

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, APRIL 21, 2009, AT 7:02 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, DeTienne, Taylor, Bennett and Mayor Harrison.

Scout Troops 655 and 673 led in the Pledge of Allegiance to the Flag.

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 April 7, 2009 at 7:00 P.M. and approval but not release of Closed Session minutes of a meeting held on April 7, 2009 at 7:14 P.M., with all members having previously received copies.
- (b) **BILLS:** Vouchers 104294 through 104406 drawn on National City Bank, \$1,234,126.14
- (c) **PROCLAMATION:** Arbor Day – April 24, 2009

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

PENTECOSTAL MINISTRIES/3244 GILEAD AVENUE/SPECIAL USE

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that an Ordinance (09-0-12) be passed granting an amendment to Special Use Permit Ordinance No. 69-0-86 for religious use for property located at 3244 Gilead Avenue, Zion, Illinois. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

VEOLIA RECYCLING PROGRAM

A letter (09-DOC-19) was received from David Wall, General Manager of Veolia ES, regarding a proposal from Veolia for a recycling cart program. Veolia proposes to supply 95-gallon recycling carts to residents with two possible options:

- 1. Weekly pickup at a rate of \$4.75 per unit per month, or
- 2. Every other week pickup at a rate of \$3.11 per unit per month with the choice of utilizing either an 18 gallon, 35 gallon, 65 gallon or 95 gallon container.

Mr. Wall stated the goal is to implement a stronger recycling program, noting current containers do present problems with windblown debris. Commissioner Taylor asked about the cost of the programs. Mr. Wall stated the \$3.11 rate is the current price. Commissioner Flammini inquired into revenue sharing for recycled products. Mr. Wall stated, when the market is good, there would be a 50/50 split between Veolia and the City for anything over the average. Mayor Harrison noted recycling would still be conducted in the front of homes, requiring larger containers to be moved to the front of residences. Mr. Wall stated recycling trucks can not maneuver in alleys, due to the wires and confined areas. Commissioner Flammini stated some residents may have to move the carts down steps to place the carts in the front, noting he would prefer weekly pickups. Commissioner Taylor stated a review is needed of the total garbage and recycling program and costs, recommending this issue be tabled until after budget hearings, as the budget discussions could impact this item.

The Council agreed to table this issue until after budget hearings are held.

CRANE MEADOWS RESTORATION PROJECT/TIF FORMATION

A memo (09-DOC-20) was received from Delaine Rogers, considering the formation of a new Tax Increment Financing (TIF) District for the Crane Meadows Restoration Project. Mayor Harrison stated this is a preliminary presentation, in order to see whether or not there is support to proceed.

Dan Kotcher, DKI, Inc., stated a purchase contract was signed in the fall of 2008 with the anticipated closure to take place March 2010, however the lender had since started foreclosure proceedings. The lender has now agreed not to proceed with foreclosure until after the closure, which will now take place towards the end of summer 2009. Lake County provided \$125,000 for this project, and other financing details are proceeding. Mr. Kotcher provided project details, indicating the necessity for the revenue sharing TIF. The TIF would be for a maximum of 15 years with taxes anticipated to increase at \$150,000 per year. If that amount is exceeded, the additional money would be escrowed and be returned to the taxing bodies. A TIF District takes a minimum of 97 days to establish from date of filing. Attorney Paul Keller is reviewing the terms of the agreement.

Commissioner Taylor questioned whether or not there would be on-site management. Mr. Kotcher stated there will be on-site management and security. Commissioner Taylor asked about income level restrictions. Mr. Kotcher stated there would be no additional restrictions, noting there will be a thorough screening process for residents.

The Council consensus was to support proceeding with the formation of the Crane Meadows Restoration Project TIF District.

ADDITIONAL MEMBER OF SWALCO

A letter (09-DOC-21) was received from SWALCO, requesting the approval of the City of Highwood as a new SWALCO member. Commissioner Flammini stated a majority of existing members must consent to new communities becoming SWALCO members, and there was no opposition.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor that an Ordinance (09-0-13) be passed consenting to the City of Highwood as an additional member of the Solid Waste Agency of Lake County, Illinois (SWALCO) with no late fee. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

FIXED ASSET CAPITALIZATION POLICY

A memo (09-DOC-22) was received from Larry Pannell, considering approval of a Fixed Asset Capitalization Policy. The policy outlines the outlay of fixed assets for items with useful lives of one year or more and which meet certain dollar thresholds. Mr. Pannell stated this is current practice.

