

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JUNE 18, 2013, 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 Taylor, Flammini, DeTienne, Hill, 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 Taylor to approve the Council agenda with amendments as follows:

- Delete Item 8d – Amending Zion Municipal Code Section 10 re: vacant & boarded building registration - per Commissioner Hill
- Move Item 9c – Consider “No Smoking” restrictions on property surrounding Midwestern Regional Medical Center to Item 8aa - per Commissioner Hill

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

**CITIZEN COMMENTS**

William Bremner, 2525 Elim, drew the Council’s attention to an article in the June 18, 2013 Chicago Sun Times regarding municipal electric aggregation. He stated that residents in North Aurora are returning to ComEd’s electrical service on July 1<sup>st</sup> for at least the next couple of months. He stated that the Village of North Aurora selected Integrys, which has supplied power to customers who opted into the electricity aggregation program since October 2011, who informed the village that it would not be able to match ComEd’s recent 33% rate cut. Mr. Bremner presented the article to the City Clerk to be placed on record.

Janet Jones, 1728 23<sup>rd</sup> Street, stated that approval of hotel/motel grant applications are on the agenda and that Kringle’s Kingdom of Lake County’s application is among them. She requested that the Council vote favorably on the application. She stated that many new items have been added to the venue and it is critical that they receive financial support in the form of this grant. Ms. Jones thanked Ron Colangelo for the weed cutting behind her store. She stated that business owners should be encouraged to keep up their own property and not expect the City to maintain it. She stated that, with Nostalgia Days being at the end of week, business owners should put their best foot forward.

**CONSENT AGENDA**

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini, that the Consent Agenda be approved as follows:

- (a) **APPROVAL OF MINUTES:** a Regular Meeting held on June 4, 2013 at 7:02 p.m.
- (b) **BILLS:** Vouchers 115487 through 115959 drawn on PNC Bank, Total: \$434,934.77

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

**RESOLUTION/IDOT STREET & HIGHWAY MAINTENANCE BY MUNICIPALITY**

It was moved by Commissioner Flammini, seconded by Commissioner Taylor that a Resolution (13-R-7) be passed for Improvement by Municipality Under the Illinois Highway Code appropriating \$180,000 of Motor Fuel Tax funds for the year 2013 for the purpose of maintaining streets by undertaking a street patching program. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

**RESOLUTION/IDOT STREET & HIGHWAY MAINTENANCE BY MUNICIPALITY**

It was moved by Commissioner Flammini, seconded by Commissioner Taylor that a Resolution (13-R-8) be passed for Improvement by Municipality Under the Illinois Highway Code appropriating \$150,000 of Motor Fuel Tax funds for the year 2013 for the purpose of maintaining streets through the purchase of road salt for the upcoming winter. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

**PREVAILING RATE OF WAGES**

It was moved by Commissioner Flammini, seconded by Commissioner Taylor that an Ordinance (13-0-31) be passed ascertaining the Prevailing Rate of Wages as determined by the Department of Labor as of June 2013 for laborers, mechanics and other workers performing construction of public works in the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**“NO SMOKING” RESTRICTIONS/PUBLIC PROPERTY SURROUNDING  
MIDWESTERN REGIONAL MEDICAL CENTER**

A letter (13-DOC-61) was received from Julie Pendleton, Assistant Vice President, General Services, Cancer Treatment Centers of America at Midwestern Regional Medical Center, regarding the possibility of imposing smoking restrictions on public property surrounding the hospital. Ms. Pendleton and Janice Booker, Project Manager at MRMC, were present to address the Council and request assistance in finding a solution to a problem their patients are experiencing when entering the hospital and when walking between the hospital and the guest quarters. These patients must witness or walk through a group of smokers who congregate just off hospital property on the public sidewalk and curb of the entrance on Elisha Avenue. The smokers are not employees, who are restricted from smoking on hospital property, but guests of the hospital. Ms. Pendleton stated that they are seeking an amicable solution that will allow the guests to smoke but also allow patients to enter the facility without being subjected to the smoke. She stated that chemotherapy heightens a patient’s sense of smell and patients don’t want to visualize smoking. The smoking is also contradictory to the image of wellness the hospital seeks to project and the cancer patients expect. Ms. Pendleton stated that they are looking for a solution such as restricting smoking on City sidewalks surrounding the hospital or within 10 feet from the property line that includes the hospital entrance. She suggested that perhaps the hospital could lease the city property that surrounds the main facility which would allow MRMC to expand their current property-wide “No Smoking” policy. Commissioner Hill stated, that when he received Ms. Pendleton’s letter, he contacted the City Attorney who advised him that it would be better to lease the property to MRMC which would eliminate the City as an enforcer of the smoking policy. Attorney Randall stated that originally she was in favor of a lease, however, after review of the “Smoke Free Illinois Act”, she stated that the City could possibly enact an ordinance to declare the property smoke-free. Mayor Harrison stated that the key issue would be enforcement and he could not support expending Police Department resources to enforce the policy. Ms. Pendleton stated that the hospital is willing to enforce the policy. They simply want to extend the no smoking area to the curb. Commissioner DeTienne stated that he discussed the matter with Chief Brooks and they are uncertain on the solution to enforcement but he is willing to work with the hospital to come to a solution. Commissioner Hill stated that he is opposed to enacting an ordinance which would not be enforceable by MRMC but he would consider a lease and agreed to work with hospital to solve the problem. Commissioner Flammini stated that he agreed that a lease would be more acceptable as he is not interested in restricting pedestrians who use the sidewalk from smoking. He stated that any restrictions

