

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, MARCH 4, 2008, AT 7:00 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 DeTienne, Bennett, 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 Flammini to accept the Council agenda with amendments as follows:

- Amending Personnel Authorization Resolution, item 8.b., tabling change in Economic Development

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

PUBLIC HEARING – ANNEXATION OF PROPERTY ON KENOSHA ROAD

Mayor Harrison opened the public hearing for the annexation of property on Kenosha Road at 7:04 P.M.

Commissioner Flammini questioned the need for a public hearing for this annexation. Attorney Derke Price stated it is necessary to conduct a public hearing for the proposed annexation, due to the proposed annexation agreement. Commissioner Taylor questioned the number of acres for this property. Attorney David Warner stated the annexation involves 26.4 acres.

Mayor Harrison invited any other questions and/or comments from the public, and there were none.

Mayor Harrison declared the hearing closed at 7:07 P.M.

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 February 19, 2008 at 7:00 P.M. and approval but not release of Closed Session minutes of a meeting held on February 19, 2008 at 7:25 P.M.; a Workshop/Special Meeting held on February 27, 2008 at 3:35 P.M. and approval but not release of Closed Session minutes of a meeting held on February 27, 2008 at 4:24 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** City Clerk's Monthly Report, February 2008; Public Works Department Annual report 2007
- (c) **BILLS:** Vouchers 100660 through 100780 drawn on National City Bank, \$973,213.07

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

IDOT/2008 REPAVING PROGRAM

Ron Colangelo stated the Illinois Department of Transportation requires approval of an annual resolution for the appropriation of Motor Fuel Tax funds.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini that a Resolution (08-R-2) be passed for improvement by municipality under the Illinois Highway Code per the Illinois Department of Transportation for the 2008 Repaving Program, appropriating \$1,333,000 of Motor Fuel Tax funds for this project. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

AMEND PERSONNEL AUTHORIZATION/POLICE DEPARTMENT

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that a Resolution (08-R-3) be passed amending the Personnel Authorization, deleting the position of Accreditation Coordinator in the Police Department. The Council previously eliminated this position, and it is now being formally deleted from the personnel authorization. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

POLLUTION CONTROL FACILITY SITING STANDARDS & PROCEDURES

Attorney Derke Price stated the proposed ordinance is for the purpose of updating the siting procedures and requirements, enhancing the City's ability to process applications for pollution control facilities. Protections would be put into place for the City and its residents. Mayor Harrison noted these procedures include penalties the City of Zion can enforce for certain violations. It was noted the person coordinating the review of an application, together with special counsel, City staff and consultants, would be the Director of Public Works.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor that an Ordinance (08-0-21) be passed establishing pollution control facility siting standards and procedures. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ANNEXATION/KENOSHA ROAD

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett that an Ordinance (08-0-22) be passed authorizing the execution of an Annexation Agreement relative to the property located south of Russell Road, west of Kenosha Road, east of Green Bay Road and north of West 9th Street, Zion, Lake County, Illinois. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that an Ordinance (08-0-23) be passed annexing certain territory to the City of Zion located south of Russell Road, west of Kenosha Road, east of Green Bay Road and north of West 9th Street, Zion, Lake County, Illinois. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ZION LIQUOR CONTROL ORDINANCE

A memo (08-DOC-7) was received from the Zion Liquor Control Commission regarding the recommendation to create a new Class C retail sale of packaged goods liquor license. The Liquor Control Commission has recommended that the City Council amend the Liquor Control Ordinance, creating an additional Class C Liquor License. The Class C license authorizes the retail sale of alcoholic liquor in packaged goods. There are currently two Class C liquor licenses. Mayor Harrison stated the Council set the ordinance's requirements and criteria, and also determines the number of licenses. The first applicant, who meets all criteria and regulations, is considered first for an available license.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that an Ordinance (08-0-24) be passed creating an additional Class C Retail Sale of Packaged Goods Liquor License. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

BUS PARKING/2037 HEBRON AVENUE/SPECIAL USE

The Planning and Zoning Commission considered a request for a special use for bus parking, maintenance facility and consolidation of parcel at 2037 Hebron Avenue, as petitioned by Church of Joy – Zoning Docket 08-Z-1. The Planning/Zoning Commission recommended denial of this request. John Jones stated in 2004 Pastor Reyes requested a temporary place to park several church buses until a permanent location could be found. These buses are still parked at 2037 Hebron Avenue. Mayor Harrison asked if every opportunity was given to the petitioner to speak to the Planning and Zoning Commission. Mr. Jones stated the petitioner was given this opportunity. On behalf of Church of Joy, Attorney Williams requested remanding this issue back to Planning and Zoning, as new information has recently come available regarding Lake County Stormwater Management. Commissioner Taylor stated he has received several documents on this subject, and Stormwater Management wouldn't be involved until after the zoning matter is resolved. Ron Colangelo noted Stormwater Management is irrelevant to the use of the land. Commissioner Taylor stated other issues are being mixed into the discussion that are not land use or special use related. Pastor Reyes stated, if the special use permit is not approved, he would remove the buses and find another place to park them.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to deny the special use request for bus parking and maintenance facility at 2037 Hebron Avenue. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

REZONING/NORTHWEST CORNER OF ROUTE 173 & GARNETT AVENUE

The Planning and Zoning Commission considered a zoning change from Residential (R-8) to Highway Business (HB) for the northwest corner of Route 173 and Garnett Avenue, as petitioned by Tony Kandu and Kandu Builders – Zoning Docket 08-Z-3. The Planning/Zoning Commission did not make a positive recommendation. Mr. Kandu has presented plans for a medical office and retail stores. Mayor Harrison stated residents have noted opposition to this project with traffic concerns. Mr. Kandu's attorney requested that this matter be continued until the first meeting in April, in order to make public comments, and to review the Planning and Zoning Commission's findings. Mayor Harrison stated this matter has been presented to Planning and Zoning at two separate meetings, has gone through City staff review, and the Council is familiar with the property and project.

