

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, SEPTEMBER 4, 2007, 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 Bennett, Taylor, Flammini, DeTienne and Mayor Harrison.

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

**ZION LION'S CLUB**

Steve Willett, Chairperson of the Winthrop Harbor Lions Club, is spearheading efforts for the formation of a Zion Lions Club. Mr. Willett welcomed everyone's participation in this community organization.

**BRITTNEY COLANGELO**

Brittney Colangelo performed a song for the Farmer's Market. The creation of this song was part of a Bee-Prentice challenge and competition.

**CONSENT AGENDA**

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

- (a) **APPROVAL OF MINUTES** of a Regular Meeting held on August 21, 2007 at 7:00 P.M., and as amended on page 4 per Commissioner Taylor to reflect the word "convert" in place of "upgrade"; and approval but not release of Closed Session minutes of a meeting held on August 21, 2007 at 8:15 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** City Clerk's Monthly Report, August 2007
- (c) **BILLS:** Vouchers 98872 through 99002 drawn on National City Bank, \$1,061, 053.02

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

**EMMAUS AVE & 34<sup>TH</sup> ST/REQUEST TO DISCONNECT**

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that an Ordinance (07-0-35) be passed disconnecting certain property at Emmaus Avenue and 34<sup>th</sup> Street owned by the Village of Beach Park from the City of Zion. The vote on roll call was: Commissioners Bennett, aye; Taylor, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**SCREENING FOR REFUSE & GARBAGE STORAGE AREAS**

It was moved by Commissioner Flammini, seconded by Commissioner Taylor that an Ordinance (07-0-36) be passed establishing screening requirements for refuse and garbage storage areas for commercial, industrial and multiple-unit residential structures. The vote on roll call was: Commissioners Bennett, aye; Taylor, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**DISPOSITION OF SURPLUS PUBLIC WORKS EQUIPMENT**

Ron Colangelo requested the disposition of surplus Public Works equipment through an auction.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that an Ordinance (07-0-37) be passed declaring various Public Works equipment as surplus property. The vote on roll call was: Commissioners Bennett, aye; Taylor, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**POLICE OFFICER VACANCIES**

A memo (07-DOC-102) was received from Chief Booth, requesting permission to hire two police officers to fill vacancies. The Fire and Police Commission would provide the next eligible candidates. The next Police Training Institute starts October 28, 2007 through January 10, 2008.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to grant permission to hire two police officers to fill vacancies based on the Fire and Police Commission's Police Officer Eligibility List. The vote on roll call was: Commissioners Bennett, aye; Taylor, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**VIDEO CAMERAS & EQUIPMENT/POLICE DEPT.**

A memo (07-DOC-103) was received from Chief Booth, requesting permission to purchase video cameras and equipment for a victim interview room at the Police Department. The requested items would be purchased from Current Technologies for the total amount of \$2,108.85. Although this is not a budgeted item, Chief Booth stated funds are available through the Drug Seizure Fund.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to grant permission to purchase video cameras and equipment for a victim interview room at the Police Department from Current Technologies for a total of \$2,108.85. The vote on roll call was: Commissioners Bennett, aye; Taylor, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**CRASH RETRIEVAL SYSTEM/POLICE DEPT.**

A memo (07-DOC-104) was received from Chief Booth, requesting permission to purchase the Crash Retrieval System to be used during accident investigations. This system, including software updates and training, is available through Vetronix for a total cost of \$3,490. This budgeted item would utilize funds through Other Equipment Account No. 10-03-1-04-790.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to grant permission to purchase the Crash Retrieval System from Vetronix for a total cost of \$3,490. The vote on roll call was: Commissioners Bennett, aye; Taylor, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**SANITARY SEWER RECAPTURE AGREEMENT/HILLTOP AVE. & 17<sup>TH</sup> ST.**

Attorney Randall stated the sanitary sewer at Hilltop Avenue and 17<sup>th</sup> Street was accepted by the Council several years ago benefiting property outside of the City of Zion, but a recapture agreement was not completed at that time. It was recommended approving a recapture agreement with John and Sherry Belanger, owners of the affected property, including indemnification of the City and a \$200 administration fee per benefited property.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve the Recapture Agreement with John and Sherry Belanger regarding the sanitary sewer improvements. The vote on roll call was: Commissioners Bennett, aye; Taylor, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**TAB OF BIDS/TREE PLANTING**

