

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, DECEMBER 18, 2007, AT 7:03 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, ZION, ILLINOIS

.....

Mayor Harrison called the meeting to order.

On call of the roll the following answered present: Commissioners Bennett, DeTienne, Taylor, Flammini and Mayor Harrison.

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

AGENDA CHANGES

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to accept the Council agenda with amendments as follows:

- Tabling to consider variances for 2414 Sheridan Road for construction of a motel, item 8.f.
- Tabling to consider changes to the sign ordinance, item 8.j.

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

EMPLOYEE RECOGNITION

Deputy Chief Clyde Watkins was recognized for 30 years of dedicated service to the Police Department and City of Zion.

SPECIAL PRESENTATION/HOLIDAY CONTESTS

Holiday Coloring Contest

The winners of the Holiday Coloring Contest are:

- | | |
|-------------------|---------------------|
| For ages 10 – 12: | Estefania Hernandez |
| For ages 7 – 9: | William Reyes |
| For ages 4 – 6: | Alberto Herrera |
| Under age 4: | Zoe Paxton |

Bees in the Tree Contest

The winner of the Bees in the Trees Contest was announced. The entry with the actual number of bees hidden in various downtown businesses is Morgan Tekampe. Ms. Tekampe correctly guessed 88 bees were hidden at participating businesses.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES** of a Regular Meeting held on December 4, 2007 at 7:00 P.M. and approval but not release of Closed Session minutes of a meeting held on December 4, 2007 at 8:33 P.M., with all members having previously received copies.

- (b) **DEPARTMENTAL REPORTS:** Building Department Monthly Report, November 2007; Public Works Monthly Department Report, November 2007
- (c) **BILLS:** Vouchers 99859 through 100006 drawn on National City Bank, \$1,051,885.27
- (d) **PAYMENTS:** A-Rest-A-Pest, City Hall-\$456.00/annually, Public Works-\$364.80/annually, Fire Station 1-\$150.00/6 months, Fire Station 2-\$32.00/monthly

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

TAXI DRIVERS' QUALIFICATIONS

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that an Ordinance (07-0-50) be passed amending the Municipal Code of the City of Zion, as amended, Section 14-425(4) regarding the qualifications for taxicab drivers. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

2000 BLOCK OF JOPPA AVE/ALLEYWAY VACATION

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that an Ordinance (07-0-51) be passed vacating a portion of the east/west alleyway situated between 2016 and 2014 Joppa Avenue. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

TEMPORARY EMPLOYEE/ACCOUNTS & FINANCE

A memo (07-DOC-147) was received from Larry Pannell, requesting permission to hire one (1) temporary, seasonal employee in the Accounts and Finance Department to assist with various projects over the next five to six weeks. Mr. Pannell stated there are funds available in the budget.

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to grant permission to hire one (1) temporary, seasonal employee for the Accounts and Finance Department, as requested. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

RECORDS CLERK/POLICE DEPT.

A memo (07-DOC-148) was received from Chief Booth, requesting permission to post and advertise for the hiring of one (1) Records Clerk, due to the retirement of Linda Nelson.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to grant permission to post and advertise for the hiring of one (1) Records Clerk in the Police Department. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

SMOKE-FREE ILLINOIS REQUIREMENTS

A memo (07-DOC-149) was received from Clerk Mackey, regarding the Smoke-Free Illinois Act, which becomes effective on January 1, 2008. In order to be in compliance with state regulations, required signage and revised employment applications are being prepared. Clerk Mackey recommended the following changes:

1. Amending the Vehicle Transportation Policy to include "Smoking is prohibited in all City vehicles".
2. Amending the Employee Policy Handbook, which currently prohibits smoking in City buildings, to include:
 - a. smoking is prohibited 15 feet from doorways, windows and vents
 - b. smoking is prohibited in all City vehicles

All employees would be notified of the new regulations.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve the amendments to the Vehicle Transportation Policy and Employee Policy Handbook regarding Smoke-Free Illinois Act requirements, as recommended. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

ALLEY VACATION/3400 BLOCK OF SHERIDAN ROAD

A memo (07-DOC-150) was received from Clerk Mackey, regarding a new plat of dedication for the alley vacation in the 3400 block of Sheridan Road. The City Council approved the vacation in 2005, however, the plat incorrectly included a portion of the alley south to Ames Avenue. The property owner adjacent to this alley has agreed to the correction of the plat, and the dedication back to the City.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve the revised plat of dedication for the alley vacation in the 3400 block of Sheridan Road, which does not include the portion of the alley south to Ames Avenue, dedicating this portion back to the City. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