It was moved by Commissioner Bennett, seconded by Commissioner Flammini to approve the Fixed Asset Capitalization Policy, as presented. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

EXCEED DEVELOPMENT/PERMIT EXTENSION

A memo (09-DOC-23) was received from John Jones, regarding a request from Exceed Development for extension of permits for site and building construction associated with Zion Crossings at the southeast corner of Route 173 and Green Bay Road. Several permits have expired, due to the developer awaiting approval for final funding. Mr. Jones stated the fee for resubmission and approval of new permits would be in excess of \$23,000, wherein the extension fees would have totaled \$60. Permits would still be required, as the waiver would only be for payment of fees for the extension. Charlie Miles, owner of Exceed Development, stated closure depends on financing, which is expected within the next 30 days. Delaine Rogers stated there may be other means for financing, and will meet with Mr. Miles to discuss this.

It was moved by Commissioner Flammini, seconded by Commissioner Bennett to grant approval for the permit extension for Exceed Development's Zion Crossings project at Route 173 and Green Bay Road for a total cost of \$60. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

TAB OF BIDS/FUEL, BITUMINOUS & CONSTRUCTION MATERIALS

A Tabulation of Bids (09-DOC-24) was received from Ron Colangelo, regarding the annual purchase of fuel, bituminous and construction materials. Mr. Colangelo recommended awarding contracts to the lowest responsible and responsive bidders as follows:

Avalon Petroleum	Summer diesel fuel, Winter blend fuel
Lube Oils	SAE #10W30 motor oil, Automatic transmission fluid, HD #30 motor oil, Hydraulic fluid, Permanent type antifreeze, 90 W gear lube, All purpose grease, 2 cycle oil, Dex cool antifreeze/coolant
Kirschhoffer	Pulverized topsoil, #7 road gravel, TB sand backfill, Seal coat aggregate, #8 stone, ¾ inch chips, CA-6 crushed white limestone
Peter Baker & Sons	Emulsified asphalt, Hot mix surface, Hot mix binder, UPM cold patch

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to award contracts for various fuels, bituminous and construction materials, as recommended. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

PURCHASE OF VALVE TURNING MACHINE/WATER DIVISION

A memo (09-DOC-25) was received from Ron Colangelo, recommending the purchase of a valve turning machine for Public Works. The Water Division will begin an annual valve-exercising program for preventive maintenance. Currently valves are exercised by hand, requiring two individuals to perform the exercise. Two quotes were received. E.H. Wachs offers a new model including training and free repair of the electric machine for a total of \$39,425. This item is included in the 2009/10 water fund budget.

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne to waive bids and approve the purchase of a valve turning machine from E.H. Wachs for the amount of \$39,425, and to place this purchase amount in the Water Fund 2009/10 budget. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

NORTH SHORE SANITARY DISTRICT ADDENDUM/TRUMPET PARK

Attorney Randall stated an addendum to the North Shore Sanitary District (NSSD) agreement regarding Trumpet Park and the Third Amendment to the Real Estate Contract amends the acreage from 73.936 to 65.377 acres with a 20 foot right of way to be dedicated to Lake County. This addendum adjusts the purchase price from \$69,946.21 per acre to \$70,625.59 per acre. NSSD approved this addendum on April 15.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve the First Addendum to the Agreement with North Shore Sanitary District regarding Trumpet Park and the Third Amendment to the Real Estate Contract. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

TIF DISTRICT #3 FUND TRANSFER

A memo (09-DOC-26) was received from Delaine Rogers, requesting a transfer of funds from TIF District #3 to the General Fund. Ms. Rogers recommended repaying the General Fund for expenses totaling \$70,000. Ms. Rogers stated the transfer involves \$50,000 in expenses related to Culvers, and \$20,000 in engineering work for Cell B West in Trumpet Park. Mayor Harrison requested, as the TIF fund is repaid, a detailed account of these funds.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to transfer \$70,000 from TIF District #3 to the General Fund. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

Mayor Harrison stated a special celebration was held this past Sunday, recognizing the World Champion Razzle Dazzles. There was a parade from Culvers to ZBTHS, culminating in a special performance at the high school.

- May 5 City Council Meeting & Swearing-in Ceremony of newly-elected City and Township Officials
- May 16 First Lady’s Art and Flower Show at Shiloh House
- May 19 Town Board Meeting

CLOSED SESSION

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne that the Council recess to Closed Session at 8:11 p.m. to discuss personnel, purchase and sale of real estate, and probable and pending litigation. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to reconvene the Regular Council meeting at 9:41 p.m. with all members present, except Commissioner Bennett. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

REAL ESTATE DONATION

Mayor Harrison stated the Council discussed donating city-owned property to Habitat for Humanity. Habitat for Humanity builds homes to help families in need.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve the donation of 1915 Hebron Avenue, Zion, Illinois to Habitat for Humanity of Lake County, subject to the preparation of an ordinance declaring this as surplus property. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Taylor, 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 9:46 p.m. Motion carried.

City Clerk