

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, MAY 16, 2006, 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 Taylor, DeTienne, Bennett, Flammini and Mayor Harrison.

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

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES** of a Regular Meeting held on May 2, 2006 at 7:03 P.M. and approval but not release of Closed Session minutes of a meeting held on May 2, 2006 at 7:52 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** Building Inspector's Report, April 2006
- (c) **BILLS:** Vouchers 93933 through 94080 drawn on National City Bank, \$959,484.37
- (d) **PROCLAMATION:** Memorial Day – May 29, 2006

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

AMEND PERSONNEL AUTHORIZATION/POLICE & FIRE/RESCUE DEPTS.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that Resolution (06-R-7) be passed amending the Personnel Authorization adding two full-time Telecommunicators in the Police Department and changing a title in the Fire/Rescue Department. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Bennett, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

NO PARKING/2048 HERMON AVENUE

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett that Ordinance (06-0-28) be passed amending the Municipal Code of the City of Zion, as amended, Article III, Section 90-133, prohibiting parking north of and in front of 2048 Hermon Avenue. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Bennett, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

2909 WILLOW LANE/CONDOMINIUM CONVERSION

John Jones stated the special use request for development of a condominium conversion has been before the Pre-development Team and the Planning and Zoning Commission, and all fees have been paid.

Commissioner Bennett questioned the difference between the fire safety requirements of an apartment complex versus a condominium development. Chief LaBelle stated this condominium development has only one common water meter for the units, however concerns have been addressed in the homeowners association agreement. Attorney Puma stated a Knox Box provision has been included, and a minimum air temperature is required to avoid problems with freezing pipes and plumbing. Occupancy for the property would be subject to all conditions being met. Chief LaBelle noted that all units have sprinklers. Commissioner Bennett stated the City should have the right to lien the property, if water bills are not paid. Attorney Puma stated the City does have that right, noting a \$4,000 deposit is also required for water service. Commissioner Bennett noted he is opposed to this condominium development.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne that Ordinance (06-0-29) be passed granting certain variances for a condominium conversion for property located at 2909 Willow Lane, Zion, Illinois. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Bennett, nay; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

SHEPHERD'S POINT/FIRE ALARM REQUIREMENTS

Chief LaBelle stated the Shepherd's Point PUD Agreement was previously approved, and an amendment is being requested as follows:

Developer shall install in each residential unit a local smoke alarm system installed in compliance with Section R-317.1 of the 2000 International Residential Code. If a fire suppression system is installed in a unit, it shall be monitored at the homeowners' expense by the City or its designated alarm-monitoring contractor.

Mayor Harrison questioned whether or not the system could be hardwired into a private system, allowing for safety for all adjoining residents. Chief LaBelle stated there is no requirement for tying into a private system. Attorney Puma stated these units are not required to have sprinklers, because they are town homes. Commissioner Taylor stated these units are single family attached and should have sprinklers. Commissioner DeTienne questioned whether or not the buildings could be wired in common areas. Chief LaBelle stated there are no common hallways in this development, and the type of wall allows them to be considered separate units. Mayor Harrison questioned if there is a comprehensive warning system, alerting residents of a fire in another dwelling unit. Patrick Smith, representing the developer, Deer Point Homes, stated the separate wall, which is not masonry, is engineered as a 2-hour firewall. This wall starts in the basement and ends at the underside of the top sheeting on the roof. Mayor Harrison questioned why not consider sprinklers in the units. Mr. Smith stated residential sprinkler systems are not the same as in manufacturing or industrial buildings. Residential systems have more defects, which can actually create damages, and they are difficult to build and hard to insure. Temperature fluctuations can also cause problems with plumbing, which would affect sprinklers. Commissioner Taylor stated the Council previously waived the requirement for sprinklers for this project, noting his concerns on this issue, however, he is personally aware of defective sprinkler units causing property damage.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve the First Amendment to Shepherd's Point Planned Unit Development Agreement regarding the requirement for the installation of a local smoke alarm system in each residential unit. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Bennett, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

SUNSET RIDGE SUBDIVISION-PHASE 6

A memo (06-DOC-51) was received from Brian Usher, requesting permission to convert the letters of credit to maintenance bonds for Sunset Ridge Subdivision Phase 6. Public improvements have been inspected and meet all City Codes.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to grant permission to release the letters of credit to maintenance bonds for Sunset Ridge Subdivision Phase 6. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Bennett, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

ASSISTANT FIRE CHIEF

Chief LaBelle announced that the position of Assistant Fire Chief has been created, replacing the position of Fire Marshal/Battalion Chief. Mayor Harrison recommended, concurring with the recommendation of Fire Chief LaBelle, the appointment of Dale Colwell to this position.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to approve the appointment of Dale Colwell as Assistant Fire Chief. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Bennett, pass; Flammini, aye; and Mayor Harrison, aye. Motion carried.

RECORDS CLERK/POLICE DEPT.

A memo (06-DOC-52) was received from Chief Malcolm, requesting permission to post and advertise for a Records Clerk position in the Police Department. Chief Malcolm stated this request is to fill the vacancy created by Gerry Bell's retirement.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to grant permission to post and advertise for the vacant Records Clerk position in the Police Department. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Bennett, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

Mayor Harrison stated the Walk for Literacy held last week was a huge success. Almost \$5,000 was raised for the Zion grade schools' libraries. Wal-Mart has also agreed to match a portion of the funds raised.

- May 17 Budget Hearing at 4:00 P.M.
- May 24 Budget Hearing at 6:30 P.M.
- May 29 City Offices closed for Memorial Day
- May 31 Budget Hearing at 6:30 P.M.
- June 6 Regular City Council Meeting
- June 20 Township Board Meeting

CLOSED SESSION

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini that the Council recess to Closed Session at 7:54 p.m. to discuss personnel, purchase and sale of real estate, and probable and pending litigation. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Bennett, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Bennett, seconded by Commissioner Taylor to reconvene the Regular Council meeting at 8:36 p.m. with all members present. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; Bennett, 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 8:36 p.m. Motion carried.

City Clerk

Approved June 7, 2006