

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY,
MARCH 17, 2009, AT 7:00 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 Flammini, DeTienne, Bennett, Taylor and Mayor Harrison.

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

KIWANIS ONE DAY

Jack Senter, President of the Zion-Benton Kiwanis Club, presented information on a new Kiwanis service initiative. Saturday, April 4, 2009 would be designated as Kiwanis One Day, devoting the day to hands-on community service projects.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES** of a Regular Meeting held on March 3, 2009 at 7:00 P.M. and approval but not release of Closed Session minutes of a meeting held on March 3, 2009 at 7:30 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** Building Department Monthly Report, February 2009
- (c) **BILLS:** Vouchers 104102 through 104201 drawn on National City Bank, \$731,079.30
- (d) **PROCLAMATION:** Kiwanis One Day – April 4, 2009; Support for 2010 Census

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

CITY OF ZION'S DOWNTOWN REDEVELOPMENT PROJECT

Delaine Rogers requested support for the continuation of the City's Downtown Redevelopment Project. This project was adopted in 2001, and to date has produced new development and employment opportunities.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne that a Resolution (09-R-5) be passed confirming the continuation of support for the City's Downtown Redevelopment Project objectives. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

AMEND MUNICIPAL CODE/VARIOUS BUSINESS LICENSES

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that an Ordinance (09-0-8) be passed amending the Municipal Code of the City of Zion, as amended, Chapters 14, 62 and 74, regarding various business licenses and fees. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

AMEND MUNICIPAL CODE/FIRE PENSION CODE

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that an Ordinance (09-0-9) be passed amending the Municipal Code of the City of Zion, as amended, Section 34-18, updating the requirements for the members of the board of trustees of the Firefighters' Pension Fund per the Illinois State Statutes. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

SALE OF 2800 SHERIDAN ROAD

A memo (09-DOC-13) was received from Delaine Rogers regarding the sale of 2800 Sheridan Road. General Capital has proposed an Illinois Housing Development Authority (IHDA) project for the redevelopment of the former Fire Station property. IHDA application deadline is April 6. General Capital would purchase the property, be responsible for demolition, and the City would be named as an additional insured party. The City would vacate the alley, retaining utility easements.

Sig Strautmanis and Josh Hafron of General Capital stated the project is a senior housing development for persons aged 62 or better with a minimum of 65 units and a maximum of 93 units. Rents would range between \$350 and \$800 per month for one and two bedroom units. Parking would be underground of the principal building with additional surface parking.

The project would include a rebate increment through a TIF agreement of up to \$800,000 or the expiration of TIF #1, whichever occurs first. The TIF Review Board approves this project-generated increment. Ms. Rogers stated the impact fee issues have been addressed, and a NFR letter is available. Commissioner Bennett questioned who would serve as property managers. Mr. Strautmanis stated they have an outside firm, who specializes in this aspect, to handle the management operations. Mayor Harrison noted this property would go back on the tax roles. Mr. Strautmanis stated the project includes an IHDA land use restriction, requiring senior usage for 31 years. Commissioner Taylor questioned the completion of the Real Estate Purchase Agreement. Attorney Randall stated she just received an amended agreement with additional numbers and percentages included, asking that any approval be subject to her final approval. Attorney Randall noted signatures would not be applied until all terms have been agreed and completed.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that an Ordinance (09-0-10) be passed approving the sale of certain property located within the City of Zion, known as 2800 Sheridan Road, Zion, Illinois to General Capital Acquisitions, LLC, subject to the final Contract for Sale of Real Estate and Real Estate Purchase Agreement, all of which are contingent upon City Attorney review and final approval. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

TIF GRANT/GENERAL CAPITAL/2800 SHERIDAN ROAD

The TIF Review Board considered a request for the increment of the TIF created by General Capital's senior housing project at 2800 Sheridan Road to repay the cost of the land over the life of the TIF. The TIF Review Board supports the return of the increment up to \$800,000, subject to the project remaining as a senior housing development. Delaine Rogers stated General Capital will pay all demolition costs and permit and impact fees and name the City as additional insured. Payment of impact fees would amount to \$188,000. TIF District #1 expires in 2017.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve the return of the TIF increment for General Capital at 2800 Sheridan Road up to \$800,000, subject to the project remaining as a senior housing development and City Attorney review. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

