

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, MAY 20, 2014, AT 7:05 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 2828 SHERIDAN ROAD, ZION, ILLINOIS

City Clerk Burkemper called the meeting to order.

APPOINTMENT OF TEMPORARY CHAIRMAN

It was moved by Commissioner Flammini, seconded by Commissioner Taylor, that Commissioner DeTienne be appointed as Temporary Chairman to preside over the meeting. The vote on roll call was: Commissioners Taylor, aye; Hill, aye; Flammini, aye and DeTienne; aye. Motion carried.

On call of the roll the following answered present: Commissioners Taylor, Hill, Flammini, and DeTienne. Mayor Harrison was absent. A quorum was present.

Also present: Chief of Police Steve Dumyahn, Fire/Rescue Chief John Lewis, Public Works Director Ron Colangelo, Finance Director David Knabel, ESDA Field Director Brandon Busch, City Attorney Paula Randall. Building Director Richard Ianson was absent.

Temporary Chairman DeTienne led in the Pledge of Allegiance to the flag.

AGENDA CHANGES

It was moved by Commissioner Jim Taylor, seconded by Commissioner Hill to accept the Council agenda with an amendment as follows:

- Deleting Item 9(d) – Consider approval of Grand Appliance and TV Expansion incentive option per Director Knabel

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

CITIZEN COMMENTS

Charles Fitzgerald, 1818 Gideon, reminded Zion residents about the municipal electrical aggregation program. He stated that electric supplier representatives soliciting in the community are offering electricity at a rate \$.01 higher than Constellation Energy, the City's chosen supplier. He suggested that citizens investigate the City's aggregation program. He also stated that door to door sales requires a solicitor's permit and residents should ask to see the city-issued permit when someone approaches their door.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** of a Regular Meeting held May 6, 2014 at 7:00 p.m.; approval but not release of Closed Session Minutes of a meeting held on May 6, 2014 at 7:45 p.m., with all members having previously received copies
- (b) **BILLS:** Vouchers 118270 through 118402 drawn on First Merit Bank, Total: \$1,004,381.10
- (c) **FINANCIAL REPORT:** 11 months ending March 31, 2014

Director Knabel reviewed the financial report stating that Total Unrestricted Cash and Investments was \$2,803,490.63, Total Restricted/Designated Cash and Investments was \$1,878,883.46, for a Total Cash and Investments of \$4,682,374.09. He presented the Revenue/Expenditures Summary by Fund.

Approved by omnibus vote as follows: Commissioners Taylor, aye; Hill, aye; Flammini, aye and DeTienne; aye. Motion carried.

20 YEARS OF SERVICE EMPLOYEE RECOGNITIONS
RESOLUTIONS OF COMMENDATION

It was moved by Commissioner Flammini, seconded by Commissioner Hill that a Resolution of Commendation (14-R-6) be passed recognizing Bruce M. Mihelich, of the Engineering Division of the Public Works Department, for 20 years of dedicated service to the City of Zion. The vote on roll call was: Commissioners Taylor, aye; Hill, aye; Flammini, aye and DeTienne; aye. Motion carried. Resolution passed.

It was moved by Commissioner Flammini, seconded by Commissioner Hill that a Resolution of Commendation (14-R-7) be passed recognizing Ernest M. Abbott, Sr., of the Water Division of the Public Works Department, for 20 years of dedicated service to the City of Zion. The vote on roll call was: Commissioners Taylor, aye; Hill, aye; Flammini, aye and DeTienne; aye. Motion carried. Resolution passed.

RESOLUTIONS/ABANDONED RESIDENTIAL PROPERTY
MUNICIPAL RELIEF PROGRAM GRANT

A memo (14-DOC-43) was received from Commissioner Hill recommending that the City of Zion participate in an Abandoned Residential Property Municipal Relief Program Grant, and provide a matching grant in the amount of \$250,000, for assistance with abandoned residential properties in Zion. He stated that the City was notified that the City's application was selected for funding in the amount of \$250,000 providing that the City match the amount with an additional \$250,000, for total program funding of \$500,000. Commissioner Hill stated that the majority of the grant funds (80%) will be directed toward the demolition of abandoned and dilapidated properties with the remaining grant funds (20%) being used for rehabilitation for exterior building safety. He stated that the selected neighborhood to be addressed by this program extends from 21st Street to 33rd Street and from Bethel/Bethesda Blvd. to Elim Avenue.

It was moved by Commissioner Hill, seconded by Commissioner Flammini that a Resolution (14-R-8) be passed accepting a grant from the Illinois Housing Development Authority's Abandoned Residential Property Municipal Relief Program in the amount of \$250,000. The vote on roll call was: Commissioners Taylor, aye; Hill, aye; Flammini, aye and DeTienne; aye. Motion carried. Resolution passed.

It was moved by Commissioner Hill, seconded by Commissioner Taylor that a Resolution (14-R-9) be passed supporting a grant from the Illinois Housing Development Authority's Abandoned Residential Property Municipal Relief Program by the City of Zion matching the grant funds in the amount of \$250,000 as a condition of the application. The vote on roll call was: Commissioners Taylor, aye; Hill, aye; Flammini, aye and DeTienne; aye. Motion carried. Resolution passed.

