

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, OCTOBER 21, 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 Taylor, Flammini, DeTienne, Bennett and Mayor Harrison.

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

**AGENDA CHANGES**

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

- Deleting to consider amending Transportation of City Vehicles Policy, item 8.c.
- Deleting Closed Session, item 10.

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

**2008 BEE PRENTICE SCHOLARSHIP CHALLENGE**

Delaine Rogers announced the 2008 Bee-Prentice Challenge Winner, Katherine Wardlow. Ms. Wardlow, a senior at ZBTHS, will be recognized during this next year for her achievements, and will ultimately receive a scholarship award of \$5,000 to the school or university of her choice. Mayor Harrison presented a plaque to Ms. Wardlow. Ms. Wardlow and the other Bee-Prentice challenge participants were recognized and congratulated on their accomplishments.

**NEIGHBORHOOD WATCH BLOCK CAPTAINS**

Chief Booth recognized the Neighborhood Watch Block Captains and thanked them for all of their efforts. Chief Booth, Mayor Harrison, Commissioner DeTienne and Shantal Taylor presented certificates to the Block Captains and the members of the Neighborhood Watch Newsletter Committee. These individuals have taken a leadership role in their neighborhoods, helping to continue to improve the quality of life for all citizens.

**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 October 7, 2008 at 7:00 P.M. and approval but not release of Closed Session minutes of a meeting held on October 7, 2008 at 7:26 P.M., with all members having previously received copies.
- (b) **BILLS:** Vouchers 102799 through 102951 drawn on National City Bank, \$1,259,922.56

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

**AMENDING MUNICIPAL CODE/NO PARKING/ELISHA AVENUE**

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that an Ordinance (08-0-52) be passed amending the Municipal Code of the City of Zion, as amended, Article III regarding Parking, Stopping and Standing, Section 90-133, prohibiting parking on the west side of Elisha Avenue between 27<sup>th</sup> Street and Caledonia Avenue. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**2103 GABRIEL & 2100 EZRA AVENUES/SPECIAL USE/RELIGIOUS & OFFICE USE**

It was moved by Commissioner Flammini, seconded by Commissioner Bennett that an Ordinance (08-0-53) be passed granting a Special Use Permit for religious use and related office use and learning center in the R-5 Zoning District at 2103 Gabriel Avenue and 2100 Ezra Avenue. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**ANNEXATION/1907 NORTH SHERIDAN ROAD**

Bernie Wysocki, Attorney for the Lake County Liquor Commission, stated the Pit Stop at 41215 North Sheridan Road currently has a Lake County liquor license. Mr. Wysocki stated Benton Township also has expressed concerns about this property being annexed into Zion Township, noting Benton Township is seeking to establish an intergovernmental agreement in order to maintain properties within their respective townships, although annexed into other municipalities. Mayor Harrison stated, per State Statutes, Zion pays Benton Township their tax portion of annexed properties for a 10-year period. Commissioner Taylor stated in 1987 the City took action to annex the Pit Stop, but later de-annexed it due to having no liquor ordinances. Commissioner Taylor stated the City provides police and fire services to this property. Mayor Harrison stated this property is totally surrounded by the City of Zion, the city provides plowing services, and Benton Township is paid their tax portion, therefore he stated the annexation would create no undue financial burden.

It was moved by Commissioner Bennett, seconded by Commissioner Taylor that an Ordinance (08-0-54) be passed annexing certain territory to the City of Zion currently known as 41215 North Sheridan Road, and upon annexation to be commonly known as 1907 North Sheridan Road, Zion, Lake County, Illinois. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**ZION LIQUOR CONTROL ORDINANCE**

Due to the annexation of the Pit Stop, the Council needs to consider amending the Liquor Control Ordinance, creating a Class Y Liquor License. The Class Y license authorizes the retail sale of alcoholic liquor for consumption upon the premises or in its original package for consumption off the premises. This would be a new classification, and would only apply to an applicant with a valid State of Illinois and County of Lake Class A or B license. Commissioner Taylor questioned the proposed hours of business. Attorney Randall stated the closing hours for the Class Y license would mirror Lake County's liquor license hours.

It was moved by Commissioner Flammini, seconded by Commissioner Bennett that an Ordinance (08-0-55) be passed, amending the Zion Liquor Control Ordinance, Chapter 56, creating a Class Y Liquor License. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

### **USE OF NEIGHBORHOOD VEHICLES**

Chief Booth noted a need to consider the authorization for the use of neighborhood vehicles on certain roadways within the City. Chief Booth stated the vehicle must be self-propelled, meeting certain speed requirements, and can not cross a street where the street has a posted speed limit or more than 35 miles per hour. The vehicle must have a headlight, tail lamps, brakes, steering apparatus, tires, plus other safety features with restrictions pursuant to State requirements. The driver must have a valid driver's license. Commissioner Taylor questioned whether or not this would apply to both three-wheeled and four-wheeled vehicles. Chief Booth stated this would only apply to four-wheeled vehicles. Mayor Harrison questioned whether or not insurance would be required. Commissioner Flammini questioned whether or not child safety seats and seat belts would be required. Attorney Randall stated she could check into the requirements for insurance and seat belts, suggesting this item be tabled until this information is provided.

