

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, NOVEMBER 16, 2010, AT 7:02 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, Shantal Taylor, Jim Taylor and Mayor Harrison. Commissioner DeTienne was absent.

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

AGENDA CHANGES

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

- Deleting to consider approval of contract for towing services agreement, item 8.c.
- Deleting request by ZBTHS to use the trolley, item 8.e.
- Deleting Closed Session, item 11

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

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES** of a Citizen Comments Session held on November 2, 2010 at 6:30 P.M.; a Regular Meeting held on November 2, 2010 at 7:00 P.M. and approval but not release of Closed Session minutes of a meeting held on November 2, 2010 at 7:30 P.M.; and a Special Meeting held on November 5, 2010 at 10:00 A.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** Building Department Monthly Report, October 2010; Public Works Department Monthly Report, September & October 2010
- (c) **BILLS:** Vouchers 108990 through 109102 drawn on PNC Bank, \$876,283.67

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

MAINTENANCE OF STREETS & HIGHWAYS/MFT FUNDS

It was moved by Commissioner Jim Taylor, seconded by Commissioner Flammini that a Resolution (10-R-23) be passed for maintenance of streets and highways by the City of Zion under the Illinois Highway Code appropriating \$6,780.39 of Motor Fuel Tax funds for the year 2004. The vote on roll call was: Commissioners Flammini, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

It was moved by Commissioner Shantal Taylor, seconded by Commissioner Flammini that a Resolution (10-R-24) be passed for maintenance of streets and highways by the City of Zion under the Illinois Highway Code appropriating \$17,358.56 of Motor Fuel Tax funds for the year 2005. The vote on roll call was: Commissioners Flammini, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor that a Resolution (10-R-25) be passed for maintenance of streets and highways by the City of Zion under the Illinois Highway Code appropriating \$48,713.66 of Motor Fuel Tax funds for the year 2007. The vote on roll call was: Commissioners Flammini, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

It was moved by Commissioner Flammini, seconded by Commissioner Shantal Taylor that a Resolution (10-R-26) be passed for maintenance of streets and highways by the City of Zion under the Illinois Highway Code appropriating \$36,713.23 of Motor Fuel Tax funds for the year 2008. The vote on roll call was: Commissioners Flammini, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

It was moved by Commissioner Jim Taylor, seconded by Commissioner Shantal Taylor that a Resolution (10-R-27) be passed for maintenance of streets and highways by the City of Zion under the Illinois Highway Code appropriating \$51,768.06 of Motor Fuel Tax funds for the year 2009. The vote on roll call was: Commissioners Flammini, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor that a Resolution (10-R-28) be passed for maintenance of streets and highways by the City of Zion under the Illinois Highway Code appropriating \$35,000.00 of Motor Fuel Tax funds for the year 2011. The vote on roll call was: Commissioners Flammini, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

VEOLIA ES ZION LANDFILL/POLLUTION CONTROL FACILITY SITING

It was moved by Commissioner Jim Taylor, seconded by Commissioner Flammini that an Ordinance (10-0-50) be approved regarding the gas collection and control system plans of the Veolia ES Zion Landfill pursuant to Condition 2.2 of Ordinance 10-0-40, granting Siting Approval of a Pollution Control Facility. The vote on roll call was: Commissioners Flammini, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

FIRE/RESCUE DEPARTMENT/BREATHING APPARATUS TESTING

A memo (10-DOC-130) was received from Chief Lewis, requesting to approve payment for an invoice as follows:

Air One Equipment, Inc. – annual flow testing and maintenance of self-contained breathing apparatus regulators and face pieces	\$4,218.18
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This is a budgeted item.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor to approve payment to Air One Equipment in the amount of \$4,218.18 for the Fire/Rescue Department invoice, as presented. The vote on roll call was: Commissioners Flammini, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried.

REPAIRS TO AERIAL LADDER TRUCK/QUINT 1832

A memo (10-DOC-131) was received from Chief Lewis regarding repairs to aerial ladder truck quint 1832. During annual aerial ladder testing through Wirfs Industries, Inc., various deficiencies were found and corrected. Repairs to date total \$8,205. A swivel mechanism controlling hydraulics and wiring also had to be ordered, and the part and installation was quoted at \$11,983. The engine's aerial ladder is currently out of service until all repairs are made. Chief Lewis stated, although this is an unplanned purchase, funds are available through the motor equipment line item to cover the total costs of approximately \$20,188.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor to grant permission to proceed with repairs to aerial ladder truck quint 1832 with Wirfs Industries, Inc. for a total amount not to exceed \$21,000. The vote on roll call was: Commissioners Flammini, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried.

