

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, AUGUST 6, 2013, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, ZION, ILLINOIS

.....

Clerk Burkemper called the meeting to order.

APPOINTMENT OF TEMPORARY CHAIRMAN

It was moved by Commissioner Flammini, seconded by Commissioner Hill, that Commissioner DeTienne be appointed as Temporary Chairman. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; and DeTienne; aye. Motion carried.

Temporary Chairman DeTienne called the roll and the following answered present: Commissioners Flammini and Hill, and Temporary Chairman DeTienne. Mayor Harrison and Commissioner/Mayor Pro Tem Taylor were absent.

Temporary Chairman DeTienne led in the Pledge of Allegiance to the flag.

AGENDA CHANGES

It was moved by Commissioner Hill, seconded by Commissioner Flammini to approve the Council agenda with an amendment as follows:

- Move Item 8a, "Discussion and presentation regarding need for a traffic signal at 29th Street/Green Bay Road/ Kenosha Road per Commissioner Hill", to Item 7aa

The vote on roll call was: Commissioners Flammini, aye; Hill, aye; and Temporary Chairman DeTienne; aye. Motion carried.

CITIZEN COMMENTS

Janet Jones, 1728 23rd Street, asked if home-based businesses in Zion were allowed to post signs in front of their homes advertising their business and if they had to obtain a business license. Rich Ianson stated that, per the Zoning Ordinance, some permitted home businesses are allowed in a residential area, however, posting signs is not allowed. Clerk Burkemper stated that the City does issue business licenses to home-based business and the fee is \$10.00.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** of a Regular Meeting held on July 16, 2013 at 7:10 p.m.
- (b) **BILLS:** Vouchers 116198 through 116389 drawn on PNC Bank, Total: \$871,312.61

The vote on roll call was: Commissioners Flammini, aye; Hill, aye; and Temporary Chairman DeTienne; aye. Motion carried.

ORDINANCE/TRUMPET PARK RECAPTURE AGREEMENT

It was moved by Commissioner Hill, seconded by Commissioner Flammini that an Ordinance (13-O-39) be passed authorizing the execution of a Trumpet Park Recapture Agreement between Zion Holdings, LLC and the City of Zion relative to roadway, water main and other public improvements which will benefit future development and require those benefiting from such improvements to pay their allocated fair share of the costs of construction of the improvements. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; and Temporary Chairman DeTienne; aye. Motion carried. Resolution passed.

INTERSECTION OF 29TH STREET/GREEN BAY ROAD/KENOSHA ROAD

Commissioner Hill stated that Janice Booker and Julie Gonka of “Light Up Green Bay Road” were present to make a presentation regarding the need for a traffic signal at the intersection of 29th Street/Green Bay Road/Kenosha Road. Ms. Booker stated that traffic has increased dramatically in this area and an “hour glass” has been created between the four lane roadway north in Wisconsin and south in Waukegan. She stated that a 45 mph speed limit and a curve at the intersection make it more dangerous. With expansion plans being years away, they are promoting better control over and the slowing down of traffic. They want to expedite the improvements to improve safety for residents of Zion and do not want financial constraints to risk safety. “Light Up Green Bay Road” will conduct a “grass roots” petition drive over the Labor Day Weekend soliciting signatures from Lake County residents who use this stretch of Green Bay Road. Ms. Booker stated that the City of Zion can help by heightening awareness of the dangerous intersection and encouraging citizens to sign the petition. She stated that government bodies will be asked to draft a letter of support to be included with submission of the signed petition pages when submitted to IDOT. Temporary Chairman DeTienne thanked Ms. Booker and Ms. Gonka for their presentation and efforts to improve the safety of Zion residents who frequent this intersection. He stated that the intersection of 9th Street and Green Bay Road also needs attention as 58 serious accidents have occurred at that location. He has asked the Police Chief to conduct a traffic study of the area. Director Colangelo stated that plans do exist to widen Green Bay but not until 2018. As a part of this plan, Kenosha Road would end in a cul de sac at Green Bay Road. He stated that regulating a traffic signal would be difficult and recommended that they promote construction of the cul de sac now instead. Commissioner Flammini suggested that the City Council consider passing a resolution of support for intersection improvements at the next City Council meeting. Clerk Burkemper was directed to prepare a resolution accordingly.

**ORDINANCE/REVISED FIRST AMENDMENT/OPTION & DEVELOPMENT AGREEMENT/
TRUMPET PARK**

A memo (13-DOC-73) was received from Ron Colangelo stating that Ordinance 13-O-37 was passed by the Council on July 2, 2013 authorizing the execution of the First Amendment to the original Option and Development Agreement between the City of Zion and Panattoni Development Corporation with regard to Trumpet Park. He stated that the original agreement, executed in 2007, will expire this year. He presented a revised First Amendment to the original agreement extending the contract to October 29, 2018. Mr. Colangelo stated that Panattoni has invested a substantial amount of funding into the infrastructure improvements in Trumpet Park and has requested a 5-year extension of the original contract. The revision allows Panattoni Development the option to donate back to the City the portion of the property they will be purchasing from the City for the ATC transmission line project after the expiration of the contract extension if they so desire. This revised amendment will replace the amendment authorized by the Council on July 2, 2013.

