

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JULY 7, 2015, AT 7:03 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 2828 SHERIDAN ROAD, ZION, ILLINOIS

Mayor Hill called the meeting to order.

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

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

Mayor Hill led in the Pledge of Allegiance to the flag.

MANY HANDS PROJECT

Pastor Leo Barnes stated that the Many Hands Project is in its seventh year, its fifth year with multiple churches being involved. Many of the 80 students who participate in the project were present. He stated that the students perform community service projects in Zion, for one week, helping mostly senior citizens with yard work and small jobs. Christ Community Church in Zion and three Gurnee churches sponsor the program and other local churches help by serving the students meals.

AGENDA CHANGES

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

- Delete Item 9e – Consider accepting donation of property located at 10021 West Winthrop Court per Director Ianson
- Move Item 8c to Item 12a - Authorizing Execution of Zion Power Station Parcel Agreement per Mayor Hill
- Delete purchase and sale of real estate from Closed Session
- Add probable litigation to Closed Session

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

CITIZEN COMMENTS

Lisa Issac, Zion, stated that she addressed the City Council at the last meeting regarding the safety issue of pedestrians in crosswalks on Sheridan Road. She stated that she understands that the issue is being investigated. She offered several suggestions: 1) place the City's digital sign along Sheridan Road to remind motorists to yield to pedestrians, 2) have Zion Benton Township High School, Elementary School District 6 and Zion Park District use their digital signs to promote pedestrian safety, 3) post the ordinance regarding pedestrians on the City website and highlight safety awareness, 4) post on the Police Department's Facebook page. Ms. Issac stated that it's the law and it's what the community needs.

Rattan Singh, Zion, asked if video gaming would cause the liquor control ordinance to reduce the number of required seats in an establishment from 75 to 30 or 40. Mayor Hill stated that a presentation received from a prospective video gaming café owner included a request that the new liquor license classification have a reduction in seating to between 30 and 40. Mr. Singh asked how the repeal of video gaming would affect current liquor license holders. Mayor Hill stated that, if a repealing ordinance is passed, establishments that currently have liquor licenses will be allowed to have video gaming machines.

Dave Adams, Zion, stated that it troubles him that the City would resort to gambling for income. He stated that he believes that video gaming will cheapen the City, make it second rate, and create an appearance of desperation. He stated that more will be taken by the City than will be given to the residents with the leaders coming out on top and taxpayers losing. Mr. Adams stated that video gaming is predatory not

protective, and that it is the City Council's role to protect residents. He stated that video gaming is not the financial answer for the City. He asked what the churches can do to help with the City's financial crisis.

Debra Hanson, Waukegan, stated that her family recently opened a video gaming café in Waukegan. She stated that it has a classy atmosphere, with only five machines being allowed, and has a 91% to 94% pay out. She stated that it is more for entertainment. She stated that video gaming can be a revenue generator for the City. Ms. Hanson stated that she is interested in opening two Zion locations in the future.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** of a Workshop held on June 10, 2015 at 5:05 p.m.; of a Regular meeting held June 16, 2015 at 7:00 p.m.; approval but not release of Closed Session Minutes of a meeting held on June 16, 2015 at 8:10 p.m.; a Workshop held on June 24, 2015 at 5:03 p.m.
- (b) **BILLS:** Vouchers 121250 through 121360 drawn on First Merit Bank, Total: \$614,115.84

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

RESOLUTION/IDOT/MAINTENANCE OF STREETS & HIGHWAYS

A memo (15-DOC-60) received from Director Colangelo recommending that the Council approve a resolution required by the Illinois Department of Transportation (IDOT) to perform work within IDOT rights-of-way. He stated that passing this resolution would allow the City or their subcontractors to install or maintain their utilities without having to issue a surety bond for each permit. It would also allow the City to do emergency work by verbal approval if necessary.

It was moved by Commissioner McKinney, seconded by Commissioner DeTienne that a Resolution (15-R-17) be passed, as required by the Illinois Department of Transportation (IDOT), allowing work to be performed within IDOT rights-of-way. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried. Resolution passed.