must be applied fairly. He stated that he is willing to discuss options. Commissioner Taylor agreed that Commissioner Hill would participate in further discussions with MRMC staff to work on a solution. Commissioner Hill asked the Police and Fire/Rescue Departments to provide him with their concerns during the next ten days.

#### **ORDINANCE/CONVEYING PROPERTY IN TRUMPET PARK TO ZION HOLDINGS, LLC**

Ron Colangelo stated that the City would acquire title to a 4.062 acre site in Trumpet Park from North Shore Sanitary District. The City would then convey the property to Zion Holdings, LLC (Panattoni), who has first right of option to purchase by contract, at a simultaneous closing.

It was moved by Commissioner Jim Taylor, seconded by Commissioner Hill that an Ordinance (13-O-32) be passed conveying a 4.062 acre site in Trumpet Park to Zion Holdings, LLC. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

#### **ORDINANCE/GRANTING ELECTRIC TRANSMISSION LINE EASEMENTS**

It was moved by Commissioner Hill, seconded by Commissioner Flammini that an Ordinance (13-O-33) be passed approving electric transmission line easements in Trumpet Park to American Transmission Company, LLC (ATC). The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

#### **HOTEL/MOTEL TAX GRANT APPLICATIONS**

A memo (13-DOC-62) was received from David Knabel requesting approval of hotel/motel grant applications. He stated these grants allow businesses/events to apply for assistance for the purpose of promoting and marketing events in Zion with a strong emphasis on bringing in tourism. \$30,000 has been allocated for these grants in Fiscal Year 2014. Five applications were received but one was excluded due to it being filed after the application deadline passed and one was withdrawn. Mayor Harrison asked if Dungeon of Doom received a reduction in fees in 2012. Mr. Knabel stated that the Dungeon of Doom received a reduction in their entertainment tax payment in the amount of approximately \$5,000 in 2012.

It was moved by Commissioner Flammini, seconded by Commissioner Hill to approve a hotel/motel tax grant in the amount of \$10,000 to Dungeon of Doom. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, nay; Hill, aye; and Mayor Harrison, nay. Motion carried.

It was moved by Commissioner Hill, seconded by Commissioner Flammini to approve a hotel/motel tax grant in the amount of \$10,000 to Kringle's Kingdom of Lake County. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to approve a hotel/motel tax grant in the amount of \$10,000 to Chicago Area Mountain Bikers. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

#### **TABULATION OF BIDS/2013 SIDEWALK SEALCOAT PROGRAM**

A Tabulation of Bids (13-DOC-63) was received from Ron Colangelo for the sealcoat and repair of the downtown streetscape decorative walk. One bid was received from Alliance Contractors, Inc. who are the original installers of the walk in 2002. Director Knabel stated that TIF funding is available and the project is eligible for TIF Fund usage. The bid of Alliance Contractors, Inc., in the amount of \$109,780, was the most responsive and responsible bid for the sidewalk sealcoating and repair.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to award the bid for the 2013 Sidewalk Sealcoat Program to the most responsive and responsible bidder, Alliance Contractors, Inc., in the amount of \$109,780. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

#### DEPARTMENTAL COMMENTARY

Chief Brooks stated that the annual Nostaliga Days event will be held on June 21 and 22. He stated that Sheridan Road will be closed from 6:00 a.m. to 6:00 p.m. on Saturday, June 22. Alternate routes are Elim Avenue and Elisha Avenue. He stated that Sheridan Road businesses will be open and, if anyone has a problem with access, they should contact him directly.

#### ANNOUNCEMENTS

June 20	11:00 a.m. to 7:00 p.m.	Zion Farmer's Market begins
June 21, 22		Nostalgia Days
July 2	7:00 p.m.	Zion City Council Meeting
July 4		City Offices Closed for Holiday
July 6	9:00 a.m. to 12:00 noon	Electronic Recycling at the Public Works Facility, 3220 27 <sup>th</sup> St.

#### CLOSED SESSION

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that the Council recess to Closed Session at 7:42 p.m. to discuss sale of real estate. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Hill, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Hill, seconded by Commissioner Flammini to reconvene the Regular Council meeting at 8:07 p.m. with all members present. The vote on roll call was: Commissioners Taylor, aye; Flammini, aye; DeTienne, aye; Hill, 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 Hill, seconded by Commissioner Flammini unanimously approved the meeting be adjourned at 8:10 p.m. Motion carried.

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City Clerk

Approved July 2, 2013