It was moved by Commissioner Flammini, seconded by Commissioner Hill that an Ordinance (13-0-40) be passed authorizing a Revised First Amendment to the Option and Development Agreement regarding Trumpet Park between Panattoni Development Corporation and the City of Zion extending the original agreement until October 29, 2018, contingent upon the final closing of Panattoni’s purchase of property the City of Zion is acquiring from North Shore Sanitary District for the ATC Transmission line project. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; and Temporary Chairman DeTienne; aye. Motion carried. Ordinance passed.

ORDINANCE/SURPLUS PROPERTY/PUBLIC WORKS VEHICLES

A memo (13-DOC-74) was received from Ron Colangelo requesting that a 1982 Champion Road Grader, a 1991 IHC 4900 Garbage Truck, a 1992 GMC 7000 TopKick Dump Truck, a 1993 GMC 7000 TopKick Dump Truck, a 1995 Pelican Street Sweeper, and all vehicle attachments such as plows, spreaders, etc., be declared as surplus and sold at auction. The vehicles are being replaced and are no longer being utilized.

It was moved by Commissioner Flammini, seconded by Commissioner Hill that an Ordinance (13-O-41) be passed declaring one 1982 Champion Road Grader, one 1991 IHC 4900 Garbage Truck, one 1992 GMC 7000 TopKick Dump Truck, one 1993 GMC 7000 TopKick Dump Truck, one 1995 Pelican Street Sweeper, and all vehicle attachments such as plows, spreaders, etc., as surplus property and approving the sale of

these vehicles and attachments at auction. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; and Temporary Chairman DeTienne; aye. Motion carried. Ordinance passed.

ORDINANCE/AMENDING CHAPTER 10/VACANT & BOARDED BUILDING REGISTRATION

Commissioner Hill stated that the City has determined that vacant and boarded up buildings are public nuisances that contribute to decreased property values, disinvestment by neighbors, increased criminal activity, undermine the aesthetic character of the neighborhoods and the City's sense of well-being. He presented a proposed ordinance which establishes a program for the identification, registration and regulation of vacant and/or boarded up structures. He stated that the ordinance determines the responsibilities of the owners of such structures, gives the Building and Police Departments access to owner information, and will eventually reduce the cost of required City services. He stated that the ordinance requires the owner to have a local contact. Commissioner Hill stated that the proposed ordinance forces mortgage holders to address property violations and reduces the amount of time a structure is allowed to be boarded up. The ordinance requires the owner to sell the structure within two years. He stated that the ordinance provides for the administration, enforcement, including the prevention and abatement of public nuisances, and the imposition of penalties for non-compliance. He stated that the ordinance includes a building board up procedure, including a fee structure, and further stated that the City would use the services of ESDA for securing and board up of buildings. Property owners would have the option of requesting their own contractor, so long as he is qualified, or may perform the board up themselves. Commissioner Hill stated that this ordinance is the result of a collaborative effort including the Building, Fire/Rescue and Police Departments. He stated that there are currently 247 vacant or boarded up homes in Zion. With full compliance, a total of \$43,225 in revenue would be generated which could be used to help fund additional staff. Director Ianson stated that the Building Department has software which will ease the transition. Chiefs Brooks and Lewis both stated that they support the ordinance. Commissioner Hill stated that the ordinance is an important first step in improving the housing stock in Zion. Commissioner Flammini stated that, under the board up fee schedule, the second story fee should be an additional \$5.00 per opening, not \$5.00. He asked if the Planning and Zoning Board has the authority to make a final determination in the appeal process as they are only a recommending body. Attorney Randall stated that the Board would make a recommendation to the City Council who would make the final determination regarding an appeal. She stated that the City Attorney would further review the appeal process as proposed in the ordinance.

It was moved by Commissioner Hill, seconded by Commissioner Flammini that an Ordinance (13-0-42) be passed amending Chapter 10 "Building and Building Regulations", Article VII "Property Maintenance Code", Sections 10-178 & 10-179 of the Zion Municipal Code regarding vacant and boarded building registration, subject to final attorney review. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; and Temporary Chairman DeTienne; aye. Motion carried. Ordinance passed.

RESOLUTION/AMENDING PERSONNEL AUTHORIZATION/POLICE DEPARTMENT

A memo (13-DOC-75) was received from Chief Brooks requesting the reinstatement of the full time administrative assistant position in the Police Department. He stated that, with the recent initiative to collect nearly a million dollars in outstanding parking/city sticker tickets through the administrative adjudication process, a strain has been placed on the existing clerical staff. He stated that he does not plan to replace the part time position that would be vacated. He stated that the change would be funded through monies already budgeted for but not paid to two officers who have long since left the department. Chief Brooks requested that the Council amend the Personnel Authorization by adding one full time Administrative Assistant position.