RESOLUTION/AMENDING PERSONNEL AUTHORIZATION/POLICE DEPARTMENT

A memo (15-DOC-61) received from Chief Dumyah requesting permission to amend the personnel authorization by increasing the number of full time Telecommunicators from 9 to 10. He stated that this amendment will allow the Police Department to reduce overtime as a new Telecommunicator is being trained. He stated that the personnel authorization would be amended from 10 back to 9 once the new Telecommunicator has been trained.

It was moved by Commissioner McDowell, seconded by Commissioner Taylor that a Resolution (15-R-18) be passed temporarily amending the personnel authorization by increasing the number of full time Telecommunicators from 9 to 10. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried. Resolution passed.

ORDINANCE/AMENDING MUNICIPAL CODE/CHAPTER 10 BUILDINGS

A memo (15-DOC-62) was received from Director Ianson requesting an amendment to the Zion Municipal Code Chapter 10 "Buildings and Building Regulations" to establish rental housing inspection and certification regulations. Commissioner McKinney stated that the purpose of this program is to protect the public health and welfare through building code compliance. He stated that rental properties are more subject to overcrowding, poor maintenance practices and a decrease in property values. Commissioner McKinney stated that 60% of rental housing in the City is non-owner occupied and is not properly maintained. He stated that under the parameters of the rental housing inspection program, owners must submit a certificate of compliance application, causing a subsequent inspection of the residential rental property to be scheduled to determine code compliance. He stated that if violations are discovered, they shall be identified in a written notice to the property owner. If no violations are discovered, a certificate of compliance will be issued. Commissioner McKinney stated that prior to implementing the program, notices will be sent to rental property owners and a public meeting will be held to answer all questions and address all concerns. Director Ianson stated that currently rental property inspections are complaint driven and only a few are conducted annually. He stated that this program would help the City gain access to properties in order to inspect. Commissioner McDowell asked if program administration would require additional personnel. Director Ianson stated that the department would add two building inspectors and change the clerical position from part time to full time. He stated that the fee structure will be created to offset the program costs creating a net zero program. Mayor Hill stated that the City would be divided into four geographical sections with one inspector being responsible for rental inspections and property maintenance inspections in each area. He stated that this approach would afford the inspectors the opportunity to learn the neighborhoods and keep abreast of the status of the structures in the area. Mayor Hill stated that training sessions would be conducted with landlords in order to create effective program policies and procedures. Commissioner McDowell asked if the ordinance would be amended to add the program fees. Mayor Hill stated that the Council would be included in the final decision to set the fees. Commissioner Taylor asked how the hourly wage for inspectors was determined. Mayor Hill stated that the union pay scale and benefits were used. Commissioner McDowell recommended changing the application filing period from (120 days) to (180) days as was presented in Section 10-180 (4) (c) and omitting any fee schedules from the ordinance at this time.

It was moved by Commissioner McDowell, seconded by Commissioner McKinney, that an Ordinance (15-O-33) be passed amending Zion Municipal Code Chapter 10, "Building & Building Regulations" by establishing rental housing inspection and certification regulations, subject to changing the application filing period from (120 days) to (180) days as presented in Section 10-180 (4) (c). The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

ORDINANCE/AMENDING MUNICIPAL CODE/AMBULANCE CHARGES

A memo (15-DOC-63) was received from Chief Lewis requesting permission to revise ambulance billing fees to ensure that the department can maintain delivery of EMS operations without decreasing service.

It was moved by Commissioner McDowell, seconded by Commissioner Taylor that an Ordinance (15-0-34) be passed amending Zion Municipal Code Section 34-16 (b) "Ambulance Charges". The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

