

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, AUGUST 19, 2014, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 2828 SHERIDAN ROAD, ZION, ILLINOIS

Mayor Harrison called the meeting to order.

On call of the roll the following answered present: Commissioners DeTienne, Taylor, Flammini, Hill and Mayor Harrison. A quorum was present.

Also present: Chief of Police Steve Dumyahn, Fire/Rescue Chief John Lewis, Public Works Director Ron Colangelo, Finance Director David Knabel, Building Director Richard Ianson, ESDA Field Director Brandon Busch, and City Attorney Paula Randall

Members of Beach Park Boy Scout Troop 673 led in the Pledge of Allegiance to the flag.

AGENDA CHANGES

There were no agenda changes.

CITIZEN COMMENTS

Mayor Harrison stated that he was not in attendance at the three previous City Council meetings due to a family emergency.

Dinah Tonne, 3310 Harbor Ridge Drive, stated that someone released her dogs from her fenced yard. She stated she called 911 and was told that it was not an emergency. She stated that when she called for help, the Police Department let her down. She stated it was a week before the Police responded. Commissioner DeTienne stated that Chief Dumyahn would work with her to resolve the issue.

Lisa Isaac, 3013 Emmaus, stated that in the last six weeks she called the Police Department three times to report overnight guests parking on the street and all three times the vehicles were ticketed. He stated that her husband exited a local business and his vehicle had been ticketed. She stated that on this date she found that three tickets were placed on vehicles parked in her driveway. She stated that there were seventeen cars parked in her neighborhood and only two of them displayed city vehicle stickers, but she was the only one ticketed. She stated that she believes she is being harassed in retaliation for speaking out on previous issues. She stated all but two of her comments have been removed from the Plan4Zion webpage. Ms. Isaac stated that she is frustrated and embarrassed by the shameful conditions in Zion.

Janet Jones, 1728 23rd Street, stated that the crosswalk at Sheridan Road and 28th Street, in front of Market Square Hotel, is only lines on the pavement. She stated that many hospital patients using walkers or canes attempt to cross the street and are dodged by cars on a daily basis. She stated that 60% of hotel guests are hospital patients. She stated that she has called the Police Department three times and was referred to the Public Works Department. The Engineering Division informed Ms. Jones that Sheridan Road is a State highway, but they painted a new crosswalk. She requested that squad cars patrol the area and ticket drivers who are threatening the safety of the pedestrians attempting to cross the street. Ms. Jones stated that this is a "tragedy waiting to happen". She asked the Council to do whatever they could to encourage the State to rectify this situation.

John Idleburg, 1804 Gabriel, stated that the Zion Benton American Legion Post 865 would be hosting the display of the traveling Vietnam War Memorial. "The Wall" will be on display in Memorial Park from August 28 through September 2, 2014. An opening ceremony is scheduled for August 29th at 6:00 p.m. Mr. Idleburg invited the City Council and residents to attend the ceremony.

Mary Jane Loux, 1000 Shiloh Blvd., stated that the property at 928 Shiloh Blvd. had been an apartment complex and is now vacant. She stated that the Planning/Zoning Commission addressed a petition to rezone the property as multi-family. She stated that the structure is in bad condition and in need of much repair. She stated that the building should be demolished rather than rehabbed.

James Koepl, 2410 Elizabeth Avenue, stated that he is a new resident and is interested in the re-zoning of 928 Shiloh Blvd. He stated the building is in bad repair and is unsalvageable. He stated that the character of the neighborhood would be altered with a change in zoning to multi-family. He urged the Council to demolish it or request to view the plans for the property prior to granting the zoning request.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** of a Regular Meeting held on August 5, 2014 at 7:00 p.m.; approval but not release of Closed Session Minutes of a meeting held on August 5, 2014 at 7:35 p.m.
- (b) **BILLS:** Vouchers 118952 through 119049 drawn on First Merit Bank, Total: \$425,382.14
- (c) **FINANCIAL REPORT:** 2 months ending June, 2014

Approved by omnibus vote as follows: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

