

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, NOVEMBER 3, 2009, AT 7:04 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 Shantal Taylor, Jim Taylor, DeTienne, Flammini and Mayor Harrison.

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

AGENDA CHANGES

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

- Deleting to consider Trumpet Park Development Proposal, item 8.g. and placing this item on a Workshop to be held on Tuesday, November 10, 2009 at 6:30 P.M.
- Amending the Proclamation for the U.S. Marine Corps Birthday from the 235th to the 234th birthday, item 5.d.

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

MAYOR'S SAFE WALK/PRESENTATION

Mayor Harrison announced the winners of the drawings from the Mayor's Safe Walk, which was held on October 31. A boy's bicycle was presented to Gabriel Winston. Diana Garcia won a girl's bicycle. Mayor Harrison thanked all of the merchants, parents and children for their participation in this event.

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 20, 2009 at 7:03 P.M. and approval but not release of Closed Session minutes of a meeting held on October 20, 2009 at 7:50 P.M., a Workshop/Special Meeting held on October 26, 2009 at 4:04 P.M. and approval but not release of Closed Session Minutes of a meeting held on October 26, 2009 at 4:05 P.M.; with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** City Clerk Monthly Report, October 2009
- (c) **BILLS:** Vouchers 105974 through 106126 drawn on National City Bank, \$1,273,730.46
- (d) **PROCLAMATION:** 234th Birthday of United States Marine Corps

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

2010 MFT FUNDS/LAPP ROAD PROJECT/EDINA BLVD.

A memo (09-DOC-73) was received from Ron Colangelo regarding the Illinois Department of Transportation's requirement for approval of a resolution in order to utilize 2010 Motor Fuel Tax funds in the amount of \$125,529 for the City's portion of the Edina Blvd project. Mr. Colangelo stated the City was awarded a LAPP grant in the amount of \$238,000 to pay for the balance of this project.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor that a Resolution (09-R-18) be passed for improvement by municipality under the Illinois Highway Code per the Illinois Department of Transportation, appropriating \$125,529 of 2010 Motor Fuel Tax funds for the Edina Blvd. project. The vote on roll call was: Commissioners Shantal Taylor, aye; Jim Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

SPECIAL EVENTS & ENTERTAINMENT LICENSING

Regulations pertaining to special events and entertainment licensing were presented. Licensing and permit fees would be required for the following:

- Special events for which the general public is invited or has access and the ability to attend, noting
 - Governmental entities, private special events, and temporary indoor sales activities would be exempt
- Daily or annual entertainment events, noting
 - Governmental entities, private entertainment events, residential neighborhood events or religious institutions approved by the State of Illinois would be exempt

Clerk Mackey requested that the Council review the proposed regulations and requirements, so the final ordinance can be placed on the next regular Council meeting.

It was moved by Commissioner Jim Taylor, seconded by Commissioner Shantal Taylor to approve the first reading for establishing regulations pertaining to special events and entertainment licensing. The vote on roll call was: Commissioners Shantal Taylor, aye; Jim Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

HOTEL/MOTEL OCCUPANCY TAX

Mayor Harrison stated the proposal is to impose the hotel/motel occupancy tax on all occupants who rent a hotel room, regardless of the length of stay. The only exemption would be for the person who works as the on-site manager of the hotel/motel, and who lives in the hotel. This exemption is limited to one unit.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne that an Ordinance (09-0-53) be passed amending the Municipal Code of the City of Zion, as amended, Section 86-132 (a) regarding the hotel or motel occupancy tax. The vote on roll call was: Commissioners Shantal Taylor, aye; Jim Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

JUBILEE DAYS FESTIVAL COMMISSION APPOINTMENT

A memo (09-DOC-74) was received from the Jubilee Days Festival Commission recommending the appointment of Scott Murphy with a term to expire on September 30, 2012.

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

MARTHA'S DAY CARE/2678 SHERIDAN ROAD/SPECIAL USE

The Planning and Zoning Commission considered a Special Use for Martha's Day Care at 2678 Sheridan Road – Zoning Docket 09-Z-6. The Planning and Zoning Commission recommended approval. Martha Salazar has requested establishing a childcare facility on the northwest corner of 27th Street and Sheridan Road. Commissioner DeTienne stated the Police Department conducted a survey, and the report indicated no concerns regarding issues previously raised pertaining to dropping off children and parking. John Jones stated the Planning and Zoning Commission made their recommendation subject to no child being dropped off at the Sheridan Road entrance and limiting 27th Street parking. Commissioner Jim Taylor stated his concerns have been addressed, noting these conditions will need to be monitored. Commissioner Shantal Taylor stated she remains opposed to a daycare at this location, noting it is a busy and dangerous intersection for small children.