The Council agreed to defer this item, in order to obtain information pertaining to insurance and seat belt requirements.

### **HUMAN RELATIONS COMMISSION APPOINTMENT**

Mayor Harrison recommended the appointment of Jan Johnson Parker to the Human Relations Commission.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne to approve the appointment of Jan Johnson Parker to the Human Relations Commission. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

### **BRIGHT START COLLEGE SAVINGS PROGRAM**

A memo (08-DOC-73) was received from Clerk Mackey regarding the State of Illinois Bright Start College Savings Program. An employee has expressed interest in participating in this program, however the State requires that the City establish this employer-sponsored 529-payroll deduction. Commissioner Bennett questioned whether or not this is a pre-tax benefit, noting the plan refers to tax-free withdrawals when it's time to pay for college. Commissioner Bennett stated only a couple of employees have expressed interest in participating. Larry Pannell stated if this is not a pre-tax benefit, the employees could set up their own savings without adding another payroll deduction.

The Council agreed to defer this item, in order for Clerk Mackey to obtain information pertaining to the program's tax benefits.

### **IDENTITY THEFT RED FLAG RULES**

A memo (08-DOC-74) was received from Larry Pannell regarding the Identity Theft Red Flag Rules and Policy. The U.S. Congress mandated that goals and plans for the prevention of identity theft in the workplace be in place by November 1, 2008. The purpose is for the creation of more preventable measures against identity theft. Mr. Pannell recommended the appointment of a committee made up of Department Heads with an administrator appointed by the Council.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that a Resolution (08-R-12) be passed authorizing the approval of the City of Zion's Identity Theft Prevention Program Policy. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to appoint the Finance Director as the Program Administrator with all City Department Heads as members of the City of Zion's Identity Theft Prevention Committee. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

**TAB OF BIDS/DEMOLITION OF 1912 HOREB AVENUE**

A Tabulation of Bids (08-DOC-75) was received from John Jones for the demolition of 1912 Horeb Avenue. Mr. Jones recommended awarding the contract to the lowest responsible and responsive bidder, Traditional Concrete, who met all specifications, for a cost of \$6,465.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to award the contract for the demolition of 1912 Horeb Avenue to Traditional Concrete for a total amount of \$6,465. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

**1911-1917 SHERIDAN ROAD/LOT CONSOLIDATION**

A memo (08-DOC-76) was received from John Jones requesting approval of a lot consolidation at 1911-1917 Sheridan Road. The consolidation of lots 6, 7, 8 and 9 in block 73 in Lakeview Heights Subdivision is for the new home of Taco Bell restaurant.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve the lot consolidation as requested at 1911-1917 Sheridan Road. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

**LAKE COUNTY CDBG GRANT**

A memo (08-DOC-77) was received from Ron Colangelo, requesting permission to apply for a Lake County Community Development Block Grant up to \$150,000 for next year's road program.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that a Resolution (08-R-13) be passed authorizing an application to the Lake County Community Development Block Grant for the repair and resurfacing of streets. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

**NO PARKING SIGNS/BEULAH PARK SCHOOL**

A memo (08-DOC-78) was received from Ron Colangelo, recommending that signs for parking restrictions be installed in the 2200 block of 19<sup>th</sup> Street near Beulah Park School during school days to help eliminate traffic congestion. "No Parking" restrictions would be from Monday through Friday between the hours of 7:00 a.m. to 4:00 p.m. for the south side of the 2200 block of 19<sup>th</sup> Street. Commissioner DeTienne asked if the Police Chief is aware of this proposal. Chief Booth stated he supports these parking restrictions. Commissioner Taylor stated, in the future, such requests should come from either the Superintendent's office or the school board.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve the installation of "No Parking" signs in the 2200 block for the south side of 19<sup>th</sup> Street near Beulah Park School, as recommended, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