BUDGET/FISCAL YEAR MAY 1, 2015 – APRIL 30, 2016

Finance Director David Knabel presented the Fiscal Year 2015/2016 proposed budget. Mr. Knabel stated there were no significant changes made in the budget since the June 24, 2015 budget workshop. He stated that \$650,000 would be transferred from the Water/Sewer Fund. He stated that the \$833,000 remaining deficit would be covered with the City's \$1.2 million currently available in cash reserves. He stated that the Fire Pension Board agreed to defer the City's pension reimbursement payment until next fiscal year and the Police Pension Board will meet to consider pension reimbursement payment deferral on July 8, 2015. Director Knabel stated that the combined pension payment deferrals total \$500,000. Director Knabel stated that the City cannot pass the proposed budget and then not seek out new sustainable revenue as there

will be a significant deficit in 2016 but there will be no cash reserves and no Water/Sewer funds available. He stated that the budget must be passed in order to move the City forward, however, he will continue to work on the budget. He stated that the ambulance fees increase will bring in approximately \$60,000 in additional revenue which is not reflected in this proposed budget. He stated that all department heads have reviewed their budgets and made further reductions, also which are not included in this budget. Commissioner McDowell stated that current operations are larger than the City can afford. Mayor Hill stated that the City could be facing a deficit next year between \$1.5 and \$2.0 million. He stated that the City must live within its means and challenged all department heads, City employees and the public to provide ideas for creating new sustainable revenue sources.

It was moved by Commissioner DeTienne, seconded by Commissioner McDowell to approve the May 1, 2015 through April 30, 2016 Fiscal Year City Budget as presented. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

2015/2016 HOTEL/MOTEL TAX GRANT APPLICATIONS

A memo (15-DOC-64) was received from Director Knabel requesting approval of hotel/motel grant applications for the 2015/2016 project year. He stated that hotel/motel funds are restricted funds per State Statute, to be used for tourism purposes, and cannot be used for General Fund purposes. He stated that these grants allow businesses/events to apply for financial assistance for the purpose of promoting and marketing events in Zion with a strong emphasis on bringing in tourism. He stated that \$34,000 has been allocated in the 2015 budget for these grants. Director Knabel stated that grant applications were received from Dungeon of Doom in the amount of \$10,000 and Potawatomi Trails PowWow, Inc. in the amount of \$6,000, and United Schutzhund Clubs in the amount of \$10,000. Director Knabel provided scoring sheets for each applicant. Commissioner McDowell stated the Dungeon of Doom request represents 2% of the events total anticipated receipts, the Potawatomi Trails PowWow request represents 50% of the events total anticipated receipts, and the United Schutzhund Clubs request represents 17% of the events total anticipated receipts. Commissioner McDowell asked that the request amount for the PowWow be reconsidered. Bill Brown, PowWow President, stated that the organization is aggressively advertising in an attempt to increase participation in their event. Director Knabel stated that the grant guidelines could be modified to a percentage of the events total budget, however, he doesn't want to prohibit participation by volunteer groups with a small budget.

It was moved by Commissioner Taylor, seconded by Commissioner McKinney that a hotel/motel grant for the 2015/2016 project year be granted to Dungeon of Doom in the amount of \$10,000. The vote on roll call was: Commissioners Taylor, aye; DeTienne, nay; McKinney, aye; McDowell, nay; and Mayor Hill, aye. Motion carried.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that a hotel/motel grant for the 2015/2016 project year be granted to Potawatomi Trails PowWow, Inc. in the amount of \$6,000. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; McKinney, aye; McDowell, pass; and Mayor Hill, aye. Motion carried.

It was moved by Commissioner Taylor, seconded by Commissioner McKinney that a hotel/motel grant for the 2015/2016 project year be granted to United Schutzhund Clubs in the amount of \$10,000. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; McKinney, aye; McDowell, pass; and Mayor Hill, aye. Motion carried.

TELECOMMUNICATOR/POLICE DEPARTMENT

A memo (15-DOC-65) was received from Chief Dumyahn requesting permission to fill one full time Telecommunicator vacancy in the Police Department.

