

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, NOVEMBER 17, 2009, 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 DeTienne, Jim Taylor, Shantal Taylor, Flammini and Mayor Harrison.

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

AGENDA CHANGES

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

- Deleting to amend Chapter 14 regarding special events and entertainment licensing, item 8.a.
- Adding the discussion of collective bargaining to Closed Session, item 12.

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

U.S. CENSUS BUREAU

George Nolasco, U.S. Census Bureau Partnership Specialist, explained the importance of the census, requesting the City's cooperation in a partnership to encourage the public's participation. Each counted person represents an allocation of \$1,400 per year. Census information is maintained as a confidential database, which can't be shared for other purposes. Surveys are mailed to each household, and only if the form is not returned does a census worker personally come to one's home. Mr. Nolasco stated they are also recruiting workers to conduct the door-to-door surveying.

Mayor Harrison stated it is necessary to have an accurate count, as the schools, social services, city, etc don't receive needed funds if people aren't counted.

SPECIAL RECOGNITIONS/FIRE/RESCUE DEPT.

Fire/Rescue Chief John Lewis presented certificates of commendation to Zion residents and Police Officers, recognizing them for their actions on November 5th during a kitchen fire at 1833 Galilee Avenue. The recognized parties are neighbors Roxana Velasco and Nery Rodriguez and Police Officers Sgt. Terry Richards, Officer Steven Vines and Officer Kenneth Totten. These individuals were recognized for taking the necessary actions and saving the home and the lives of the residents.

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 November 3, 2009 at 7:04 P.M. and approval but not release of Closed Session minutes of a meeting held on November 3, 2009 at 7:48 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** Building Department Monthly Report, October 2009
- (c) **BILLS:** Vouchers 106127 through 106267 drawn on National City Bank, \$821,559.98
- (d) **PROCLAMATION:** 2010 Census Bureau Partnership

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

MARTHA'S DAY CARE/2682 SHERIDAN ROAD/SPECIAL USE

It was moved by Commissioner DeTienne, seconded by Commissioner Jim Taylor that an Ordinance (09-0-54) be passed granting a Special use Permit for Martha's Day Care, a child day care facility in the Central Business Zoning District for property located at 2682 Sheridan Road. The vote on roll call was: Commissioners DeTienne, aye; Jim Taylor, aye; Shantal Taylor, nay; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

SPECIAL USE PERMIT/HAUNTED HOUSE ATTRACTION/2715-17 DEBORAH AVENUE

A memo (09-DOC-79) was received from John Jones, regarding a request for a special use permit for the haunted house attraction at 2701, 2715 and 2717 Deborah Avenue. The special use permit for this location was previously approved for a one-year trial period. Chief Booth stated his department received no calls during operating hours. Chief Lewis stated he received only one call during the entire time this business was open, however no transport was needed. Public Works received no complaints. ESDA handled parking with no major incidents. Commissioner DeTienne commended all emergency staff for their efforts.

Commissioner Shantal Taylor stated the City shouldn't lock itself into this agreement, as there is no way to predict future crowds or incidents. Commissioner Flammini stated he personally showed up at the attraction every night it was open, and saw no concerns. Commissioner Jim Taylor stated he was impressed with traffic control, noting he talked with residents who expressed no problems. Mayor Harrison stated he too talked to nearby residents, who had no complaints, noting he was impressed with the owners' interest in the community. Mayor Harrison however expressed his concerns with establishing this as a permanent special use, noting it takes away any future City control and would be more comfortable with extending the special use year to year. Attorney Randall stated the special use is subject to the agreement, as it can be revoked if conditions are violated. Commissioner Jim Taylor stated it would be unfair to ask the owners to make plans just one year at a time. Commissioner Shantal Taylor stated this is just the first year, noting concerns regarding future attractions and traffic. Mayor Harrison stated there was plenty of signage helping with any traffic concerns. Ron Colangelo stated they could include additional barricades or traffic directing devices, and the Mayor stated he didn't feel this would be necessary. Commissioner DeTienne asked Chief Booth if there were extra police patrols. Chief Booth stated there was additional police protection, which was paid for by the owners.