A Tabulation of Bids (07-DOC-105) was received from Ron Colangelo for the purchase and planting of parkway trees at various locations throughout the City. Mr. Colangelo recommended awarding the contract to the lowest responsible and responsive bidder, Arthur Weiler, Inc., who met all specifications, for a total amount not to exceed \$36,000. This is a budgeted item.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to award the contract for the purchase and planting of 2007 parkway trees to Arthur Weiler, Inc. for a total amount not to exceed \$36,000. The vote on roll call was: Commissioners Bennett, aye; Taylor, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**1906 GREEN BAY ROAD/LOT CONSOLIDATION**

A memo (07-DOC-106) was received from John Jones requesting approval of a lot consolidation for two lots located at 1906 Green Bay Road. The consolidation will allow the owner, Karl Jane, to add an accessory structure near his existing house.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve the lot consolidation of two lots at 1906 Green Bay Road. The vote on roll call was: Commissioners Bennett, aye; Taylor, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**WAIVER OF FEES/BEREAN FUNDAMENTAL BAPTIST CHURCH**

A memo (07-DOC-107) was received from John Jones, requesting consideration for the waiving of building, engineering and fire fees for the total amount of \$22,655.00 for the Berean Fundamental Baptist Church at 3020 29<sup>th</sup> Street. Water and sewer tap fees have been paid, and are not part of this request. Mr. Jones stated there are no requests for variances. Commissioner Taylor questioned what was entailed in the engineering fees. Ron Colangelo stated the engineering fees include plan reviews.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne to waive the building, engineering, and fire fees for the total amount of \$22,655.00 for Berean Fundamental Baptist Church at 3020 29<sup>th</sup> Street. The vote on roll call was: Commissioners Bennett, aye; Taylor, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**FIRST CLASS FIREARMS/2453 SHERIDAN ROAD**

A memo (07-DOC-108) was received from Delaine Rogers, regarding a proposed TIF Grant for the relocation of 1<sup>st</sup> Class Firearms to 2453 Sheridan Road. The owners wish to relocate their gun store operation from the 2700 block of Elim Avenue to 2453 Sheridan Road. The request is for a TIF grant for a total of \$21,100. The TIF Review Board met twice on this matter, and recommended denial of this grant request based on the premise that the use may be detrimental to the property. Ms. Rogers stated it is in the best interest of the redevelopment of the 2700 block to relocate this business.

Mayor Harrison questioned whether or not the requested list of items is eligible for TIF assistance. Ms. Rogers stated the carpeting and certain painting would not be eligible. Mayor Harrison asked if a business development grant might be available. Ms. Rogers stated a business development grant could be an option. Commissioner Bennett questioned who was the owner of the property. Mr. Bricco has a contract to purchase. Mayor Harrison questioned whether or not this business had been involved with any police incidents. Chief Booth stated there have been no police incidents. Commissioner DeTienne stated this is a successful business, Zion police officers make purchases through this store and the sales tax revenue stays in Zion. Commissioner Flammini stated the city has helped other businesses with relocations, however carpeting costs should not be part of this TIF grant. Commissioner Taylor stated the TIF Board needs to look at these requests, and not so much at the product to be sold, if the product is legal merchandise. Mayor Harrison suggested considering this request less the \$2,000 cost for the carpeting.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor to approve a TIF Assistance Grant in the amount of \$19,100, which is for construction costs as requested not including carpeting, for the relocation of First Class Firearms to 2453 Sheridan Road. The vote on roll call as: Commissioners Bennett, nay; Taylor, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**NATIONAL CITY BANK/2900 SHERIDAN ROAD**

A memo (07-DOC-109) was received from Delaine Rogers, regarding a proposed TIF Grant for National City Bank at 2900 Sheridan Road. Handicapped parking spaces were placed north of the drive aisle, making it unsafe for seniors and handicapped citizens to walk into the bank. A new design adds safer parking places south of the drive aisle. The TIF Review Board recommends approval of a grant for an amount up to \$10,697.30 or 50% of the cost for this project.