ZION CROSSINGS/LETTER OF CREDIT

A memo (10-DOC-132) was received from Ron Colangelo, considering a request from Southport Bank to allow expiration of the Letter of Credit for the Zion Crossings Development and a waiver of the two-year warranty/maintenance period. Mr. Colangelo stated the letter of credit covers the sewer and watermains, both of which were tested and approved in 2008.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor to approve the expiration of the Letter of Credit for the Zion Crossings Development, as requested, as well as the waiver of the two-year warranty/maintenance period. The vote on roll call was: Commissioners Flammini, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried.

BOARD OF FIRE AND POLICE COMMISSIONERS APPOINTMENT

Mayor Harrison recommended the appointment of Chris Thomas to the Board of Fire and Police Commissioners.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor to approve the appointment of Chris Thomas to the Board of Fire and Police Commissioners. The vote on roll call was: Commissioners Flammini, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried.

REZONING/ZION INDUSTRIAL PARK LOTS 8, 9 & 10

The Planning and Zoning Commission considered a zoning change from Light Manufacturing (LM) to Highway Business (HB) for Lots 8, 9 and 10 in the Zion Industrial Park, as petitioned by Midway Enterprises, Inc. – Zoning Docket 10-Z-8. The Planning and Zoning Commission recommended approval of this request. These lots are adjacent to Lots 11 and 12, which are currently zoned highway business and are fronting Route 173. The owner wishes to market all five lots as Route 173 accessible commercial property. Commissioner Jim Taylor questioned if all lots shouldn't be consolidated. Ms. Rogers stated the lots would likely be consolidated at a later date, depending on the development.

It was moved by Commissioner Jim Taylor, seconded by Commissioner Shantal Taylor to approve rezoning Lots 8, 9 and 10 in the Zion Industrial Park from Light Manufacturing (LM) to Highway Business (HB), as requested, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Flammini, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried.

CENTRAL STATES TOWER/0 27TH STREET/SPECIAL USE

The Planning and Zoning Commission considered a Special Use Permit from Central States Tower – Zoning Docket 10-Z-11. The request is to construct and operate a cell tower on behalf of the U.S. Coast Guard at 0 27th Street, which is the city-owned site of the former Zion Cookie Factory. The Planning and Zoning Commission recommended approval. Upon Council approval, a lease would be prepared and presented to the City Council prior to issuing a building permit. Central States Tower would provide the City with proof of liability insurance, as they also want access to the site to continue their due diligence research. Mayor Harrison questioned whether or not this would prohibit any future developmental use. Ms. Rogers stated Central States Tower is pursuing a 20-year lease. This property was provided a Noah grant, which limits the use of the property.

It was moved by Commissioner Flammini, seconded by Commissioner Shantal Taylor to approve the special use permit for Central States Tower for construction and operation of a cell tower at 0 27th Street, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Flammini, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried.

CENTRAL STATES TOWER/0 27TH STREET/HEIGHT VARIANCE

The Planning and Zoning Commission considered a request for a height variance for construction of a cell tower at 0 27th Street, as petitioned by Central States Tower – Zoning Docket 10-Z-12. The Planning/Zoning Commission recommended approval. The tower would not exceed 270 feet, including the lightening rod and lights. The applicant would also be required to construct an equipment shelter for maintenance. All structures would be within a fenced compound as required by City Code.

It was moved by Commissioner Shantal Taylor, seconded by Commissioner Jim Taylor to approve a variance to exceed the height restrictions in the G1 zoning district for construction of a cell tower at 0 27th Street along with a maintenance shelter within a fenced compound, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Flammini, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried.

DEPARTMENTAL COMMENTARY

Merlin Kreis stated ESDA's new utility trailer is ready for use.

Ron Colangelo stated the railway crossing on Route 173, west of Delany Road, will be closed for repair between 3:00 a.m. on Saturday, November 20 through November 23.

ANNOUNCEMENTS

November 22	Liquor Control Commission Meeting at 4:00 P.M.
November 25 & 26	City Offices closed for Thanksgiving Holiday
December 7	Citizen Comments Session at 6:30 P.M.
	City Council Meeting at 7:00 P.M.
December 21	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 Jim Taylor, seconded by Commissioner Flammini and unanimously approved the meeting be adjourned at 7:30 p.m. Motion carried.

City Clerk

Approved December 7, 2010