

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, FEBRUARY 3, 2015, AT 7:02 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, Hill, Taylor, Flammini, 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/Zoning Director Richard Ianson, ESDA Field Director Brandon Busch. City Attorney Paula Randall was absent.

Mayor Harrison led in the Pledge of Allegiance to the flag.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** a Regular Meeting held on January 20, 2015 at 7:00 p.m.
- (b) **BILLS:** Vouchers 120141 through 120226 drawn on First Merit Bank, Total: \$398,660.52

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

ORDINANCE/PURCHASE OF 3318 SHERIDAN ROAD

It was moved by Commissioner Hill, seconded by Commissioner Flammini that an Ordinance (15-O-7) be passed authorizing the purchase of property located at 3318 Sheridan Road, Zion, Illinois, using TIF funds, in the amount of \$160,000. The vote on roll call was: Commissioners DeTienne, aye; Hill, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ORDINANCE/CODE VARIANCE/4242 IL ROUTE 173

A letter (15-DOC-4) was received from David Hook, owner of Capt'n Hook's Self Storage, Inc, 4242 IL Route 173, Zion, requesting a variance from Section 903.2 of the Zion Municipal Code regarding automatic sprinkler system requirements. He stated that he is adding storage units to the existing units which required no sprinklers. Chief Lewis stated that there are no life safety issues, no typical fire ignition sources, and no electric service. He stated that the structural components of the buildings are 100% non-combustible, consisting only of masonry and steel. Chief Lewis recommended approval of the variance.

It was moved by Commissioner DeTienne, seconded by Commissioner Hill that an Ordinance (15-O-8) be passed granting a variance from Zion Municipal Code Chapter 34.43, Section 903.2 to not require the installation of an automatic sprinkler system in the cold storage unit buildings at 4242 IL Route 173. The vote on roll call was: Commissioners DeTienne, aye; Hill, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ORDINANCE/PURCHASE OF 3340 SHERIDAN ROAD, 3319 EMMAUS AVENUE & 3336 COLGATE AVENUE

Director Knabel stated that the three properties total approximately 4.5 acres. He stated that the City owning this property would provide development opportunities and possible economic development incentives. The City could control development on this important corner and encourage business development that would be in the best interest of the City. He stated that the City needs to bring in a new business that would spark further development activity on the south end of Sheridan Road. Director Knabel stated that the TIF Review approved using TIF funds to purchase these parcels.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor that an Ordinance (15-O-9) be passed authorizing the purchase of property located at 3340 Sheridan Road, 3319 Emmaus Avenue, and 3336 Colgate Avenue, using TIF funds, in the amount of \$460,000. The vote on roll call was: Commissioners DeTienne, aye; Hill, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ORDINANCE/SURPLUS PROPERTY/ESDA TRAILER

It was moved by Commissioner Hill, seconded by Commissioner DeTienne that an Ordinance (15-O-10) be passed declaring one 1993 Terry Resort Trailer as surplus property and that permission be granted to advertise for bids for the sale of the trailer. The vote on roll call was: Commissioners DeTienne, aye; Hill, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

PURCHASE OF ICE BRIDGE

A memo (15-DOC-5) was received from Director Ianson requesting permission to purchase an ice bridge mounted on the water tower at 4410 Douglas Drive, Zion. He stated that U.S. Cellular decommissioned the cell site and they have removed all of their equipment except for a small section of ice bridge which supports two City antennas. He stated that U.S. Cellular is offering the City an opportunity to purchase this section of ice bridge for \$1.00 so the antennas may remain in place. He stated that there would be no maintenance issues anticipated on the ice bridge.

It was moved by Commissioner Hill, seconded by Commissioner Flammini to approve the purchase of a section of the ice bridge mounted on the water tower at 4410 Douglas Drive, Zion, from U.S. Cellular in the amount of \$1.00. The vote on roll call was: Commissioners DeTienne, aye; Hill, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

EMERGENCY BACK-UP GENERATOR REPAIRS/CITY HALL

A memo (15-DOC-6) was received from Director Ianson requesting acceptance of a proposal for the replacement of the transfer switch and the installation of the start circuit control wires for the emergency back-up generator at City Hall. He stated that moisture is leaking from the conduit into the transfer switch causing corrosion which could prevent the transfer switch from operating properly. He stated that during the initial installation of the generator, the start circuit control wires were not installed, without which, the generator will only start with the loss of ComEd power. Director Ianson stated that if the City experiences equipment failure, it will not activate the transfer switch to emergency power. He stated that he received proposals from Pieper Power in the amount of \$7,545 and Illini Power Products in the amount of \$7,889. He recommended accepting the proposal of Pieper Power.