ORDINANCE/AMENDING MUNICIPAL CODE/RESTRICTED PARKING

A memo (14-DOC-44) was received from Chief Dumyahn requesting that the Council consider amending Zion Municipal Code Article III, Section 90-133 (c) to restrict parking in the 2300 and 2400 blocks of Elisha Avenue and the 1300 block of Shiloh Boulevard to help alleviate parking congestion in the Cancer Treatment Center of America (CTCA) area. He stated that at the last Council meeting, a resident of the 2400 block of Elisha Avenue requested that parking being restricted in the area so visitors to their homes would have a place to park. Chief Dumyahn stated that CTCA requested that parking be restricted in the south lane of the 1300 block of Shiloh Blvd. Commissioner Flammini asked how the restriction would be enforced. Chief Dumyahn stated that Police Officers would run the plates of vehicles parked in these locations and non-residents would be ticketed. He stated that residents would be instructed to call the station to report when visitors would be parking in the restricted areas.

It was moved by Commissioner Flammini, seconded by Commissioner Hill, that an Ordinance (14-O-24) be passed amending Zion Municipal Code Article III, Section 90-133 (c) to restrict parking in the 2300 and 2400 blocks of Elisha Avenue, with "Resident Parking Only Mon-Fri" signs being posted and in the 1300 block of Shiloh Boulevard with "No Parking" signs being posted. The vote on roll call was: Commissioners Taylor, aye; Hill, aye; Flammini, aye and DeTienne; aye. Motion carried. Ordinance passed.

VARIANCE/2600 LEWIS AVENUE

A memo (14-DOC-45) was received from Director Ianson requesting a variance to Section 70-74 (g) of the Zion Municipal Code, as petitioned by Trinity Christian Center at 2600 Lewis Avenue, to allow for the replacement of an existing manual sign with a LED color display sign. The Planning & Zoning Commission recommended approval with conditions. Director Ianson stated that the conditions were that the LED sign would not display flashing, blinking or fluttering lights.

It was moved by Commissioner Hill, seconded by Commissioner Taylor to grant a variance to Section 70-74 (g) of the Zion Municipal Code, as petitioned by Trinity Christian Center at 2600 Lewis Avenue, to allow for the replacement of an existing manual sign with a LED color display sign with the condition that the sign would not display flashing, blinking or fluttering lights, and that an ordinance be prepared accordingly. The vote on roll call was: Commissioners Taylor, aye; Hill, aye; Flammini, aye and DeTienne; aye. Motion carried.

It was the consensus of the Council that any permit fees associated with the modification of this sign be waived.

BUDGET AMENDMENT/FIRE/RESCUE DEPARTMENT

A memo (14-DOC-46) was received from Chief Lewis requesting that the Fiscal Year 2015 budget be amended by adding \$52,306 of grant revenue and \$55,967 in expense due to receipt of a 2013 FEMA Assistance to Firefighter's Grant for Operations and Safety in the amount of \$52,306. He stated that the purpose of this grant was to assist in the replacement of hose and appliances that no longer meet NFPA standards. He stated that the grant amount submitted was \$58,117, with the City funding a 10% share or \$5,811. This share was not included in the FY 2015 budget.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to amend the Fiscal Year 2015 budget by adding \$52,306 of grant revenue to Line Item 10-00-6-00-700 (Grants-Public Safety Use) and \$55,967 in expense to Line Item 10-14-1-04-760 due to receipt of a 2013 FEMA Assistance to Firefighter's Grant for Operations and Safety in the amount of \$52,306. The vote on roll call was: Commissioners Taylor, aye; Hill, aye; Flammini, aye and DeTienne; aye. Motion carried.

IML ACTION ALERT

Director Knabel stated that, in 2011, the Illinois General Assembly temporarily increased the state income tax rates and reduced the revenue distributed to local governments from 10% of total collections to 6%. A request was received from the Illinois Municipal League, via an Action Alert, for the City to join them in their effort to restore municipalities to the full 10% share of revenue based on the higher income taxes. Director Knabel stated that legislators may be asked to vote on this issue soon. He requested permission to respond to the IML Action Alert on behalf of the individual members of the City Council in support of the restoration of the distribution to 10%. He stated that this could mean an additional \$1.5 million for the City of Zion. Commissioner Flammini stated that he had already responded to the Action Alert.

It was moved by Commissioner Flammini, seconded by Commissioner Hill to grant permission to Director Knabel to respond to the IML Action Alert on behalf of the individual members of the City Council. The vote on roll call was: Commissioners Taylor, aye; Hill, aye; Flammini, aye and DeTienne; aye. Motion carried.