It was moved by Commissioner Flammini, seconded by Commissioner Hill that a Resolution (13-R-12) be passed amending the personnel authorization adding one (1) full time Administrative Assistant in the Police Department. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; and Temporary Chairman DeTienne; aye. Motion carried. Resolution passed.

WATER & WASTE FUND RATES

A memo (13-DOC-76) was received from Director Knabel regarding water and waste fund rates. He stated that, beginning in the current fiscal year, the water and sewer fund will be operating at a deficit due to the City not increasing water rates since 2004 even though the Lake County Public Water District increased their rate 16%. He stated that the waste fund has not increased rates in three years and has been operating at a deficit as Advanced Disposal (Veolia) increased rates by 14% during the same time period. Director Knabel recommended increasing the water rate by \$.40 per 1,000 gallons, which would be a \$10 to \$15 increase per quarter to the average user. He recommended increasing the sewer rate by \$.15 per 1,000 gallons and the waste collection rate by \$5.25 per month. These increases would allow the City to maintain the level of service for water and waste collection. He also recommended that the ordinance which addresses annual rate changes by the Lake County Public Water District and Advanced Disposal be amended so as to better phase in future rate changes. Director Knabel stated that, while the level of water service cannot be changed, the level of service for waste collection can. He stated that contracting out leaf pick up service would free up Public Works personnel and eliminate the need for replacement equipment. Temporary Chairman DeTienne asked how the waste collection rates compare to that of other communities. Director Knabel stated that waste services are \$9 to \$10 a quarter less than other communities with Zion offering more services. Commissioner Flammini stated that Zion has a “take all” premier contract with Advance Disposal with some of the lowest rates in Lake County. He stated that some services could be eliminated to avoid the rate increase. Commissioner Hill asked how much money was borrowed from the water fund in the last 10 years. Director Knabel stated that approximately \$4.2 million was borrowed, with much of those funds being generated from connection fees rather than operating expenses, which has been repaid. He stated that an additional approximately \$1.3 million is still payable to the water fund. A total of approximately \$6.3 million was borrowed from the water fund and transferred to the General Fund. Director Knabel stated that the next step is to determine the level of service for the waste fund and to consider the Advanced Disposal contract renewal. Commissioner Flammini stated that the Advanced Disposal contract expires in April 2015 and that the proposed renewal contract offers an 8-year extension of the current contract. Commissioner Hill asked if the City could “get a better deal” if waste collection bids were solicited. Commissioner Flammini stated that there would be start-up costs with a change in providers and often the lowest bidder can be the current provider only with a higher rate. Director Colangelo stated that if leaf up by Public Works continues, the City can expect to pay at least \$12,000 in repairs to the two existing machines. He stated that new machines cost approximately \$150,000 per machine. He stated that the leaf pick up program takes eight of his nine-person street crew at least six weeks to collect the leaves and a total of sixteen weeks if brush chipping is included. He stated that a licensed transfer site for dumping must also be available. Director Colangelo stated that the current leaf pick up operation is inefficient and time consuming. It was the consensus of the Council that a determination regarding the level of waste service and consideration of the Advanced Disposal renewal contract will be placed on the next City Council meeting agenda.

RIGHT OF ENTRY PERMIT/ATC TRANSMISSION COMPANY

A memo (13-DOC-77) was received from Director Colangelo recommending approval of a Temporary Right of Entry Permit for the American Transmission Company (ATC) transmission line project. He stated that the City recently acquired the necessary property from the North Shore Sanitary District to facilitate this project. The permit would allow ATC access to the property to continue construction on the project. He stated that, once Panattoni Development exercises their option and purchases this property from the City, a formal easement will be granted to ATC.

It was moved by Commissioner Hill, seconded by Commissioner Hill to grant a Temporary Right of Entry Permit to American Transmission Company (ATC) for the ATC PLPL41 Transmission Line Project. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; and Temporary Chairman DeTienne; aye. Motion carried.

DEPARTMENTAL COMMENTARY

Director Ianson stated that progress has been made regarding the retention pond in the area of the Kmart Plaza and the Zion Senior Cottages. The bank that currently owns the property has agreed to clean it up and work should begin this week.

ANNOUNCEMENTS

Thursdays through September 26th	11:00 a.m. to 7:00 p.m.	Zion Farmer's Market Sheridan Road & Shiloh Blvd.
August 17	9:00 a.m. to 12:00 noon	Electronic Recycling at the Public Works Facility 3220 27 th Street
August 20	6:30 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting

ADJOURN

There being no further business to come before the Council at this time, it was moved by Commissioner Hill, seconded by Commissioner Flammini and unanimously approved the meeting be adjourned at 8:04 p.m. Motion carried.

City Clerk

Approved August 20, 2013