Commissioner DeTienne stated this is a bank, so why aren't they taking care of their own costs. Ms. Rogers stated the corporate office said this parking design works at other banks. Commissioner Bennett questioned whether or not the new design would take away green space and still meet City Codes. Ms. Rogers stated the new design would meet Code. Commissioner Bennett stated the City previously provided assistance, so the developer could place this property on the market, not to mention city-conducted alley improvements. Commissioner Flammini stated two quotes were received, and the one being considered is the higher quote. Ms. Rogers stated there was a difference in the work included on each quote. Commissioner Taylor stated he can't support this request, as the City has already provided considerable assistance. Ms. Rogers stated the bank's branch manager said she can't complete this project without assistance, noting the corporate office was difficult to deal with during the initial construction.

Mayor Harrison asked if the current number of handicapped spaces meets Code. Ms. Rogers stated the current number of spaces does meet Code. Ron Colangelo noted the Code doesn't address the location of the spaces. Mayor Harrison recommended placing a free standing stop sign in the parking lot to help slow traffic. Mr. Colangelo stated a stop sign could work for vehicles entering through the alley, but could create traffic problems for vehicles entering from Sheridan Road. Mr. Colangelo stated the local branch wants to re-evaluate the entire traffic pattern.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to deny the request for a TIF Assistance Grant for National City Bank at 2900 Sheridan Road. The vote on roll call was: Commissioners Bennett, aye; Taylor, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

Mayor Harrison stated the City’s Board and Commissions, and especially the TIF Review Board and the Planning and Zoning Commission, should have as much information as possible, including any information the Council has. This will allow decisions to be made based on all available information, so we are all working toward the same goals.

**LAKE COUNTY PARTNERS**

A memo (07-DOC-110) was received from Delaine Rogers recommending membership renewal with Lake County Partners through a Memorandum of Understanding. Ms. Rogers stated Lake County Partners provides professional economic development services. Total annual contributions would be \$4,875 for December 1, 2007 through November 30, 2008. This is a budgeted item.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve membership renewal with Lake County Partners for the total annual amount of \$4,875.00. The vote on roll call was: Commissioners Bennett, aye; Taylor, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**ENTERTAINMENT TAX REVENUE**

A memo (07-DOC-111) was received from Delaine Rogers, considering the pursuit of entertainment tax revenue. According to Attorney Puma, Zion has the authority to institute a tax on movie theater tickets. Commissioner Flammini questioned whether or not surrounding communities had a similar tax. Ms. Rogers stated other communities do charge a tax on movie theater tickets, which can be placed in the General Fund or other specialized funds. Given the current sales at the Dunes Theater, this tax would produce between \$25,000 and \$30,000 annually, with up to \$75,000 with a proposed expansion of the theater. Ms. Rogers noted she asked legal counsel if these funds could be used for rebating back to the theater, and it would not be possible to do so.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to continue pursuing the entertainment tax concept, and to bring this issue back to the Council when further details are available. The vote on roll call was: Commissioners Bennett, aye; Taylor, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**ANNOUNCEMENTS**

- September 6 Farmer’s Market – “Ridin’ the Rails”
- September 11 Special Township Board Meeting – 6:30 P.M.
- September 13 Farmer’s Market – “Hawaiian Day”
- September 18 Township Board Meeting – 6:30 P.M.
- September 18 City Council Meeting – 7:00 P.M.
- September 20 ZBTHS Educational Fair
- September 28 & 29 Kiwanis Peanut Days

Mayor Harrison thanked everyone involved for their efforts on successful Jubilee Days events.

Commissioner Flammini stated the veterans and Wounded Heroes Foundation would like to thank Zion for all of its support during the August 26 Purple Heart Poker Run and Motorcycle Rally.

**CLOSED SESSION**

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett that the Council recess to Closed Session at 8:19 p.m. to discuss personnel, purchase and sale of real estate, and probable and pending litigation. The vote on roll call was: Commissioners Bennett, aye; Taylor, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to reconvene the Regular Council meeting at 10:00 p.m. with all members present. The vote on roll call was: Commissioners Bennett, aye; Taylor, aye; Flammini, aye; DeTienne, 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 10:00 p.m. Motion carried.

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City Clerk

Approved September 18, 2007