PENTECOSTAL MINISTRIES/3244 GILEAD AVENUE/SPECIAL USE

The Planning and Zoning Commission considered a request for an amendment to the Special Use, Ordinance 69-0-86, for the demolition of the existing building and construction of a new church facility at 3244 Gilead Avenue, as petitioned by Pentecostal Ministries – Zoning Docket 09-Z-1. The Planning/Zoning Commission recommended approval. The church wishes to maintain the existing structure during construction, with demolition not more than 60 days after obtaining the certificate of occupancy for the new facility. John Jones stated there is also a need to consolidate four lots into one lot. Commissioner Taylor asked about available parking during the 60-day period. Mr. Jones stated the Planning and Zoning Commission feels that 60 days is a fair amount of time, and more parking will become available based on the plans submitted. Mr. Jones stated there will be one parking space for every 3 seats. Consolidating lots 22, 23, 24 and 25 will create ample parking. Attorney Randall stated no concerns were raised regarding parking during the Planning and Zoning meeting. Resident Tracy Johnson stated his concerns regarding ample parking for this church, noting there are other nearby churches causing parking issues. Mr. Johnson requested a traffic study be conducted. Mayor Harrison stated the Council has never been apprised before of any traffic problems in this area, noting with the proposed parking plans, the Pentecostal Ministries Church will not cause a problem.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve the addition to the special use permit allowing for the demolition and construction of a new church facility at 3244 Gilead Avenue, as presented, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve the lot consolidation of Lots 22, 23, 24 and 25 in the 3200 block of Gilead Avenue into one lot, as requested. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

TIF GRANT/CENNI AMBROSE TILE & CARPET/2770 SHERIDAN ROAD

A memo (09-DOC-14) was received from Delaine Rogers requesting consideration of a TIF grant for Cenni Ambrose Tile and Carpet at 2770 Sheridan Road. The grant would be for the relocation of the overhead door from the south to the west side of their business and related interior reconstruction. The TIF Review Board supports assistance in an amount of \$32,111.72. The current placement of the warehouse door opens onto the neighboring business parking lot, as there was an understanding that a permanent access agreement would be signed. This agreement has not occurred, due to the neighbor's concern that it could be a detriment to property value.

Mayor Harrison questioned, if the door was relocated, wouldn't delivery trucks block the alley. Ms. Rogers stated Mr. Cenni would be using a widened area of the alley, hoping to eliminate as much blockage as possible, noting Mr. Cenni installed the current door at the City's request. Commissioner Taylor stated delivery trucks are used by most downtown businesses in the alley behind their stores. Mayor Harrison questioned whether or not the shared dumpster would remain at its current location. Ms. Rogers stated the dumpster, paid for by Mr. Cenni, would probably remain at its current location, however, Mr. Cenni would no longer be responsible for snow plowing this parking lot. Commissioner Bennett stated this project should not be completed with TIF funds. Commissioner Taylor stated he believes this project is an appropriate use of TIF funds, based on the condition of the prior buildings.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve the TIF grant for Cenni Ambrose Tile & Carpet at 2770 Sheridan Road in the amount of \$32,111.72. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Bennett, nay; Taylor, aye; and Mayor Harrison, aye. Motion carried.

TIF GRANT/SALES OVERLAYS/2719 ELISHA AVENUE

A memo (09-DOC-15) was received from Delaine Rogers requesting consideration of a TIF grant for Sales Overlays at 2719 Elisha Avenue. This marketing firm wishes to locate Ariel Fitness Center, Ariel Health and Nutrition Store and Sales Overlays National Marketing Services at this location. The grant would be for an upgraded HVAC unit and new signage. The TIF Review Board supports assistance in an amount not to exceed \$8,000. Commissioner Bennett stated the TIF is not designed to subsidize businesses, noting he is opposed to spending TIF funds on new signage. Ms. Rogers stated TIF funds help generate and promote businesses, and signage has been a part of many other approved TIF requests. Ms. Rogers noted this company will be also be making interior changes at their expense.

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne to approve the TIF grant for Sales Overlays at 2719 Elisha Avenue for an amount not to exceed \$8,000. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Bennett, nay; Taylor, aye; and Mayor Harrison, aye. Motion carried.

ZION TOWNSHIP BUILDING REHAB/PERMIT FEES

Township Supervisor Ditzig has requested waiving building permit fees for the renovations to the entrance of the Zion Township building at 1015 27th Street.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve waiving building permit fees for the renovations of the Zion Township building at 1015 27th Street. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

FUND TRANSFER/WATER ENTERPRISE FUND TO GENERAL FUND

Mayor Harrison proposed authorizing a transfer and loan of \$3,200,000 from the Water Enterprise Fund to the General Fund. This money would help with current debt and would be repaid in annual installments.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that a Resolution (09-R-6) be passed authorizing the transfer of \$3,200,000 from the Water Enterprise Fund to the General Fund, and providing for the terms of repayment and interest rate to be paid. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

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| April 7 | City Council Meeting |
| April 15 | Coalition for Healthy Communities' Annual Awards Banquet |
| April 21 | Town Board Meeting |

CLOSED SESSION

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini that the Council recess to Closed Session at 8:30 p.m. to discuss personnel, purchase and sale of real estate, and probable litigation. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to reconvene the Regular Council meeting at 9:45 p.m. with all members present. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Bennett, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

CULVERS AGREEMENT

Mayor Harrison stated the Council discussed terms in order to finalize a contract with Culvers.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve a Purchase and Sale Contract with RLC Group and Culver Franchising System, Inc for Culvers at 3335 Sheridan Road. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Bennett, aye; Taylor, 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 Flammini, seconded by Commissioner Taylor and unanimously approved the meeting be adjourned at 9:50 p.m. Motion carried.

City Clerk

Approved April 7, 2009