

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, DECEMBER 21, 2010, 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 Flammini, DeTienne, Shantal Taylor, Jim Taylor and Mayor Harrison.

Boy Scouts from Troop #663 led in the Pledge of Allegiance to the Flag.

**AGENDA CHANGES**

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

- Deleting request to purchase Federal Informer station-alerting monitor for the Fire/Rescue Dept, item 10.a.
- Moving item 10.f. to item 10.g.; and moving item 10.g. to item 10.f.
- Moving item 10.h. to item 10.i.; and moving item 10.i. to item 10.h.
- Adding the discussion of collective bargaining to Closed Session, item 13.

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

**SPECIAL PRESENTATION/ZION ENERGY SOLUTIONS**

Pat Daley and Larry Booth, representing Zion Energy Solutions, presented a \$7,500 check to the Zion Police Department and a \$7,500 check to the Zion Fire/Rescue Department, thanking them for all of their ongoing efforts and support.

**PUBLIC HEARING – TAX LEVY**

Mayor Harrison opened the public hearing for the 2010, payable in 2011, City of Zion tax levy at 7:08 P.M.

Mayor Harrison invited questions and/or comments from the public.

Rick Whited questioned how the City's tax levy would affect his tax bill. Commissioner Jim Taylor stated the City's portion of the tax bill would go down. Larry Pannell stated the City's tax rate has decreased for the last 8 years.

Mayor Harrison invited other questions and/or comments from the public, and there were none.

Mayor Harrison declared the hearing closed at 7:12 P.M.

**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 December 7, 2010 at 6:32 P.M. and a Regular Meeting held on December 7, 2010 at 7:00 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** Public Works Department Monthly Report, November 2010
- (c) **BILLS:** Vouchers 109322 through 109435 drawn on PNC Bank, \$2,723,819.74

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

**KELLOGG CREEK/SUPPORT FOR STORM WATER MANAGEMENT GRANT**

A memo (10-DOC-139) was received from Commissioner Flammini, recommending passage of a resolution of support for the Lake County Storm Water Management's grant application, addressing an ongoing erosion problem with Kellogg Creek. The Kellogg Creek riverbank has been eroding and is threatening the foundation of an apartment building on Route 173 just east Lewis Avenue. Storm Water Management is applying for an Illinois CDGB grant under the "IKE" Disaster Recovery Public Infrastructure Program. Commissioner Flammini stated the City may be asked to supply information, but would not be required to provide any funding.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor that a Resolution of Support (10-R-33) be passed for the Kellogg Creek Drainage System Improvement Project. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

**TAX LEVY – CORPORATE PURPOSES**

Commissioner Jim Taylor stated the corporate and special purpose property taxes extended for 2009 were \$6,322,698. The proposed taxes to be levied for 2010 are \$5,920,476. This represents a 6.8% decrease over the previous year. The tax rate for the City will remain at the same level as last year. The EAV fell at a reduction of 6.8%. Commissioner Jim Taylor stated Zion's tax rate is the highest in Lake County, noting other taxing bodies need to be encouraged to lower their rates. The City's portion of the tax bill is only 14%, noting the majority goes to the grade schools and high school. Mayor Harrison stated \$235 million in EAV left the City when Commonwealth Edison closed, and the City continues to look for new revenue.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor that an Ordinance (10-0-55) be passed providing for the levy of taxes for corporate purposes in the total amount of \$5,920,476 for the tax levy year 2010 to be collected in the year beginning January 1, 2011 and ending December 31, 2011 for the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**TAX LEVY-STREET AND BRIDGE**

It was moved by Commissioner Jim Taylor, seconded by Commissioner Flammini that an Ordinance (10-0-56) be passed providing for a 2010 tax levy in the amount of \$250,000 for street and bridge purposes for the City of Zion, Lake County, Illinois. Commissioner Jim Taylor stated this is a dedicated levy for street and bridge purposes, however the amount is already included as part of the overall corporate tax levy. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**POLICE DEPARTMENT INVOICE**

A memo (10-DOC-140) were received from Chief Brooks, requesting approval of payment for an invoice as follows:

Current Technologies Corporation – repairs to investigations video recording computer system	\$513.75
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This is a budgeted item.

