

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, APRIL 15, 2008, 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, Taylor, Flammini, Bennett 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:

- Deleting discussion regarding buildable 40-foot lots, item 7.e.
- Adding the discussion of collective bargaining to Closed Session, item 9
- Deleting the discussion of probable and pending litigation from Closed Session, item 9

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

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 April 1, 2008 at 7:00 P.M. and approval but not release of Closed Session minutes of a meeting held on April 1, 2008 at 8:30 P.M., and a Budget Workshop/Special Meeting held on April 7, 2008 at 3:30 P.M. and approval but not release of Closed Session minutes of a meeting held on April 7, 2008 at 4:57 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** Building Department Monthly Report, March 2008; Public Works Department Monthly Report, March 2008
- (c) **BILLS:** Vouchers 101042 through 101142 drawn on National City Bank, \$699,387.94

Commissioner Flammini questioned a towing charge included in the Bills Report from Rogers Towing Service, noting the towing contract includes towing of city vehicles at no charge. Commissioner Bennett stated the towing companies are assigned alternate months, and this could be the reason for the bill. The Council agreed to approve the bills as presented, and to check into this matter.

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

PROHIBITED WEEDS

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne that an Ordinance (08-0-26) be passed amending the Municipal Code of the City of Zion, as amended, Section 98-96 prohibiting certain types of noxious or dangerous weeds. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

TRUMPET PARK & NSSD

Attorney Randall stated the Council previously approved the Agreement and a Third Amendment to the Real Estate Contract with North Shore Sanitary District (NSSD) regarding the construction of Trumpet Drive in Trumpet Park. The Plat of Dedication and Easement Agreement have been reviewed by NSSD, and now also needs approval.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve the Plat of Dedication and Easements for Trumpet Park Drive in Trumpet Park. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve the Easement Agreement with North Shore Sanitary District for Trumpet Park Drive in Trumpet Park. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne that an Ordinance (08-0-27) be passed purchasing certain property located within the City of Zion, commonly known as an 8-acre parcel located in Trumpet Park, Zion, Lake County, Illinois, and entering into a Contract for Purchase of Real Estate with North Shore Sanitary District, subject to final review by the city attorney. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

SALE OF 2655 SHERIDAN ROAD

The Council discussed the proposed sale of 2655 Sheridan Road to JB Data Centre, Inc. Commissioner Flammini questioned whether or not all performance terms had been met and recorded. Delaine Rogers stated documents had been provided, and Attorney Randall stated this documentation would be recorded as a deed restriction. Commissioner Bennett stated all background information had not been provided to his satisfaction. Chief Booth stated the background check was in progress.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor that an Ordinance be passed approving the Contract for Sale of Real Estate with JB Data Centre, Inc. for certain property located within the City of Zion, commonly known as 2655 Sheridan Road, Zion, Lake County, Illinois.

Commissioner Bennett stated, since a credit check has not been completed, he is opposed to approving this contract. Mayor Harrison noted the closure on this property is scheduled for tomorrow, April 16. Chief Booth stated he could have the background check forwarded to the Council by tomorrow morning.

At this time Commissioner Flammini amended his motion and Commissioner Taylor amended his second that an Ordinance (08-0-28) be passed approving the Contract for Sale of Real Estate with JB Data Centre, Inc. for certain property located within the City of Zion, commonly known as 2655 Sheridan Road, Zion, Lake County, Illinois, subject to the receipt of the police background check prior to 12:00 p.m. noon on April 16. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Bennett, pass; and Mayor Harrison, aye. Motion carried. Ordinance passed.