It was moved by Commissioner McDowell, seconded by Commissioner DeTienne to grant permission to fill one full time Telecommunicator vacancy in the Police Department. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

SPECIAL USE PERMIT/DAY CARE/2719 ELISHA AVENUE

A memo (15-DOC-66) was received from Director Ianson requesting a Special Use Permit to operate a day care in the CB (Central Business) District for property at 2719 Elisha Avenue, as petitioned by Martha Salazar, Zoning Docket 15-Z-5. Ms. Salazar is currently operating a day care business at 2682 Sheridan Road. Director Ianson stated that during an inspection it was discovered that the new location did not have a water service. He stated that the building is currently tied into the water service at 1245 27th Street, owners Dennis and Barbara Martin, who have agreed to allow Ms. Salazar to use their water service until a new water service can be installed. Ms. Salazar requested to allow child drop off on Elisha Avenue, south of the north exit of the City parking lot. Staff is not in favor of this request and recommends a drop off location at the (side) south entrance on the side of the building adjacent to the City parking lot. The Planning & Zoning Commission recommends approval with the condition that a water service be installed within (6) six months from receiving the license from the Department of Children and Family Services.

It was moved by Commissioner McKinney, seconded by Commissioner McDowell, that an Ordinance (15-O-35) be passed granting a Special Use Permit to operate a day care in the CB (Central Business) District for property at 2719 Elisha Avenue, as petitioned by Martha Salazar, contingent upon 1) a water service be installed within (6) six months from receiving the license from the Department of Children and Family Services, and 2) the child drop off location be located at the (side) south entrance on the side of the building adjacent to the City parking lot, with drop off on Elisha Avenue being prohibited. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

PERMIT FEE WAIVER/GRACE MISSIONARY CHURCH

A memo (15-DOC-67) was received from Director Ianson stating that he received a letter from Grace Missionary Church, 1415 27th Street, Zion, requesting that the Council waive permit fees for the repaving of their parking lot. He stated that the Council previously approved a permit fee waiver in the amount of \$880.00 for this project. He stated that the Church has since increased the scope of work for the project and permit fees have increased by \$270.00, totaling, \$1,150.

It was moved by Commissioner Taylor, seconded by Commissioner McDowell to waive additional permit fees for the repaving of the parking lot at Grace Missionary Church at 1415 27th Street in the amount of \$270.00. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

MEMORANDUM OF UNDERSTANDING/SERGEANTS COLLECTIVE BARGAINING AGREEMENT

A Memorandum of Understanding (15-DOC-68) was received from Chief Dumyahn requesting renewal of a Memorandum of Understanding between the Illinois Fraternal Order of Police Labor Council (FOP), Sergeants and the City of Zion to address a temporary manpower shortage in the Sergeants unit as the current Memorandum has expired, terms to remain the same.

It was moved by Commissioner McDowell, seconded by Commissioner Taylor to renew the Memorandum of Understanding between the City of Zion and the Illinois Fraternal Order of Police Labor Council, Sergeants and the City of Zion to address a temporary manpower shortage in the Sergeants unit. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

BOARDS AND COMMISSIONS

A memo (15-DOC-69) was received from Mayor Hill requesting appointments to City boards and commissions.

It was moved by Commissioner McDowell, seconded by Commissioner Taylor to appoint the following members to City Boards and Commissions:

Accident Review Board

Commissioner Lloyd DeTienne
Don Leicht
Rich Ianson
Blake Rogers

Fire and Police Commission

John Idleburg

Firemen's Pension Board

Bridget (Guerin) Olson

Jubilee Days Commission

Rich Walker
Ann Ennesser
Steve Dumyahn
John Lewis
Craig Butkovic
Carla Villalobos