It was moved by Commissioner DeTienne, seconded by Commissioner Shantal Taylor to approve payment for the Police Department invoice, as presented. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried.

**CITY TOWING**

A memo (10-DOC-141) was received from Chief Brooks, regarding the City's towing contract for 2011. Chief Brooks proposed changes to the towing agreement as follows:

- The towing company would not charge a fee for towing City owned vehicles less than 20,000 lbs. and inside a 25-mile radius of the city limits. The fee for such vehicles over 20,000 lbs. or over the 25-mile radius would be \$65.00 per hour during daytime and \$80.00 per hour nights and weekends. There would continue to be no charge for storage of City owned vehicles.
- The flat fee for storage of non-City owned vehicles would be increased from \$35.00 to \$40.00 per day.

It was moved by Commissioner DeTienne, seconded by Commissioner Jim Taylor to approve the City's towing contract with Roger Whitmore's Automotive Service for 2011 services with amendments as presented. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried.

**SWALCO INTERGOVERNMENTAL AGREEMENT/ELECTRONICS RECYCLING**

A memo (10-DOC-142) was received from Commissioner Flammini, recommending approval of an agreement with the Solid Waste Agency of Lake County (SWALCO) establishing an electronics-recycling program. The City co-hosted an electronics collection event this past September, wherein Zion did not share in the revenue received by SWALCO. Commissioner Flammini stated for future events, SWALCO has agreed to a 2/3 to 1/3 split with host municipalities. Two events have been scheduled in March and September 2011. An intergovernmental agreement will allow for Zion to share in the revenue from these events.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor to approve the Intergovernmental Agreement with SWALCO for electronic products recycling. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried.

**CCSI CELL TOWER/3220 27<sup>TH</sup> STREET/VARIANCE**

The Planning and Zoning Commission considered a request for a variance for construction of a cell tower on the Public Works facility at 3220 27<sup>th</sup> Street, as petitioned by Callahan Communications Services, Inc. – Zoning Docket 10-Z-9. The Planning/Zoning Commission recommended approval. A 9-foot tower would be installed on the Public Works water tank. Attorney Randall stated the Council previously considered a height variance for this project, which should have been strictly a variance.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne to approve a variance for construction of a cell tower atop the Public Works water tank at 3220 27<sup>th</sup> Street along with a maintenance shelter, subject to securing a lease allowing the City the right to locate other communication needs on the same tower, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried.

**GLOBAL TOWER PARTNERS/2801 EBENEZER AVENUE/SPECIAL USE**

The Planning and Zoning Commission considered a Special Use Permit from Global Tower Partners – Zoning Docket 10-Z-13. The request is to construct and operate a cell tower on behalf of the U.S. Coast Guard at 2801 Ebenezer Avenue, which is a privately owned site. Public property is available in the general area. The Planning and Zoning Commission recommended denial, as there is public property available for this project. Attorney Randall stated the applicant was not originally informed of available public property. Attorney Cassell, representing Global Tower Partners, stated if the City doesn't reach a lease agreement, they would like to proceed with the private site on behalf of the U.S. Coast Guard. Mayor Harrison stated past requests for private sites have been denied, as there is an abundance of public sites available, and private property is not appropriate for cell towers.

It was moved by Commissioner Jim Taylor, seconded by Commissioner Shantal Taylor to deny the special use permit for Global Tower Partners for construction and operation of a cell tower at 2801 Ebenezer Avenue. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried.

