

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, AUGUST 18, 2009, AT 7:01 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 Jim Taylor, DeTienne, Flammini, Shantal Taylor and Mayor Harrison.

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

**CONSENT AGENDA**

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

- (a) **APPROVAL OF MINUTES** of a Regular Meeting held on August 4, 2009 at 7:04 P.M. and approval but not release of Closed Session minutes of a meeting held on August 4, 2009 at 7:42 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** Building Department Monthly Report, July 2009
- (c) **BILLS:** Vouchers 105372 through 105524 drawn on National City Bank, \$885,934.88
- (d) **PROCLAMATION:** Buddy Poppy Days – September 25 & 26, 2009

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

**CLOSED SESSION**

It was moved by Commissioner Shantal Taylor, seconded by Commissioner Jim Taylor that the Council recess to Closed Session at 7:07 p.m. to discuss probable and pending litigation. The vote on roll call was: Commissioners Jim Taylor, aye; DeTienne, aye; Flammini, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor to reconvene the Regular Council meeting at 7:42 p.m. with all members present. The vote on roll call was: Commissioners Jim Taylor, aye; DeTienne, aye; Flammini, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried.

**IMRF AUTHORIZED AGENT**

It was moved by Commissioner Jim Taylor, seconded by Commissioner DeTienne that a Resolution (09-R-14) be passed appointing City Clerk Judy Mackey as the Illinois Municipal Retirement Fund Authorized Agent. The vote on roll call was: Commissioners Jim Taylor, aye; DeTienne, aye; Flammini, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

**PURCHASE OF 2015 ELIM AVENUE**

It was moved by Commissioner Jim Taylor, seconded by Commissioner Shantal Taylor that an Ordinance (09-0-29) be passed approving the purchase of certain property located within the City of Zion, commonly known as 2015 Elim Avenue through the US Department of Housing and Urban Development. The vote on roll call was: Commissioners Jim Taylor, aye; DeTienne, aye; Flammini, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**PURCHASE OF 2621 GILBOA AVENUE**

It was moved by Commissioner Shantal Taylor, seconded by Commissioner Flammini that an Ordinance (09-0-30) be passed approving the purchase of certain property located within the City of Zion, commonly known as 2621 Gilboa Avenue through the US Department of Housing and Urban Development. The vote on roll call was: Commissioners Jim Taylor, aye; DeTienne, aye; Flammini, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**DOWNTOWN CITY PARKING LOT**

A memo (09-DOC-57) was received from Clerk Mackey regarding parking in the City lot on the west side of the 2600 block of Sheridan Road. Business owners have noted concerns pertaining to adequate customer parking in this lot. It is recommended that a 2-hour parking restriction be applied in the northeast section of this parking lot, which would affect a total of 14 spaces.

It was moved by Commissioner, seconded by Commissioner that an Ordinance (09-0-31) be passed amending the Municipal Code of the City of Zion, as amended, Section 90-144, designating two-hour parking in the northeast section of the parking lot in the 2600 block of Sheridan Road. The vote on roll call was: Commissioners Jim Taylor, aye; DeTienne, aye; Flammini, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**POLICE SQUAD CARS/LEASE-PURCHASE AGREEMENT**

A memo (09-DOC-58) was received from Chief Booth, requesting permission to waive bids and enter into a lease/purchase agreement for four squad cars. The squad cars would be leased from Sutton Ford Superstore on a 3-year plan at an annual cost of \$30,420.08, not including trade-ins for four current vehicles. At the end of the 3-year period, the City can purchase the cars for \$1.00 each. This is a budgeted item.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to waive bids and grant permission to enter into a lease/purchase agreement with Sutton Ford Superstore for four squad cars for a cost up to \$30,420.08. The vote on roll call was: Commissioners Jim Taylor, aye; DeTienne, aye; Flammini, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried.

**COPS FAST GRANT**

A memo (09-DOC-59) was received from Chief Booth, requesting permission to utilize COPS Fast Grant funds and hire the next two police officer candidates from the eligibility list. The City has been awarded \$452,646 from the COPS Grant. This is a three-year grant paying for two (2) officers for a three (3) year period. Chief Booth stated two spots are being held at the police academy starting September 20. Chief Booth noted the City would have to maintain the total number of officers for one year after the grant funds have been expended. The new hires would bring sworn officers to a total of 49. Larry Pannell requested that the current budget be amended to reflect the income and expenditures.

It was moved by Commissioner DeTienne, seconded by Commissioner Jim Taylor to grant permission to utilize the COPS Fast Grant award, hiring the next two available police officer candidates from the eligibility list. The vote on roll call was: Commissioners Jim Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Jim Taylor, seconded by Commissioner DeTienne to approve amending the current fiscal year budget, reflecting the COPS Fast Grant as income and the hiring of the additional Police Officers as personnel expenditures. The vote on roll call was: Commissioners Jim Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**TAB OF BIDS/TRUMPET PARK WATERMAIN LOOP PROJECT**

A Tabulation of Bids (09-DOC-60) was received from Ron Colangelo for the Trumpet Park Watermain Loop Project. Mr. Colangelo recommended awarding the contract to the lowest responsible and responsive bidder, Berger Excavating, in the amount of \$327,757.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor to award the contract for the Trumpet Park Watermain Loop Project to Berger Excavating for an amount not to exceed \$327,757. The vote on roll call was: Commissioners Jim Taylor, aye; DeTienne, aye; Flammini, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried.