ORDINANCE/ECONOMIC INCENTIVE AGREEMENT/IT'S ALL GOOD COFFEE & ESPRESSO/2780 SHERIDAN ROAD

Director Knabel stated that the Council previously agreed to enter into an economic incentive agreement with It's All Good Coffee Espresso, 2780 Sheridan Road, for the construction of a drive-through, with the Council preferring a five-year clawback clause rather than a ten-year clause. He stated that the TIF Review Board, upon further review, maintains their recommendation of a ten-year clawback clause. Commissioner Taylor recommended that the Council uphold its original recommendation that the clawback clause be reduced from ten years to five years. Commissioner Hill asked if this was the first agreement the Council has received with a clawback clause included. He asked if a recipient had ever received funds and then flipped the property. Director Knabel stated that the Council had never been asked to consider an agreement including a clawback clause in the past, however, such a clause has been previously considered by the TIF Board but the projects never proceeded far enough to come before the Council. He stated that he believes it is a good clause, it just needs to be assigned a proper term length. He also stated that ten years is the maximum term length allowed by the State. Director Knabel stated that the TIF Review Board views the Council's decision regarding the clause term length as precedent setting. Commissioner Hill stated that when considering length of term, the number of years a business has been in Zion should be taken into account, with the longer a business has been in existence, the shorter the term. He stated that It's All Good has a good business history and he supports a five-year clawback clause. Mayor Harrison stated that he supports a five-year term. Commissioner Flammini stated that the requirement for construction completion after the issuance of a building permit should be set at one year to match the ordinance and the term of the building permit.

It was moved by Commissioner Hill, seconded by Commissioner Taylor that an Ordinance (14-0-38) be passed approving and authorizing execution of an economic incentive agreement with It's All Good Coffee and Espresso, 2780 Sheridan Road, (TIF#1 – Zion Sheridan Road Downtown RPA) with a five-year clawback modification and a requirement of one year for the completion of construction and subsequent occupancy. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Hill, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ORDINANCE/MUTUAL AID BOX ALARM SYSTEM (MABAS) AGREEMENT

A memo (14-DOC-71) was received from Chief Lewis stating that, as part of the City's Mutual Aid Box Alarm System (MABAS) membership, it was asked that all member fire departments approve a MABAS contract addendum and authorizing ordinance. He stated that the addendum is required so MABAS member agencies are compliant with the FEMA Recovery Policy with regard to reimbursement claims for disaster mobilizations associated with federal requirements.

Chief Lewis stated that the ordinance and attachments were designed to establish guidelines for reimbursements related to mutual aid assistance during significant events with operational periods of more than eight hours.

It was moved by Commissioner DeTienne, seconded by Commissioner Hill that an Ordinance (14-0-39) be passed authorizing an addendum to the Mutual Aid Box Alarm System (MABAS) Agreement. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Hill, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

VARIANCE/928 SHILOH BLVD.

A memo (14-DOC-72) was received from Director Ianson stating that the structure at 928 Shiloh Blvd was modified in 1956 making it a multi-family dwelling. The property was zoned R-13 Single Family in 1965. He stated that as long as the dwelling stayed occupied, it was considered a legal, non-conforming use. In March 2013, following an inspection which revealed numerous building and life safety violations, the dwelling was posted "Occupancy Prohibited". Director Ianson stated that the current property owners are requesting a variance from Zion Municipal Code Section 102-206(b)(2) "Discontinuance", per Zoning Docket 14-Z-8, as petitioned by Elie Kardoush. He explained that a discontinuance is described as a building, all of which or substantially of which, is designed or intended for a use which is not permitted in the district in which it is located, which if hereafter becomes vacant and remains unoccupied or is not used for a period of six months, shall not be occupied or used except in a manner which conforms to the regulations of the district in which it is located, which in this case is single family. Director Ianson stated that at their August 7, 2014 meeting, the Planning/Zoning Commission recommended that the petition for a variance be denied.

It was moved by Commissioner Hill, seconded by Commissioner Taylor that the request for a variance from Zion Municipal Code Section 102-206(b)(2) "Discontinuance", as petitioned by Elie Kardoush, for property at 928 Shiloh Blvd, be denied. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

TABULATION OF BIDS/JETHRO AVENUE TREE REMOVAL PROJECT

A Tabulation of Bids (14-DOC-73) was received from Director Colangelo for the Jethro Avenue Tree Removal Project. The only bidder was Homer Tree Care, Inc., Wauconda, Illinois, in the base bid amount of \$38,450 and the alternate bid amount of \$11,350, for a total of \$49,800. He stated that the bidder agreed to lower the alternate to help accommodate the City's budgetary restrictions. Director Colangelo recommended removing the 2014 HMA Patching Project from the Street and Bridge Fund and funding it through the Motor Fuel Tax Fund. He stated that this action would result in a reduction of the amount previously approved by the Council to be transferred from the General Fund to the Street and Bridge Fund and can then be applied toward the tree removal project. Director Colangelo stated that Director Knabel agrees with this assessment.