**GLOBAL TOWER PARTNERS/2801 EBENEZER AVENUE/HEIGHT VARIANCE**

The Planning and Zoning Commission considered a request for a height variance for construction of a cell tower at 2801 Ebenezer Avenue, as petitioned by Global Tower Partners – Zoning Docket 10-Z-10. The Planning/Zoning Commission recommended approval. Attorney Randall stated the Planning and Zoning Commission recommended approval, because they considered the height variance prior to the special use, but then denied the special use.

It was moved by Commissioner Jim Taylor, seconded by Commissioner Flammini to deny the variance to exceed the height restrictions in the G1 zoning district for construction of a cell tower at 2801 Ebenezer Avenue. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried.

**GLOBAL TOWER PARTNERS/720 29<sup>TH</sup> STREET/SPECIAL USE**

The Planning and Zoning Commission considered a Special Use Permit from Global Tower Partners – Zoning Docket 10-Z-14. The request is to construct and operate a cell tower on behalf of the U.S. Coast Guard at 720 29<sup>th</sup> Street, which is publicly held property. The Planning and Zoning Commission recommended approval. Attorney Randall stated the petitioner would need to obtain a commitment from the U.S. Coast Guard, as well as securing a lease allowing the City the right to locate other communication needs on the same tower.

It was moved by Commissioner Shantal Taylor, seconded by Commissioner Flammini to approve the special use permit for Global Tower Partners for construction and operation of a cell tower at 720 29<sup>th</sup> Street, subject to obtaining a commitment from the U.S. Coast Guard and securing a lease allowing the City the right to locate other communication needs on the same tower, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried.

**GLOBAL TOWER PARTNERS/720 29<sup>TH</sup> STREET/HEIGHT VARIANCE**

The Planning and Zoning Commission considered a request for a height variance for construction of a cell tower at 720 29<sup>th</sup> Street, as petitioned by Global Tower Partners – Zoning Docket 10-Z-15. The Planning/Zoning Commission recommended approval. The project would require a 350-foot tower, which would provide service for the U.S. Coast Guard. The tower would be located on publicly held property.

It was moved by Commissioner Shantal Taylor, seconded by Commissioner Flammini to approve a variance to exceed the height restrictions in the G1 zoning district for construction of a cell tower at 720 29<sup>th</sup> Street, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried.

**ANNOUNCEMENTS**

Veolia will be changing certain garbage pick up routes effective the end of January, and more information will follow from Veolia to affected residents.

Mayor Harrison thanked Midwestern Regional Medical Center and the Zion Park District for their holiday light displays.

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| December 23, 24, 20, 31 | City Offices closed for Holidays   |
| January 4               | Citizen Comments Session – 6:30 P.M.<br>City Council Meeting – 7:00 P.M. |
| January 18              | Town Board Meeting – 6:30 P.M.<br>City Council Meeting – 7:00 P.M.       |

**CLOSED SESSION**

It was moved by Commissioner Jim Taylor, seconded by Commissioner Flammini that the Council recess to Closed Session at 7:56 p.m. to discuss collective bargaining and real estate. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Shantal Taylor, seconded by Commissioner Flammini to reconvene the Regular Council meeting at 8:28 p.m. with all members present. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, aye; Jim Taylor, aye; and Mayor Harrison, aye. Motion carried.

**GROUND LEASE FOR U.S. COAST GUARD TOWER**

Mayor Harrison stated the Council discussed a lease, which would permit the installation of a tower on City property at 720 29<sup>th</sup> Street.

It was moved by Commissioner Shantal Taylor, seconded by Commissioner Flammini to direct the City Attorney to continue negotiations with Global Tower Partners for a ground lease for the erection and maintenance of a telecommunications tower on City property at 720 29<sup>th</sup> Street. The vote on roll call was: Commissioners Flammini, aye; DeTienne, aye; Shantal Taylor, aye; Jim Taylor, 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 DeTienne and unanimously approved the meeting be adjourned at 8:30 p.m. Motion carried.

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City Clerk

Approved January 4, 2011