Commissioner Jim Taylor questioned the operation dates in the agreement, showing September, October and November, and a period of not more than 6 days during a 30-day period. Owner Tony Relken stated November is listed, as Halloween could fall on a Friday, wherein November first would still be part of that weekend. Mr. Relken stated the 6-day period is to allow for the possibility of having private, special marketing events that would not be open to the public. Mr. Relken noted these special events require 30 days notice to the Director of Building and Zoning. Attorney Randall recommended, and the Council agreed, to add the Director of Public Works and the Chief of Police to this notice requirement.

Attorney David Pardys, representing owners Peter Koklamanis and Tony Relken, stated conditions are set by the agreement, which gives the City control. The owners have made investments and want to continue to operate a business within Zion. Attorney Pardys stated the City always has the option of revoking a special use permit if conditions are violated. Mayor Harrison noted attractions at the haunted house were not the same as shown in pictures previously brought before the Council. Mr. Relken requested the Council's consideration for at least a 5-year period, so as to meet their 5-year lease. Commissioner Jim Taylor stated he is not aware of any other special use permits that are year to year. Commissioner Flammini stated if this special use can only be for one year, other special use requests should be set up with the same restriction.

It was moved by Commissioner Jim Taylor, seconded by Commissioner Flammini that an Ordinance (09-0-55) be passed granting a Special Use Permit for a haunted house attraction in the General Industrial Zoning District for property located at 2701, 2715 and 2717 Deborah Avenue, subject to all terms and conditions of the agreement. The vote on roll call was: Commissioners DeTienne, nay; Jim Taylor, aye; Shantal Taylor, nay; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

REZONING/2607 EMMAUS AVENUE

The Planning and Zoning Commission considered a zoning change from Residential (R-13) to Hospital (HO) for 2607 Emmaus Avenue, as petitioned by Midwestern Regional Medical Center – Zoning Docket 09-Z-7. The Planning/Zoning Commission recommended approval of this request. This property will be utilized by MRMC to complete their parking development plans.

It was moved by Commissioner DeTienne, seconded by Commissioner Shantal Taylor to approve rezoning 2607 Emmaus Avenue from Residential (R-13) to Hospital (HO), as requested, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners DeTienne, aye; Jim Taylor, aye; Shantal Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

EMPLOYEE POLICY HANDBOOK

A memo (09-DOC-80) was received from Clerk Mackey, regarding amendments to the Employee Policy Handbook. The handbook was last amended in January of 2008, and several changes have taken place since that time, which should be incorporated. The amendments would not affect union contracts, as any union benefits would need to be negotiated.

It was moved by Commissioner Jim Taylor, seconded by Commissioner Shantal Taylor to approve amendments to the Employee Policy Handbook, as recommended. The vote on roll call was: Commissioners DeTienne, aye; Jim Taylor, aye; Shantal Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

MEMORANDUM OF UNDERSTANDING/AMERICAN RED CROSS

A memo (09-DOC-81) was received from Chief Lewis, requesting the approval of an updated Memorandum of Understanding with the American Red Cross regarding disaster relief services. Township Supervisor Cheri Ditzig requested that the American Red Cross be contacted, asking them that information from any incidents be shared with the Township, in order to help coordinate assistance. Chief Lewis stated he would contact the Red Cross regarding this request.

It was moved by Commissioner DeTienne, seconded by Commissioner Shantal Taylor to approve the updated Memorandum of Understanding with the American Red Cross. The vote on roll call was: Commissioners DeTienne, aye; Jim Taylor, aye; Shantal Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

POLICE SQUAD CARS/LEASE-PURCHASE AGREEMENT

A memo (09-DOC-82) was received from Chief Booth, requesting permission to take possession of five (5) squad cars, as previously approved by the Council through a lease/purchase agreement. The squad cars, leased from Sutton Ford Superstore, would be on a 3-year plan at an annual cost of \$38,694.83. Once these vehicles are equipped and ready for patrol duty, the Chief will request to have the old squads declared as surplus property and sold. This is a budgeted item.

