rate at 1.57199, which is a .041 decrease from last year's rate of 1.613. The extension for 2003 was \$5,008,671.11. The proposed extension for 2004 is \$5,260,989.04, which represents a 5.038% increase. A public hearing and passage of the tax levy will take place on December 7 at 7:00 P.M.

LIABILITY INSURANCE/WORKERS' COMPENSATION

Commissioner Bennett received a quote for liability and workers' compensation insurance from Pitcher Insurance and the Illinois Counties Risk Management Trust as follows:

Liability Insurance:	\$413,510 annual premium with an increase in the deductible from \$5,000 to \$25,000
Workers' Compensation:	\$323,757 annual premium with the same deductible of \$25,000

The workers' compensation premium increased by \$42,000. The liability insurance would decrease by \$49,000 with the increased deductible.

It was moved by Commissioner Bennett, seconded by Commissioner Taylor to approve contracting with Pitcher Insurance and Illinois Counties Risk Management Trust for liability insurance with an annual premium of \$413,510 and \$25,000 deductible and workers' compensation insurance with an annual premium of \$323,757 and \$25,000 deductible. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

After Thanksgiving	Annual Toys for Tots collection
December 3	Grand Opening of Kringle's Kingdom and Festival of Lights
December 7	City Council Meeting
December 21	Township Board Meeting

CLOSED SESSION

It was moved by Commissioner Flammini, seconded by Commissioner Taylor that the Council recess to Closed Session at 7:52 p.m. to discuss sale of real estate, purchase of real estate and pending and probable litigation. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to reconvene the Regular Council meeting at 8:23 p.m. with all members present. The vote on roll call was: Commissioners Flammini, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

TRUMPET PARK DEVELOPER

Mayor Harrison stated the Council discussed a letter of intent from Opus North, Inc. regarding the development of Trumpet Park. Terms and details will be worked out at a later date.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to proceed with the letter of intent from Opus North, Inc. for the development of Trumpet Park. The vote on roll call was: Commissioners 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 Taylor, seconded by Commissioner Flammini and unanimously approved the meeting be adjourned at 8:30 p.m. Motion carried.

City Clerk