**1713 GILEAD AVE/ALLEYWAY VACATION**

A memo (08-DOC-79) was received from Ron Colangelo, regarding a request for a right-of-way vacation for an unimproved alleyway behind 1713 Gilead Avenue. Property owner Patricia Stephen wishes to purchase this property to expand her yard. Mr. Colangelo stated the adjacent property owner has been notified, and has no interest. There are no city utilities, but an easement would need to be maintained for phone, electric and cable. Commissioner Bennett stated to the north of this alleyway is a functional "T" alley, noting this vacation would create a landlocked alley, which could possibly be utilized at a later time. Mr. Colangelo stated adjacent neighbors have garages facing streets. Commissioner Taylor stated vacated alleys are placed on the tax roles, and the City no longer has to maintain the properties. Mr. Colangelo stated Ms. Stephen would have to pay all related costs for the alley vacation. Commissioner Taylor questioned the cost to pave this unimproved alleyway. Mr. Colangelo estimated the cost between \$30,000 and \$40,000 to complete the alley. Mr. Colangelo stated this would only be a preliminary approval, as the plat of vacation and related fees still need to be completed.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to preliminarily approve the vacation of the unimproved alleyway behind 1713 Gilead Avenue, subject to the completion of the plat of vacation and payment of all fees, and for an ordinance to be approved accordingly. The vote on roll call was: Commissioner Taylor, aye; Flammini, aye; DeTienne, nay; Bennett, nay; and Mayor Harrison, aye. Motion carried.

**ACQUISITION OF 2689 SHERIDAN ROAD/TIF ASSISTANCE**

A memo (08-DOC-80) was received from Delaine Rogers, regarding TIF fund support for the acquisition of 2689 Sheridan Road. The City is working with the owners of the property for the purchase of the building. The TIF Review Board recommends approval of support up to \$100,000, subject to the TIF fund being reimbursed the full amount within one year of the closing. Ms. Rogers stated the real estate contract is still being completed. Commissioner Bennett questioned whether or not this is an interest free loan. Ms. Rogers stated the loan is interest free, noting the private developer is paying the difference for the property purchase. Mayor Harrison stated this proposal includes 1) a developer's agreement, 2) the TIF loan, and 3) a sales contract for the building. Mayor Harrison questioned having the developer deal directly with the current owner. Ms. Rogers stated this property is currently in foreclosure, and could be acquired by other parties. Attorney Randall recommended, if approved, the support be subject to the City entering into a contract to purchase.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve a TIF Assistance Grant to support the acquisition of 2689 Sheridan Road up to the amount of \$100,000, subject to 1) full TIF fund reimbursement within one year of the closing, and 2) the City entering into a contract to purchase. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

**TIF GRANT/JUBILEE DAYS FESTIVAL BANNERS**

A memo (08-DOC-81) was received from Delaine Rogers requesting consideration of a TIF grant for the purchase of new Jubilee Days Festival banners. The total cost for 45 banners would be approximately \$5,000. The TIF Review Board supports assistance in an amount not to exceed \$5,000.

It was moved by Commissioner Flammini, seconded by Commissioner Bennett to approve the TIF grant for the purchase of 45 Jubilee Days Festival banners in an amount not to exceed \$5,000. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

**TIF GRANT/N & T's RESTAURANT RELOCATION PROJECT**

A memo (08-DOC-82) was received from Delaine Rogers requesting consideration of a TIF grant for N&T's Restaurant relocation project. The plan is to relocate the restaurant into the future Market Square Hotel development. The owners will need to upgrade their equipment and layout. Professional services needed to design the new layout should not exceed \$1,500. The TIF Review Board supports assistance in an amount not to exceed \$1,500 for architectural drawings and planning design services.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne to approve the TIF grant for N&T's Restaurant relocation project for professional design services, as presented, in an amount not to exceed \$1,500. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

**TIF GRANT/HAIR ILLUSIONS/2601 SHERIDAN ROAD**

A memo (08-DOC-83) was received from Delaine Rogers requesting consideration of a TIF grant for Hair Illusions at 2601 Sheridan Road. The grant would be for a mortgage rate buy down, which is due, fencing, landscaping and signage. The adjoining property, formerly known as the Geo-Karis law offices, was purchased by Midwestern Regional Medical Center. The owners of Hair Illusions wish to upgrade their landscaping to compliment the hospital's plans for improvements. The TIF Review Board supports assistance in an amount not to exceed \$7,500 for the mortgage rate buy down, fencing, landscaping and signage.

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to approve the TIF grant for Hair Illusions at 2601 Sheridan Road for an amount not to exceed \$7,500. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Bennett, aye; and Mayor Harrison, aye. Motion carried.

**ANNOUNCEMENTS**

Mayor Harrison announced that the grand opening for the new spec building in Trumpet Park was held last week.

Mayor Harrison recognized and thanked IDOT for rearranging their paving schedule, allowing Route 173 between Lewis Avenue and Green Bay Road to be paved right away.

The retail development on the southeast corner of Green Bay Road and Route 173 is proceeding with a new developer and should be finalized soon.

October 24	7:00 – 9:00 p.m.	Coalition for Healthy Communities “Light the Night”
October 31	4:00 -7:00 p.m.	Trick or Treat in Zion
November 4	7:00 p.m.	Regular City Council Meeting
November	6:30 p.m.	Township Board Meeting

**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 8:30 p.m. Motion carried.

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City Clerk

Approved November 4, 2008