PURCHASES FOR NEW FIRE STATION

A memo (08-DOC-18) was received from Chief LaBelle, requesting permission to purchase furniture and an electronic keyless entry system for the new Fire Station. Three quotes were obtained for the furniture. Chief LaBelle recommended waiving bids and accepting the lowest quote from Office Plus of Lake County in a total amount not to exceed \$23,000. A proposal was also received for the installation of an Access Control Entry System from Pentegra Systems in the amount of \$13,995. This company installed the system in City Hall and the current fire station, and the new equipment would be compatible with the existing control panel.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to waive bids and grant permission to purchase furniture for the new Fire Station from Office Plus of Lake County for a total amount not to exceed \$23,000. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to approve the purchase of an Access Control Entry System for the new Fire Station from Pentegra Systems in the amount of \$13,995. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ZION LANDFILL CLOSURE/POST CLOSURE MONITORING PLAN

A memo (08-DOC-19) was received from Ron Colangelo, regarding the post closure monitoring plan for the former Zion Landfill. The Illinois Environmental Protection Agency (IEPA) has certified both landfill sites as closed. Mr. Colangelo requested approval of a one-year contract with CDM, Inc. in the amount of \$84,921 for the necessary monitoring services, subject to contract review by the city attorney. Funding would be provided through the Waste Fund.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the one-year contract with CDM, Inc. for environmental monitoring services required for the former Zion Landfill at a cost of \$84,921, subject to city attorney review. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

CONCRETE & MASONRY SEPARATION/MULTIPLE DWELLING UNITS

A memo (08-DOC-20) was received from John Jones, recommending the elimination of the requirement for concrete or masonry separation in multiple dwellings. The regulation for separation would then come under the International Building Code and approved by UL or another testing/listing agency. Mr. Jones stated the Fire/Rescue Department is in agreement with this recommendation. Mayor Harrison noted that in these cases the buildings would be sprinkled. Commissioner Bennett stated he is opposed to this change, as it goes against what he feels the city is trying to accomplish pertaining to multiple dwellings.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne to approve the elimination of the requirement for concrete or masonry separation in multiple dwelling housing, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Bennett, nay; and Mayor Harrison, aye. Motion carried.

REBUILDING TOGETHER PROGRAM

A memo (08-DOC-21) was received from Commissioner Flammini, requesting to waive building permit fees for the 2008 Rebuilding Together Program. This year’s event will be held on Saturday, April 26, and repairs will be made on 4 homes in Zion. This is the ninth year Zion has been involved in this program.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve waiving building permit fees for the 2008 National Rebuilding Together Day. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, pass; Bennett, aye; and Mayor Harrison, aye. Motion carried.

TRUMPET PARK PERMIT & REVIEW FEES

A memo (08-DOC-22) was received from Delaine Rogers, regarding review and permit fees for the Trumpet Park roadway and initial “spec” building. Panattoni Development plans to construct Trumpet Park Drive, all of the infrastructure, detention and wetland protection this spring, and had anticipated building permit and reviews fees to reach \$187,000. Panattoni has incurred unforeseen costs from Lake County Department of Transportation, Lake County Stormwater Management and North Shore Sanitary District, significantly increasing the cost of the development. Ms. Rogers stated City staff has re-examined necessary reviews and fees, and total city costs of this nature will now be less than \$123,000. Ms. Rogers recommended the approval to cap City fees at \$123,000. John Jones stated the developer’s financial institution wants documentation to verify that City fees should now only be up to \$123,000.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve capping the City of Zion’s permit and review fees up to a maximum of \$123,000 for the Trumpet Park roadway and first “spec” building. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

- April 16 Special City Council Meeting
- April 16 Coalition for Healthy Communities’ Annual Banquet
- April 26 National Rebuilding Day
- April 28 Community Meeting at Zion Police Department at 7:00 P.M.
- May 6 Town Board Meeting at 6:30 P.M.

 There will be no Citizen Comment Session at 6:30 P.M., due to Town Board meeting at that time.
- May 6 Regular City Council Meeting at 7:00 P.M.

CLOSED SESSION

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that the Council recess to Closed Session at 7:43 p.m. to discuss personnel, purchase and sale of real estate and collective bargaining. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Bennett, seconded by Commissioner Flammini to reconvene the Regular Council meeting at 9:25 p.m. with all members present. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, 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 DeTienne and unanimously approved the meeting be adjourned at 9:25 p.m. Motion carried.

City Clerk

Approved May 6, 2008