It was moved by Commissioner Flammini, seconded by Commissioner Bennett to deny the rezoning request for the northwest corner of Route 173 and Garnett Avenue from Residential (R-8) to Highway Business (HB). The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, pass; Flammini, aye; and Mayor Harrison, aye. Motion carried.

BODY ART BUSINESS/3308 SHERIDAN ROAD/SPECIAL USE

The Planning and Zoning Commission considered a request for a text amendment and special use for a body art business at 3308 Sheridan Road, as petitioned by William Carroll – Zoning Docket 08-Z-4. The Planning/Zoning Commission recommended approval of this request. John Jones stated there is no provision in the Municipal Code for this type of business, therefore a text amendment would be needed to include it as a special use.

It was moved by Commissioner Flammini to approve a text amendment in the Municipal Code to include a special use for body art businesses. This motion died for lack of a second.

Mayor Harrison stated, if no further action is taken within 120 days, this petition would be deemed denied.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to deny the text amendment in the Municipal Code to include a special use for body art businesses.

Mayor Harrison requested that this item be tabled, in order to confer with the city attorney.

At this time, Commissioner DeTienne withdrew his motion and Commissioner Bennett withdrew his second. No further action was taken at this time.

FIRE/RESCUE DEPT. PERSONNEL

Chief LaBelle requested appointing the next Firefighter/Paramedic and next Lieutenant from the Fire and Police Commission's eligibility list. This vacancy is being created by the retirement of Lt. Bob Guerin with two other firefighters on workers compensation. Mayor Harrison stated if this person is not replaced, the position must be replaced through overtime expenses. Commissioner Bennett stated the City doesn't have the funds to replace positions, noting the budget deficit. Commissioner DeTienne stated this request is not for adding personnel, but for filling a present position, which would offset having to pay overtime. Commissioner Taylor stated the Council should consider the value of positions, and not make any position the victim of timing due to upcoming budget decisions. Mayor Harrison noted the City has areas of priority, in which it's crucial to maintain levels of service. Commissioner Flammini stated the City needs to replace Firefighters and Police Officers, as these positions become vacant.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to approve appointing the next Firefighter/Paramedic and next Lieutenant from the Fire and Police Commission's eligibility list. The vote on roll call was: Commissioners DeTienne, aye; Bennett, nay; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

IUP FEED STORE/2435 SHERIDAN ROAD

A memo (08-DOC-8) was received from Delaine Rogers, regarding a proposed TIF Grant for IUP Feed Store at 2435 Sheridan Road. The owner wishes to install a wall sign. The request is for a TIF grant in the amount of \$435. The TIF Review Board recommended approval of this grant request.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve a TIF Assistance Grant in the amount of \$435 for the installation of a sign for IUP Feed Store at 2435 Sheridan Road. The vote on roll call as: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

H & H ACCOUNTING/2657 SHERIDAN ROAD

A memo (08-DOC-9) was received from Delaine Rogers, regarding a proposed TIF Grant for H & H Accounting at 2657 Sheridan Road. The owner wishes to make building improvements, including front signage. The TIF Review Board recommended approval of \$5,870 for the signage.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve a TIF Assistance Grant in the amount of \$5,870 for front signage for H & H Accounting at 2657 Sheridan Road. The vote on roll call as: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

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| March 6 | Energy Solutions/Exelon Community Open House at Shepherd's Crook from 4:00 to 8:00 p.m. |
| March 8 | Kiwanis Pancake Breakfast at ZBTHS |
| March 12 | Workshop/Special City Council Meeting at 3:30 P.M. |
| March 18 | Town Board Meeting at 6:30 P.M. |
| March 18 | City Council Meeting at 7:00 P.M. |
| March 21 | City Offices Closed for Good Friday |

CLOSED SESSION

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that the Council recess to Closed Session at 8:27 p.m. to discuss personnel, purchase and sale of real estate, and probable and pending litigation. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to reconvene the Regular Council meeting at 9:55 p.m. with all members present. The vote on roll call was: Commissioners DeTienne, aye; Bennett, aye; Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

HEALTH INSURANCE RATES

Mayor Harrison stated the Council discussed health insurance rates for employees and retirees effective for May 1, 2008.

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to approve health insurance rates for retirees and COBRA participants effective May 1, 2008 as follows:

Monthly Payment for COBRA Coverage

Single:	\$ 686.00
Single + One:	\$1,212.00
Family:	\$1,767.00

Monthly Payment for Retirees under Age 65

Single:	\$ 867.00
Single + One:	\$1,530.00
Family:	\$2,232.00
Life:	\$13.00 (for current retirees)

Monthly Payment for Retirees with Medicare

Single:	\$497.00
Single + One:	\$994.00
Family:	n/a
Life:	\$13.00 (for current retirees)

The vote on roll call was: Commissioners DeTienne, aye; Bennett, 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 Taylor and unanimously approved the meeting be adjourned at 10:10 p.m. Motion carried.

City Clerk

Approved March 18, 2008