It was moved by Commissioner Hill, seconded by Commissioner DeTienne to accept the proposal of Pieper Power for replacement of the transfer switch and the installation of the start circuit control wires for the emergency back-up generator at City Hall in the amount of \$7,545. The vote on roll call was: Commissioners DeTienne, aye; Hill, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

TABULATION OF BIDS/FLOORING REMOVAL & REPLACEMENT/ POLICE ADMINISTRATION BUILDING

A Tabulation of Bids (15-DOC-7) was received from Chief Dumyahn for the removal and replacement of tile and carpet flooring on the first floor of the Police Administration Building. He stated that five bids were received. He stated that the two lowest bidders were Floors to You in the amount of \$16,954.10 and Cenni Ambrose Tile & Carpet in the amount of \$16,966.24. Chief Dumyahn requested that the Council award the bid to Cenni Ambrose Tile & Carpet, even though their bid was \$12.24 higher, as they are a local Zion business.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that the bid for the removal and replacement of tile and carpet flooring on the first floor of the Police Administration Building be awarded to Cenni Ambrose Tile & Carpet in the amount of \$16,966.24. The vote on roll call was: Commissioners DeTienne, aye; Hill, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

ENVIRONMENTAL CONSULTANT/MUNICIPAL LANDFILLS 1 & 2

A memo (15-DOC-8) was received from Director Colangelo recommending the Council accept the quote from the City's environmental consultant, Deigan and Associates, LLC, for engineering services for Zion's closed landfills in the amount of \$46,600. He stated that groundwater analysis, inspection and quarterly reporting to the I.E.P.A. are required as part of the City's post closure permit. Director Colangelo stated that the contract would be for the next three years and would be a budgeted item in the Waste Fund.

It was moved by Commissioner Flammini, seconded by Commissioner Hill that the Council accept the quote from Deigan and Associates, LLC for engineering services for Zion's closed landfills in the amount of \$46,600. The vote on roll call was: Commissioners DeTienne, aye; Hill, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

RIGHT-OF-WAY VACATION POLICY AMENDMENT

A memo (15-DOC-9) was received from Director Colangelo requesting that the Council approve an amendment to the City's right-of-way vacation policy. He stated that in 2006 the City adopted the policy with the intent being that it would apply to residential requests. He stated that in the last few years, the City has received requests for right-of-way vacations from entities other than residential, some of which have been for improved rights-of-way. He stated that currently the values established in Section 4D of the policy are \$.25 per square foot for green space and \$1.00 for all other uses. Director Colangelo recommended that the policy be amended by striking Section 4D in its entirety and replacing it with language that would establish rates on a case by case basis with the approval of the right-of-way vacation being contingent upon the rate agreed to by the City and the requesting applicant. Director Colangelo stated that Attorney Randall approved the proposed language. He stated that for commercial requests, the property is more valuable than the residential property rates in the current policy allow. Commissioner Hill stated that staff needs a guide to use as a starting point for negotiating purposes and that perhaps recent adjacent property sales could be used for comparison. Director Knabel stated that every need will be unique and maintaining consistency will be difficult. Commissioner Hill stated that equitable treatment of requestors would be easier to achieve if a benchmark is in place before any negotiations begin or any property is vacated. Director Colangelo stated that he could seek advice from a local appraisal service as a place to start.

It was moved by Commissioner Flammini, seconded by Commissioner Hill to approve the amendment to the right-of-way vacation policy deleting the current text of Section 4D and replacing it with language that would establish rates on a case by case basis with the approval of the right-of-way vacation being contingent upon the rate agreed to by the City and the requesting applicant. The vote on roll call was: Commissioners DeTienne, aye; Hill, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

ZION TOWNSHIP LAND PAYMENT SETTLEMENT

A memo (15-DOC-10) was received from Zion Township Supervisor Cheri Neal requesting that the City Council approve that the land purchase agreement for property at 1015 27th Street has been satisfied with the five \$20,000 land payments paid to date in the total amount of \$100,000. The memo serves as a follow-up on the Township Trustees' recommendation from early in 2014 that Zion Township's payment to date for the land purchase is sufficient to satisfy the purchase agreement. Supervisor Neal's memo stated that the property value in 2007 was \$34,467 and the original amount in the contract between the Township and the City was \$157,197.98. Approval of the requested land payment settlement would waive \$57,197.98 of the original contract amount.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve that the land purchase agreement between Zion Township and the City of Zion for property at 1015 27th Street has been satisfied with the five \$20,000 land payments paid to date in the total amount of \$100,000, therefore waiving \$57,197.98 of the original contract amount. The vote on roll call was: Commissioners DeTienne, aye; Hill, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

February 17	6:30 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting
March 3	7:00 p.m.	Zion City Council Meeting

CLOSED SESSION

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that the Council recess to Closed Session at 7:42 p.m. to discuss probable litigation. The vote on roll call was: Commissioners DeTienne, aye; Hill, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Hill, seconded by Commissioner Taylor to reconvene the Regular Council meeting at 7:53 p.m. with all members present. The vote on roll call was: Commissioners DeTienne, aye; Hill, 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 Hill, seconded by Commissioner DeTienne and unanimously approved the meeting be adjourned at 7:53 p.m. Motion carried.

City Clerk

Approved February 17, 2015