It was moved by Commissioner DeTienne, seconded by Commissioner Jim Taylor to grant permission to take possession and begin the lease/purchase agreement with Sutton Ford Superstore for five squad cars for

an annual cost of \$38,694.83. The vote on roll call was: Commissioners DeTienne, aye; Jim Taylor, aye; Shantal Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

11/17/09

CITY TOWING

A memo (09-DOC-83) was received from Clerk Mackey, regarding the City's towing contract for 2010. Two companies have submitted documentation, requesting to be considered to provide this service; Roger Whitmore's Automotive Service and Lake County Towing.

Commissioner Jim Taylor stated Lake County Towing has indicated they have come to an agreement with the owners of industrial property in Zion to locate their storage and office facility. Commissioner Jim Taylor questioned whether or not this property is properly zoned for this use. John Jones stated the proposed lease is for property zoned light manufacturing, which does not permit a storage facility and would require a text amendment to even be considered. Commissioner Shantal Taylor stated during inclement weather it can be difficult for one company to handle all towing requests, and suggested utilizing Lake County Towing as a backup when needed. Commissioner DeTienne stated he is opposed to adding Lake County Towing, as it is not located within the City limits and another company was eliminated due to being outside of the community. Attorney Randall stated the agreement allows, if the authorized towing company is unable to handle a call, the Police Department can dispatch another towing service. The City can contact another agency if necessary under these circumstances, although the other company is not under the agreement.

It was moved by Commissioner Jim Taylor, seconded by Commissioner DeTienne to approve the City's towing contract with Roger Whitmore's Automotive Service for 2010 services. The vote on roll call was: Commissioners DeTienne, aye; Jim Taylor, aye; Shantal Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

DEPARTMENTAL COMMENTARY

Chief Booth requested restarting the Police canine program. The approximate cost for start up would be \$19,000 with annual costs thereafter of \$5,000. The annual costs could come from the Drug Forfeiture Fund. The Police Department was awarded a DSA Charitable grant of \$13,565 for this purpose. A commitment would be needed by the canine training facility, Tops Kennel, in order to have the program operational by next summer. Larry Pannell stated he has spoken with the City's liability carrier, who has expressed no concerns.

The Council agreed for Chief Booth to proceed gathering all information, and to place this item on the December 1 Council agenda to consider formal approval.

ANNOUNCEMENTS

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| November 18 | Ribbon cutting at MRMC Guest Quarters at 4:00 p. m. |
| November 18 | Zion Chamber of Commerce Mayor's Dinner at 6:00 p.m. |
| November 26 & 27 | City Offices closed for Thanksgiving Holiday |
| December 1 | City Council Meeting at 7:00 p.m. |
| December 2 | IDOT Public Meeting regarding potential improvement of Green Bay Road from Russell Road to Sunset Avenue – at Beach Park Middle School at 4:00 p.m. to 7:00 p.m. |
| December 4 | Santa's Arrival and Santa Walk at 6:30 p.m.
Festival of Lights events open for season at 7:00 p.m. |
| December 15 | Town Board Meeting at 6:30 p.m.
City Council Meeting at 7:00 p.m. |

Mayor Harrison thanked Culvers for their sign donation to Zion Central Middle School.

11/17/09

CLOSED SESSION

It was moved by Commissioner Shantal Taylor, 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, probable and pending litigation and collective bargaining. The vote on roll call was: Commissioners DeTienne, aye; Jim Taylor, aye; Shantal Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner DeTienne, seconded by Commissioner Shantal Taylor to reconvene the Regular Council meeting at 9:48 p.m. with all members present. The vote on roll call was: Commissioners DeTienne, aye; Jim Taylor, aye; Shantal Taylor, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

POLICE DEPARTMENT/PART TIME TELECOMMUNICATORS

Mayor Harrison stated the Council discussed part-time dispatch services, noting the City is no longer utilizing the services of Backup Communications, and there are currently vacant positions per the personnel authorization.

It was moved by Commissioner DeTienne, seconded by Commissioner Shantal Taylor to approve posting and advertising, if necessary, for two (2) part-time Police Department Telecommunicators. The vote on roll call was: Commissioners DeTienne, aye; Jim Taylor, aye; Shantal Taylor, 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 Jim Taylor, seconded by Commissioner Flammini and unanimously approved the meeting be adjourned at 9:58 p.m. Motion carried.

City Clerk

Approved December 1, 2009