**2706, 2718 & 0 ELIM AVENUE PROPERTY CONVEYANCE/MARKET SQUARE**

The City has entered into an agreement with Zion Sheridan Investments, LLC to convey city-owned parking lot areas for the development of the Market Square project.

It was moved by Commissioner Shantal Taylor, seconded by Commissioner Jim Taylor that an Ordinance (09-0-32) be passed conveying certain property located within the City of Zion, commonly known as 2706 Elim Avenue, 2718 Elim Avenue and 0 Elim Avenue to Zion Sheridan Investments, subject to the Economic Incentive and Tax Increment Allocation Financing Development Agreement. The vote on roll call was: Commissioners Jim Taylor, aye; DeTienne, aye; Flammini, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**SPECIAL USE PERMIT/2715 DEBORAH AVENUE**

Mayor Harrison introduced the reconsideration of action taken at the August 4, 2009 City Council meeting regarding a request for a special use permit for a haunted house attraction for 2715 Deborah Avenue, as petitioned by GPT Enterprises, LLC – Zoning Docket 09-Z-2.

Mayor Harrison stated the procedures and order of permits were performed in a perfectly legal manner and within the Municipal Code for this issue. Even with past employee layoffs and budget cutbacks, the City continues to operate at a deficit. With the potential lawsuit regarding the request for a special use permit, the City would expend funds it doesn't have regardless of whether it prevails or loses a case. Given all of the information he now has, Mayor Harrison stated he wouldn't be a good steward of the citizens' money if he didn't allow this issue to be represented to the Council.

Commissioner Flammini stated he voted in favor of this matter on August 4, based on the issues pertaining to legal action and costs as noted by the Mayor. Commissioner Jim Taylor stated he voted to deny the special use on August 4, based on traffic and operational issues, which have since been resolved through agreement with the owner. Commissioner Shantal Taylor stated she remains opposed to the special use, noting public safety and traffic would be compromised by this business. Commissioner DeTienne stated he remains opposed to the special use, based on unwanted traffic concerns and an opposition to the venue.

It was moved by Commissioner Jim Taylor, seconded by Commissioner Flammini to authorize the reconsideration of action taken at the August 4, 2009 Zion City Council meeting regarding Zoning Docket 09-Z-2 – Request for Special Use Permit for 2715 Deborah Avenue. The vote on roll call was: Commissioners Jim Taylor, aye; DeTienne, nay; Flammini, aye; Shantal Taylor, nay; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Jim Taylor, seconded by Commissioner Flammini to approve the request for a special use permit for a haunted house attraction at 2715 Deborah Avenue for a one-year period as recommended by the Planning and Zoning Commission, and for an ordinance to be prepared accordingly, subject to the following terms and conditions:

1. The haunted house attraction will operate for a total of 19 days starting September 25, 2009 through October 31, 2009,
2. The haunted house attraction will be open for business not earlier than 6:00 p.m. on the dates permitted,
3. No additional patrons will be allowed to enter the queue for ticket sales after 12:00 midnight on any evening the attraction is operating,
4. Children ages 13 and under shall not be permitted to enter the haunted house attraction unless accompanied by an adult,
5. Barricades or other traffic devices shall be placed at such locations as determined necessary by the Chief of Police and the Director of Public Works, and notwithstanding the foregoing, 27<sup>th</sup> Street and 29<sup>th</sup> Street will not be utilized as entrance or exit routes,
6. GPT Enterprises will apply for temporary directional sign permits to direct traffic, and will reimburse the City for the production of all such directional signs,
7. No loudspeakers or other sound amplifying devices will be utilized on the exterior of the haunted house attraction. Should discordant noise be disruptive to the community generated by employees or agents of GPT Enterprises, GPT shall work in cooperation to eliminate the discordant or noise,
8. The parking lot will be adequately illuminated to assure safety, including but not limited to additional lighting as may be determined reasonably necessary by the Chief of Police or the Director of Public Works,
9. The special use permit will expire one (1) year following its effective date unless otherwise extended by the City Council, with such extension not requiring referral to the Planning and Zoning Commission for further hearings,
10. The special use permit is issued solely to GPT Enterprises, LLC and does not run with the land,
11. GPT Enterprises shall conform to any request determined necessary by the Chief of Police relating to Special Duty details and additional patrols, and
12. GPT Enterprises shall comply with any and all City of Zion ordinances in effect throughout the term of the special use permit and any extension thereto.

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

#### ANNOUNCEMENTS

August 20	Fundraiser and Ribbon Cutting at Culvers
August 22	4 <sup>th</sup> Annual Wounded Heroes Foundation Poker Run
August 31	City Council Public Hearing for proposed Crane Meadows TIF Redevelopment Project Area at 2:00 p.m.
September 1	Regular City Council Meeting
September 3	Market Square Ground Breaking
September 5	Zion Queens Pageant at the Band shell
September 6	Labor Day Concert and Fireworks Display
September 7	Mayor's Prayer Breakfast Jubilee Days Parade Battle of the Bands

8/18/09

September 15

Town Board Meeting at 6:30 p.m.  
City Council Meeting at 7:00 p.m.

**ADJOURN**

There being no further business to come before the Council at this time, it was moved by Commissioner DeTienne, seconded by Commissioner Flammini and unanimously approved the meeting be adjourned at 8:35 p.m. Motion carried.

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City Clerk

Approved September 1, 2009