

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, OCTOBER 20, 2009, AT 7:03 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 Flammini, Jim Taylor, Shantal Taylor, DeTienne and Mayor Harrison.

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

**AGENDA CHANGES**

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

- Deleting approval for Dome restoration project, item 8.b.
- Deleting to consider TIF Grant assistance for preliminary architectural fees for the Leader Hardware building, item 8.f.
- Deleting to consider TIF Grant assistance for preliminary architectural fees for 1<sup>st</sup> Class Firearms relocation, item 8.g.

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

**CONSENT AGENDA**

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

- (a) **APPROVAL OF MINUTES** of a Regular Meeting held on October 6, 2009 at 7:00 P.M. and approval but not release of Closed Session minutes of a meeting held on October 6, 2009 at 8:37 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** Building Department Monthly Report, September 2009
- (c) **BILLS:** Vouchers 105855 through 105973 drawn on National City Bank, \$881,559.22

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

**LAKE COUNTY CDBG GRANT**

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor that a Resolution (09-R-17) 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 Flammini, aye; Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

### **PURCHASE OF 1821 JOANNA AVENUE**

It was moved by Commissioner Shantal Taylor, seconded by Commissioner Flammini that an Ordinance (09-0-50) be passed approving the purchase of certain property located within the City of Zion, commonly known as 1821 Joanna Avenue for \$1.00 through the US Department of Housing and Urban Development. The vote on roll call was: Commissioners Flammini, aye; Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

### **SEASONAL VENDORS**

Clerk Mackey recommended adding a definition for seasonal vendor, and including these vendors with vendors for Christmas tree sales. The merchant would have to obtain a license from the City.

It was moved by Commissioner Jim Taylor, seconded by Commissioner Flammini that an Ordinance (09-0-51) be passed amending the Municipal Code of the City of Zion, as amended, Chapter 14, regarding seasonal vendors. The vote on roll call was: Commissioners Flammini, aye; Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

### **SOLICITORS**

Clerk Mackey recommended updating the definition for solicitors, so that it encompasses all solicitation, canvassing, peddling and transient vendors. All solicitors would have to obtain a permit from the City, whether they are going house-to-house or business-to-business.

It was moved by Commissioner Jim Taylor, seconded by Commissioner Shantal Taylor that an Ordinance (09-0-52) be passed amending the Municipal Code of the City of Zion, as amended, Chapter 14, regarding solicitors. The vote on roll call was: Commissioners Flammini, aye; Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

### **PLANNING & ZONING FEES**

A memo (09-DOC-67) was received from John Jones, regarding a request for waiving fees for the planning and zoning process. Mr. and Mrs. Cortez have requested the waiver of the \$290 application fee to appear before the Planning and Zoning Commission. Mr. Jones stated Mr. Cortez just paid the \$138.92 cost for certified notices. Commissioner Shantal Taylor stated this is a senior citizen couple, who have experienced hardships. Mr. Jones stated Mr. Cortez is requesting a variance to allow his shed to remain outside the required lot line set backs, noting it also was built without a cement slab. Commissioner Shantal Taylor noted neighbors have noncompliant sheds. Commissioner Jim Taylor stated the City should pursue correcting the noncompliant sheds, and address those as separate issues. Attorney Randall stated the variance would consider the set back issues, but the property owner would still have to comply with Code requirements pertaining to the cement slab. Attorney Randall noted she doesn't recall ever waiving these fees in the past. Mayor Harrison stated Mr. Cortez should pay any costs the City incurs. Commissioner Shantal Taylor stated she had a consensus to place this on a Council agenda to request the fee waiver. Mayor Harrison noted concerns regarding the property owner's demeanor while in City Hall, stating Mr. Cortez also let the Planning and Zoning meeting deadline pass.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to deny the Cortez' request to waive the Planning and Zoning application fee. The vote on roll call was: Commissioners Flammini, aye; Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**JUBILEE DAYS FESTIVAL COMMISSION APPOINTMENTS**

A memo (09-DOC-68) was received from the Jubilee Days Festival Commission recommending the following reappointments with terms to expire on September 30, 2012:

Wayne Brooks  
Ann Ennesser  
John Lewis  
Rich Walker

It was moved by Commissioner Jim Taylor, seconded by Commissioner Flammini to approve the reappointments to the Jubilee Days Festival Commission as recommended. The vote on roll call was: Commissioners Flammini, aye; Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**CITY TOWING**

A memo (09-DOC-69) was received from Clerk Mackey, regarding the City's towing specifications for the 2010 contracts. Deputy Chief Wayne Brooks presented the Police Department's recommended amendments:

- Requiring that the company own its own equipment and be able to handle all types of heavy-duty tows,
- Establishing procedures for police requested tows during active investigations,
- Establishing holds and tows during seizure procedures, and
- Increasing fees for tows performed at night, weekends and national holidays.

Mayor Harrison stated the towing company needs to have sufficient equipment for towing all types of vehicles, including heavy weight vehicles. Commissioner Jim Taylor recommended requiring the towing company to be located within the Zion City limits.

It was moved by Commissioner Jim Taylor, seconded by Commissioner Flammini to approve amending the specifications for the Towing Services Agreement, including all recommended Police Department changes and the requirement for the business to be located within the Zion City limits. The vote on roll call was: Commissioners Flammini, aye; Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**TIF GRANT/MARTHA'S DAY CARE**

Delaine Rogers requested that the consideration for the TIF Grant for Martha's Day Care be tabled, and placed on a Council workshop.

The Council agreed to hold a special meeting/workshop on Monday, October 26 at 4:00 p.m. to discuss TIF grants and available funds, as well as discussing agreements for downtown projects.

It was moved by Commissioner Jim Taylor, seconded by Commissioner Shantal Taylor to table the request for a TIF grant for Martha's Day Care. The vote on roll call was: Commissioners Flammini, aye; Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

**DEPARTMENTAL COMMENTARY**

John Jones stated a Community Resident meeting will be held on Monday, October 26 at 7:00 p.m. at City Hall, inviting all interested residents to a presentation by Affordable Housing of Lake County.