Liquor Control Commission

Terry McNabb

Electrical Commission

Rich Ianson
Merlin Kreis
John Lewis
Dave Geer
Pat Buchanan
John Hucker

Planning & Zoning Commission

Jim Bowman
Gerald Riley

Police Pension Board

Mariann Carlton

TIF Review Board

Margie Taylor
Dave Miller
Marilyn Krieger

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

VIDEO GAMING

Shone Davis presented a proposal and requested that the City Council consider repealing Ordinance 13-O-36, passed July 2013, that prohibited video gaming in the City of Zion. Mayor Hill stated that Mr. Davis made a presentation to the Liquor Control Commission and requested a café license with video gaming. The Commission informed Mr. Davis that the Council must resolve the video game issue before a new liquor license class could be created which would facilitate him opening a video gaming café. Mr. Davis stated that video gaming could benefit the City by occupying vacant buildings, creating jobs, providing adult entertainment to residents and Midwestern Regional Medical Center visitors, and generating revenue. He stated that surrounding communities have generated between \$85,000 and \$500,000 per year in revenue. Mr. Davis stated that he cares how video gaming cafés in Zion would look regarding locations, signage, etc. He stated that his proposed café would be respectful and strictly controlled. Mayor Hill stated that in order for an establishment to have video gaming, it must have a liquor license. He stated that Mr. Davis is seeking the creation of a new liquor license classification that would include a requirement of between 30 and 40 seats, food service, and beer and wine service with a 3 drink maximum per day per person. He stated that Mr. Davis is not interested in opening a bar. Commissioner McKinney asked how much revenue was generated by the surrounding communities. Mayor Hill stated that annually, Beach Park collects

\$68,000 for 4 locations, Wadsworth collects \$260,000 for 6 locations, and Winthrop Harbor collects \$160,000 for 9 locations. Commissioner Taylor asked Mr. Davis to describe his clientele. Mr. Davis stated that the gaming café goes to play the game not to drink. He stated that the cafés are more popular with women as they prefer the café atmosphere rather than that of a rowdy bar. Dr. Davis stated that video gaming is attractive to many senior citizens. Commissioner McDowell offered a quote from Warren Buffett who stated that video gaming is predatory and not good for families and the economy. He stated that he has polled pastors in the community, and as a whole, they are not in favor of video gaming. Commissioner McDowell stated that he would vote against video gaming and that we would like the residents to have more of a voice via community vote. Mayor Hill stated that he appreciates the referendum aspect, however, he hesitates to do it as the City Council members are elected to make good decisions on the City's behalf. Mayor Hill stated that he opposes government by referendum. Commissioner McKinney stated that he understands the historical background of the community, but that he does not view video gaming participation as an indictment of a person's character. He stated that he understands the City's difficult financial position and recognizes the entertainment needs of hospital visitors. Commissioner McKinney equated video gaming to a video arcade. Mr. Davis stated that his proposed video gaming café would only include (5) five games in a controlled environment. Mayor Hill stated that the revenue will stay local as the money goes in by residents and is paid out to residents.

It was moved by Commissioner McKinney, seconded by Commissioner Taylor to repeal Ordinance 13-O-36, passed July 2 2013, prohibiting video gaming in the City of Zion and that an ordinance be prepared accordingly. The vote on roll call was: Commissioners Taylor, aye; DeTienne, nay; McKinney, aye; McDowell, nay; and Mayor Hill, aye. Motion carried.

Mayor Hill stated that Zion establishments currently holding liquor licenses can begin the process of applying for machine licenses once the repealing ordinance is passed by the Council. He stated that an ordinance creating a new classification of liquor license will be prepared for consideration by the Liquor Control Commission.

NORTH SHORE WATER RECLAMATION DISTRICT PROPERTY/WAIVER OF RIGHTS

A copy of a letter from Mayor Hill addressed to the North Shore Water Reclamation District (NSWRD) (15-DOC-70) was received from Director Knabel. He stated that the City has been working with a party who is attempting to acquire property south of 9th Street that is currently under contract between the City and NSWRD in order to build a hydroponic produce greenhouse. Mayor Hill asked the Council to consider waiving the City's first option to purchase the land from NSWRD to allow them to sell directly to the party for the greenhouse project, to what he believes would be the mutual benefit of both parties. He stated he asked NSWRD to then subsequently negotiate a fair price for the property directly with the party as soon as possible. Director Knabel stated that there are two sections in Trumpet Park: 1) west of Green Bay Road and north of 9th Street which is ready for development, and 2) south of 9th Street which is considered to be trench and fill with limited usage as materials are buried there. He stated that the City is under contract with NSWRD and has a first option to purchase in order to encourage development of the property. Director Knabel stated that the produce grower is interested in two 15-acre parcels for his greenhouse project. In order to make the trench and fill land more attractive, the City was asked to waive their first option so the land could be sold directly to the developer at a fair price. Director Knabel noted that the waiver would apply to this project only.