NEWPORT TOWNSHIP FIRE PROTECTION DISTRICT JOINT ACCOUNT

A memo (14-DOC-47) was received from Director Knabel regarding a request from the Newport Fire Protection District to liquidate all but \$10,000 of the funds in the joint account held by them and the City of Zion. He stated that this account was the result of an agreement between the two entities entered into ten years ago wherein the taxes collected for fire/rescue services on annexed parcels and deposited in this account would be used to fund operations and the construction of a joint fire station. Director Knabel

offered three options: 1) Leave the funds in the account and use the funds according to the original agreement, 2) review the agreement and determine if the account is still necessary, or 3) accept the 50/50 split as proposed by the Newport Fire Protection District. Director Knabel recommended that the agreement be amended to annually rebate 30% of the taxes directly to the District rather than lock the funds in the account based on proportionate levels of services provided to the area by the City of Zion versus the Newport FPD. Chief Lewis stated a 70/30 split would be the best option which would still provide funds if the City needs to build a third station. He recommended denying the 50/50 split in favor of discussing options with the Newport FPD Board of Trustees.

It was the consensus of the Council to grant permission to Director Knabel to approach the Newport FPD to discuss the future of the account with the 70/30 split being the Council's preferred option.

ZION COMPREHENSIVE PLAN

Commissioner Hill stated that a meeting was held earlier in the day to discuss the updating of Zion's Comprehensive Plan. Representatives from the Chicago Metropolitan Agency for Planning (CMAP), Teska Associates, the selected consultant, and approximately 26 interested parties from the Zion community were in attendance. He stated that the City is the recipient of a CMAP Local Assistance Grant to be used to create an updated long range comprehensive plan. He stated that proposals were solicited from planning consulting firms to assist in the creation of the plan and Teska Associates was selected. He stated that a steering committee comprised of between ten and twelve community representatives will be formed to assist in preparing the plan. Of the 26 people who attended the meeting, 16 expressed an interest in serving on the steering committee. Commissioner Hill stated that the plan should be completed in April 2015.

GROUND LEASE AGREEMENT/FLAT ROCK HOLDINGS, LLC

Commissioner Hill stated that the Compassionate Use of Medical Cannabis Pilot Program Act was passed in January 2014 which allows for medical cannabis cultivation centers and dispensaries in Illinois. The Act allows one cultivation center per each State police district so one facility is allowed in Lake County. He stated that City representatives have been working with Flat Rock Holdings, LLC to secure a location in Zion for the construction of an 80,000 sq. ft. cultivation center. A parcel in Trumpet Park was originally selected, however, it failed to meet the State requirement of being 2,500 feet from residentially zoned property. He stated that a city-owned parcel, consisting of approximately 2 acres, currently being leased by BC Automotive at 2809 Damascus, would meet all State requirements. He stated that the cultivation facility is a greenhouse in which the cannabis plants are grown hydroponically and no soil is required. There would be no water or plant waste materials leaving the facility. He stated that the facility would generate nearly 30 jobs, nine of which would be degreed positions and high paying. He stated that Flat Rock Holdings intends to hire locally, giving preference to veterans. Commissioner Hill stated that thorough background checks will be performed on all employees involved in the process. He stated that BC Automotive has agreed to move a portion of their operation from the parcel to the front of the property. Flat Rock Holdings will pay \$75,000 to \$100,000 in relocation costs. He stated that the City will be paid 3% of the gross sales of medical cannabis which could mean anywhere between \$300,000 and over \$1 million per year in revenue. Flat Rock Holdings will be responsible for the property taxes and schools are expected to receive between \$140,000 and \$150,000 per year. Flat Rock Holdings will establish a charitable foundation to provide community grants to non-profit organizations and events in the total amount of \$300,000. Commissioner Hill stated that a top level security plan will be created by a nationally recognized firm, Hillard Heintze of Chicago, and will include 24-hour video and TV surveillance and a live video stream feeding directly to the State Police, as well as motion, acoustic and infrared sensors, and armed live security guards. Commissioner Hill cited the more notable aspects of the lease agreement for the benefit of the audience. Upon being asked by Commissioner Hill, Attorney Randall stated that legal counsel approved the lease and was in favor of the City executing the lease as it was presented.

It was moved by Commissioner Hill, seconded by Commissioner Taylor, to approve the Ground Lease Agreement between the City of Zion and Flat Rock Holdings, LLC for property at 2809 Damascus Avenue for construction of a medical cannabis cultivation center, as authorized by the Compassionate Use of

Medical Cannabis Pilot Program Act. The vote on roll call was: Commissioners Taylor, aye; Hill, aye; Flammini, aye and DeTienne; aye. Motion carried.

DEPARTMENTAL COMMENTARY

Director Knabel stated that Nostalgia Days will be held on June 21st. The deadline for pre-registration and the submission of vendor and sponsor applications is June 6th.

ANNOUNCEMENTS

June 3	7:00 p.m.	Zion City Council Meeting
June 7	9:00 a.m. to 12:00 noon	Electronic Recycling at the Public Works Facility, 3220 27 th Street
June 17	6:00 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting
June 21	9:00 a.m. to 12:00 noon	Electronic Recycling at the Public Works Facility, 3220 27 th Street

ADJOURN

There being no further business to come before the Council at this time, it was moved by Commissioner Hill, seconded by Commissioner Taylor and unanimously approved the meeting be adjourned at 8:10 p.m. Motion carried.

City Clerk

Approved June 3, 2014