It was moved by Commissioner DeTienne, seconded by Commissioner Jim Taylor to approve the special use permit for Martha's Day Care at 2678 Sheridan Road, subject to no child being dropped off at the Sheridan Road entrance and limiting 27th Street parking, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Shantal Taylor, nay; Jim Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

TIF GRANT/MARTHA'S DAY CARE/2678 SHERIDAN ROAD

Delaine Rogers requested consideration of a TIF grant for Martha's Day Care at 2678 Sheridan Road. The TIF Review Board supports assistance in an amount of \$35,134 for constructing code compliant spaces in order to conform to DCFS requirements for a childcare center. The improvements would include an office, kitchen and bathrooms. Ms. Rogers stated quotes were received for the construction, with the lowest responsible quote from J. Davila and Associates in the amount of \$35,134. Ms. Martha Salazar has been in contact with MRMC and the Zion Elementary Schools regarding a client base, as well as the Zion Park District for utilizing Shiloh Park as a playground area. Mayor Harrison noted TIF grants are awarded in order to enhance the EAV of the area, and therefore the entire city.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor to approve the TIF grant for Martha's Day Care at 2678 Sheridan Road for an amount not to exceed \$35,134 through J. Davila and Associates. The vote on roll call was: Commissioners Shantal Taylor, nay; Jim Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

2010 LAPP ROAD PROJECT/LOCAL AGENCY AGREEMENT

A memo (09-DOC-75) was received from Ron Colangelo, regarding a required Local Agency Agreement in order to receive federal funding for the 2010 LAPP Road Project. The project includes pavement work to be completed on Edina Blvd. from 21st Street to Shiloh Blvd.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor to approve and authorize the execution of the Local Agency Agreement with the Illinois Department of Transportation for federal funding for the 2010 LAPP Road Project. The vote on roll call was: Commissioners Shantal Taylor, aye; Jim Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

2010 LAPP ROAD PROJECT/CONSTRUCTION ENGINEERING SERVICES

A memo (09-DOC-76) was received from Ron Colangelo, regarding a required Construction Engineering Services Agreement in order to receive federal funding for the 2010 LAPP Road/Edina Blvd. Project.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor to approve and authorize the execution of the Construction Engineering Services Agreement with the Illinois Department of Transportation for federal funding for the 2010 LAPP Road Project. The vote on roll call was: Commissioners Shantal Taylor, aye; Jim Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

2010 LAPP ROAD PROJECT/ENGINEERING CONSULTANT SELECTION

A memo (09-DOC-77) was received from Ron Colangelo, regarding a required Engineering Consultant Selection Letter, which must be submitted to IDOT for the 2010 LAPP Road Project. Mr. Colangelo recommended utilizing Baxter and Woodman, Inc. as the consultant for this project.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor to authorize the execution of the Engineering Consultant Selection Letter, approving Baxter and Woodman, Inc. as the consultant for the 2010 LAPP Road/Edina Blvd. Project. The vote on roll call was: Commissioners Shantal Taylor, aye; Jim Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

MARKET SQUARE PROJECT

A memo (09-DOC-78) was received from Delaine Rogers, recommending approval of the Amended Market Square Agreement and the allocation of TIF 3 funds. Attorney Randall stated all attorneys have reviewed the final document, and are satisfied with its terms.

It was moved by Commissioner Shantal Taylor, seconded by Commissioner Jim Taylor to approve the Amended and Restated Economic Incentive and Tax Increment Allocation Financing Development Agreement for the Market Square Mixed Use Development-Sheridan Road TIF between the City of Zion and Zion Sheridan Partners, LLC. The vote on roll call was: Commissioners Shantal Taylor, aye; Jim Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

DEPARTMENTAL COMMENTARY

Chief Booth stated a Neighborhood Watch Block Captain's Meeting will be held on Thursday, November 5 at 7:00 p.m. at the Zion Police Station.

Ron Colangelo stated leaf pick-up is ongoing. Mr. Colangelo asked residents not to put leaves in the street. Leaves piled in the street cause a problem with drainage, as well as a problem blocking drivers' views and children often play in piled leaves.

Larry Pannell announced that the Finance Office will be closed on Friday, November 6 from 12:00 p.m. to 1:00 p.m.

ANNOUNCEMENTS

November 5	Lake County Fielders Minor League Baseball Stadium Groundbreaking
November 7	2 nd Annual Fall Arts & Craft Fair at Zion Central Middle School
November 11	Veterans' Day
November 17	Town Board Meeting at 6:30 P.M. City Council Meeting at 7:00 P.M.
November 18	Zion Chamber of Commerce Mayor's Dinner

CLOSED SESSION

It was moved by Commissioner Jim Taylor, seconded by Commissioner Shantal Taylor that the Council recess to Closed Session at 7:48 p.m. to discuss personnel and probable and pending litigation. The vote on roll call was: Commissioners Shantal Taylor, aye; Jim Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to reconvene the Regular Council meeting at 9:14 p.m. with Commissioners Shantal Taylor, DeTienne, Flammini and Mayor Harrison present. The vote on roll call was: Commissioners Shantal Taylor, aye; DeTienne, 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 Shantal Taylor, seconded by Commissioner DeTienne and unanimously approved the meeting be adjourned at 9:14 p.m. Motion carried.

City Clerk

Approved November 17, 2009