It was moved by Commissioner McDowell, seconded by Commissioner Taylor to waive the City's right of first refusal for property located in Trumpet Park as provided for in an agreement between the City of Zion and the North Shore Water Reclamation District (NSWRD). The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

ZION POWER STATION PARCEL AGREEMENT

Mayor Hill asked Attorney James Rock to explain the proposed Zion Power Station Parcel Agreement for the benefit of the audience.

Attorney Rock stated that Exelon owns approximately 200 acres of real property, the site of the Zion Nuclear Power Station which is currently undergoing comprehensive decommissioning. He stated that the parcel, the subject of the proposed agreement, consists of 93 acres which includes a 2,000 square foot concrete security building and a concrete pad which supports casks containing spent nuclear waste. Attorney Rock stated that in 2013, the property assessment was \$6.9 million and Exelon paid \$1.35 million in property taxes. He stated that in 2014, the property assessment was \$6.5 million. Exelon filed an assessment appeal with the Lake County Board of Review proposing that the assessment be \$1.38 million and therefore requested a reduction. He stated that an appraisal in the amount of \$2.375 million was submitted as part of the appeal but Exelon still requested a 50% reduction. Attorney Rock stated that the attorneys and County Assessor Paulson got involved and met with ComEd in search of a common ground settlement. He stated that School District No. 6 intervened initially and the City and Park District then joined in the appeal review and participated in the case. Assessor Wicketts' original assessment in the amount of \$6.5 million increased to \$8.1 million in EAV. Attorney Rock stated that the property tax was calculated at the 2013 rate and the taxing bodies were to receive \$1.586 million for 2014. He stated that as the result of negotiations with Exelon, the aggregate EAV of the station parcel was set at \$8.1 million in 2014, \$7.5 million in 2015, \$6.8 in 2016, \$6.2 million in 2017, \$5.5 million in 2018, and \$4.9 million in 2019. Additional meetings were held to create the proposed agreement. Attorney Rock stated that "this is not new" as a similar agreement was reached for the same parcel in 2000, which has now expired, was signed by the taxing bodies. Attorney Rock stated that the College of Lake County, Lake County and the Board of Review have already approved the agreement. He stated that the agreement must be approved by all taxing bodies. Attorney Rock stated that, if the taxing bodies approve the proposed agreement, then it must be "blessed" by a judge. He stated that if the taxing bodies do not adopt the agreement, Exelon will go to court to have the property valuation set by the Board of Review at \$2.375 million as was stated in the appraisal.

Commissioner McKinney asked what the City's exposure would be if the agreement is not approved. Mr. Rock stated that Exelon would go to court and attempt to reduce the assessment to the amount of the appraisal submitted along with the assessment appeal.

Commissioner McDowell stated that the bigger issue is that of the spent nuclear fuel rods not being taxable as real property. Mr. Rock stated that he agreed but preferred not to comment due to litigation possibilities.

ANNOUNCEMENTS

Thursdays through September 24th	11:00 a.m. to 7:00 p.m.	Zion Farmer's Market Sheridan Road & Shiloh Blvd.
July 11	4:00 to 8:00 p.m.	Spaghetti Dinner to benefit Potawatomi Trails PowWow
July 21	6:30 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting
August 4	7:00 p.m.	Zion City Council Meeting

CLOSED SESSION

It was moved by Commissioner McDowell, seconded by Commissioner McKinney that the Council recess to Closed Session at 8:50 p.m. to discuss probable litigation. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

It was moved by Commissioner McDowell, seconded by Commissioner DeTienne to reconvene the Regular Council meeting at 9:30 p.m. with all members present. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

ZION POWER STATION PARCEL AGREEMENT

It was moved by Commissioner McDowell, seconded by Commissioner Taylor, that an Ordinance (15-O-36) be passed approving and authorizing execution of the Zion Power Station Parcel Agreement. The vote on roll call was: Commissioners Taylor, aye; DeTienne, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

ADJOURN

There being no further business to come before the Council at this time, it was moved by Commissioner DeTienne, seconded by Commissioner Taylor and unanimously approved the meeting be adjourned at 9:33 p.m. Motion carried.

City Clerk

Approved July 21, 2015