2321 GIDEON AVENUE/SPECIAL USE/MULTI-FAMILY

The Planning and Zoning Commission considered a request for a special use permit for continuing multi-family use at 2321 Gideon Avenue, as petitioned by Loren Sparks – Zoning Docket 07-Z-13. The Planning/Zoning Commission recommended approval. This address is currently a three unit residential building in a R-5 single family-zoning district. Commissioner Bennett noted, if the building would ever be destroyed by more than 50%, the building would revert back to a single-family residence.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne to approve a special use permit for continuing the current multi-family use at 2321 Gideon Avenue, as requested, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

1721 SHERIDAN ROAD APARTMENT BUILDING/TRASH BINS

A memo (07-DOC-151) was received from John Jones, regarding a request to allow individual trash bins for a six-unit apartment building at 1721 Sheridan Road. Property owner, Fred Bock, stated he has had ongoing problems and issues with the garbage dumpster. Mr. Bock requested replacing the dumpster with individual garbage cans. Mr. Jones stated staff recommends denial of this request.

It was moved by Commissioner Flammini, seconded by Commissioner Bennett to deny the variance for individual trash bins at 1721 Sheridan Road. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

OPEN FIRES & BURNING

A memo (07-DOC-152) was received from John Jones, regarding compliance issues with open fires and burning. Mr. Jones stated there currently is insufficient language regarding building materials, which should not be permissible for bonfires or recreational fires. Mr. Jones recommended adding the following:

- Making it unlawful to burn any construction and/or demolition material, treated wood or lumber, grass, leaves and yard waste, rubbish or other combustible materials, and
- An outside fire pit, bordered by noncombustible materials, must be 5 feet in diameter or less and 25 feet from any structure or tree line.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne to approve adding specific restrictions regarding open fires and burning, as recommended, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

NOTIFICATION OF ZONING ISSUES

A memo (07-DOC-153) was received from John Jones, regarding the responsibility for notification of zoning issues. The Planning and Zoning Commission recommends that an applicant should be responsible for notification of zoning cases. The notification would be supplied by the Zoning Administrator, and the applicant would be responsible for sending a certified notification and application to all property owners within 250 feet of the subject property. The City would be responsible for posting a sign at the front of the property. All notifications would meet the state requirements prior to scheduling the hearing. Commissioner Bennett questioned who would supply the applicant with a mailing list of property owners. Mr. Jones stated the Township Assessor has this list available. Commissioner Bennett noted this process would involve pairing up receipts with the list, which could be difficult and time consuming. Commissioner Flammini stated the burden of proof is on the applicant. Attorney Randall noted this is a customary procedure.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve the notification process for zoning issues, as recommended.

Mayor Harrison stated it is in the best interest of the citizens that the City should be the checkpoint for notifications, and the cost of certified mailings can be borne by the applicant. Commissioner Flammini noted if mail can't be delivered, it shouldn't interfere with the process. Attorney Randall stated as long as an effort is made to mail the notice, the hearing can proceed. Mr. Jones stated the Building Department could do the mailings and charge the applicant for all related costs.

At this time, Commissioner Flammini amended his motion and Commissioner Taylor amended his second to approve a notification process for zoning issues, whereby the City would be responsible for certified mailing notices and posting signage, and the applicant would be responsible for costs, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

TRUMPET PARK PLAT OF DEDICATION & TEMPORARY EASEMENT

A memo (07-DOC-154) was received from Delaine Rogers, recommending the approval of the Plat of Dedication and Temporary Easement Agreement for Trumpet Park. The easements are for utilities, detention areas and Trumpet Road, which is scheduled for construction in the spring of 2008. Ms. Rogers stated the agreement would be subject to attorney review, as well as review by North Shore Sanitary District's board.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve the Plat of Dedication and Temporary Easement Agreement for Trumpet Park, subject to attorney review. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

Mayor Harrison stated a proposed Nuisance Abatement Program was just presented at a workshop, and once documents are finalized, it will be presented again at a future Council meeting.

- | | |
|-------------------------|---|
| Now thru December 30 | Visit Festival of Lights Events:
Kringle's Kingdom
Shiloh Park Drive-thru
Ride the Holly Trolley
Shiloh House |
| December 24 & 25 | City Offices closed for Christmas Holiday |
| December 31 & January 1 | City Offices closed for New Years Holiday |
| January 2, 2008 | Regular City Council Meeting |
| January 15, 2008 | Town Board Meeting |

CLOSED SESSION

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett that the Council recess to Closed Session at 8:02 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; DeTienne, aye; Taylor, 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 9:30 p.m. with all members present. The vote on roll call was: Commissioners Bennett, aye; 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 Bennett, seconded by Commissioner Flammini and unanimously approved the meeting be adjourned at 9:30 p.m. Motion carried.

Approved January 2, 2008

City Clerk