It was moved by Commissioner Flammini, seconded by Commissioner Hill to award the contract for the Jethro Avenue Tree Removal Project to Homer Tree Care, Inc., Wauconda, Illinois, in the base bid amount of \$38,450 and the alternate bid amount of \$11,350, for a total of \$49,800 and to approve the necessary budget amendment. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

TABULATION OF BIDS/2014 SURFACE REMOVAL & REPLACEMENT PROGRAM

A Tabulation of Bids (14-DOC-74) was received from Director Colangelo for the 2014 Surface Removal and Replacement Program. He recommended awarding the contract to Payne and Dolan of Antioch, Illinois, the lowest responsive and responsible bidder, in the amount of \$47,162.57. He stated that funding for this project will come from the MFT Fund.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to award the contract for the 2014 Surface Removal and Replacement Program to Payne and Dolan of Antioch, Illinois, in the amount of

\$47,162.57. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

REQUEST TO POST PERSONNEL VACANCIES/PUBLIC WORKS DEPARTMENT

A memo (14-DOC-75) was received from Director Colangelo requesting permission to internally post the positions of Fleet Maintenance Mechanic and Service Technician in the Public Works Department and advertise if needed. He stated that, due to a recent retirement, a vacancy exists in the position of Fleet Maintenance Mechanic, and currently a Service Technician has been filling the position. He stated that it is anticipated that the Mechanic position will be filled from within the Public Works Department resulting in a Service Technician vacancy.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve the internal posting, and advertising if necessary, for the Public Works positions of Fleet Maintenance Mechanic and Service Technician. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

REQUEST TO POST PERSONNEL VACANCY/DEPUTY FIRE/RESCUE CHIEF

A memo (14-DOC-76) was received from Chief Lewis requesting permission to internally post the position of Deputy Fire/Rescue Chief due to the announced retirement of Deputy Chief Greg Friedrich. He stated that he has received a letter from DC Friedrich which states that he intends to retire after 39 years of service, effective September 1, 2014. Chief Lewis requested permission to fill the Deputy Chief position and seek a qualified replacement. He stated that once a qualified candidate is found, he will request that the Council make the appointment.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to grant permission to fill the Fire/Rescue Department position of Deputy Chief and approve the internal posting. The vote on roll call was: Commissioners DeTienne, aye; Taylor, aye; Flammini, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

DEPARTMENTAL COMMENTARY

Director Colangelo stated that fall brush pick-up will begin on September 2, 2014. He recommended that residents check the ZB News and the City of Zion website for maps and pick-up schedules.

Commissioner Hill stated that the City is currently short personnel. He stated that during Citizen Comments, a resident stated that the City is an embarrassment. He stated that we must get to the point where we can do the job and keep up. He stated that he shares in the resident's frustration.

ANNOUNCEMENTS

Thursdays through September 26th	11:00 a.m. to 7:00 p.m.	Zion Farmer's Market Sheridan Road & Shiloh Blvd.
August 23 & 24		Potawatomi Trails POW WOW Shiloh Park
August 30	6:30 p.m.	Zion Queen's Pageant
August 31	8:15 p.m.	Jubilee Days Fireworks
September 1	8:00 a.m.	Mayor's Prayer Breakfast
	11:00 a.m. - 6:00 p.m.	Jubilee Days Arts & Crafts Festival
	1:00 p.m.	Jubilee Days Parade

September 2	7:00 p.m.	Zion City Council Meeting
September 6	9:00 a.m. to 12:00 noon	Electronic Recycling at the Public Works Facility, 3220 27 th Street

CLOSED SESSION

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

Commissioner Hill left the meeting at 7:52 p.m.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to reconvene the Regular Council meeting at 8:23 p.m. with all members present except Commissioner Hill. The vote on roll call was: Commissioners 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 DeTienne, seconded by Commissioner Taylor and unanimously approved the meeting be adjourned at 8:24 p.m. Motion carried.

City Clerk

Approved September 2, 2014