

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, DECEMBER 4, 2007, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, ZION, ILLINOIS**

.....

Mayor Harrison called the meeting to order.

On call of the roll the following answered present: Commissioners Flammini, Bennett, DeTienne, Taylor and Mayor Harrison.

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

**AGENDA CHANGES**

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

- Deleting to consider salary increase in Police Department, item 13.
- Under Special Presentations – Adding Festival of Lights window decoration contest winners
- Under Announcements – Adding scheduling a Special Town Board Meeting for December 12 to consider bids for new Township Supervisor’s offices
- Considering the approval of minutes of the meeting on November 20, 2007, item 6.a., as a separate item

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

**SPECIAL PRESENTATION/EXELON/COM-ED**

Ron Schuster, Plant Manager for Zion Commonwealth Edison Plant, presented a \$5,000 check to the Zion Fire/Rescue Department and a \$5,000 check to the Zion Police Department, thanking them for their ongoing efforts and support.

**SPECIAL PRESENTATION/WINDOW DECORATING CONTEST**

Delaine Rogers announced the winners of the Festival of Lights Window Decorating Contest.

First Place – Tony’s House of Creations – awarded \$300 prize

Second Place – Cakes by Ann – awarded \$200 prize

Third Place – Seattle Sutton – awarded \$100 prize

**NOVEMBER 20, 2007 MINUTES**

It was moved by Commissioner Bennett, seconded by Commissioner Flammini to approve the minutes of a Regular Meeting held on November 20, 2007 at 7:00 P.M. and approve but not release the Closed Session minutes of a meeting held on November 20, 2007 at 7:33 P.M. The vote on roll call was: Commissioners Flammini, aye; Bennett, aye; DeTienne, aye; Taylor, pass; and Mayor Harrison, aye. Motion carried.

**CONSENT AGENDA**

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

- (b) **DEPARTMENTAL REPORTS:** City Clerk’s Monthly Report, November 2007
- (c) **BILLS:** Vouchers 99718 through 99858 drawn on National City Bank, \$816,000.55

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

**EMPLOYEE RECOGNITIONS**

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that Resolutions of Commendation be passed recognizing the following employees for many years of dedicated service to the City of Zion:

|                    |                                     |
|--------------------|-------------------------------------|
| Resolution 07-R-26 | Mary Hudson – 20 years of service   |
| Resolution 07-R-27 | Alene Backis – 30 years of service  |
| Resolution 07-R-28 | Bob Guerin – 30 years of service    |
| Resolution 07-R-29 | Dwight Ower – 30 years of service   |
| Resolution 07-R-30 | Clyde Watkins – 30 years of service |

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

**PUBLIC HEARING – TAX LEVY**

Mayor Harrison opened the public hearing for the 2007, payable in 2008, City of Zion tax levy at 7:26 P.M.

Larry Pannell stated the proposed taxes to be levied for 2007 are \$6,294,795. This represents a 9.623% increase over the previous year. The tax rate for 2008 property taxes has been set at 1.531 per \$100, which is a reduction from last year’s tax rate of 1.579 per \$100. This will reduce the tax bill for a \$100,000 home by \$48. Mayor Harrison stated the goal is to decrease the tax rate as the equalized assessed valuation (EAV) increases with new residential and commercial development.

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

William Bremner questioned how the tax rate could decrease while the levy is increased.

Mr. Pannell stated, since the EAV increased, the City is able to reduce the City’s portion of the taxes. Mayor Harrison stated the City’s portion of the tax bill is going down.

Melissa Richmond questioned why her tax bill is going up.

The City’s portion of the tax bill only represents 14% of the total bill. The City has no control if other taxing bodies increase their tax rates. Mayor Harrison stated property owners need to address the other taxing bodies to note their concerns. Commissioner Bennett stated the majority of assessments have increased, noting the rate is governed by the tax cap. Commissioner Taylor questioned what the highest tax rate the City could have levied. Mr. Pannell stated the maximum rate would have been approximately 1.53.

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

Mayor Harrison declared the hearing closed at 7:40 P.M.

**TAX LEVY – CORPORATE PURPOSES**

It was moved by Commissioner Bennett, seconded by Commissioner Taylor that an Ordinance (07-0-45) be passed providing for the levy of taxes for corporate purposes in the total amount of \$6,294,795 for the tax levy year 2007 to be collected in the year beginning January 1, 2008 and ending December 31, 2008 for the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners Flammini, aye; Bennett, aye; DeTienne, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**TAX LEVY-STREET AND BRIDGE**

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett that an Ordinance (07-0-46) be passed providing for a 2007 tax levy in the amount of \$328,925 for street and bridge purposes for the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners Flammini, aye; Bennett, aye; DeTienne, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**CERTIFICATES OF OCCUPANCY**

Commissioner Flammini recommended requiring certificates of occupancy for single family and multi-family residential dwellings, which have been unoccupied for 180 days or more. Properties would be inspected to insure that they comply with all laws and regulations regarding construction and maintenance.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor that an Ordinance (07-0-47) be passed amending the Municipal Code of the City of Zion, as amended, Section 10-10, requiring certificates of occupancy for single family and multi-family residential dwelling units, which have been unoccupied for 180 days or more. The vote on roll call was: Commissioners Flammini, aye; Bennett, aye; DeTienne, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**STREET WIDTH VARIANCE/KELLY WOODS SUBDIVISION**

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that an Ordinance (07-0-48) be passed granting a variance from Zion Municipal Code Section 26-235(e) from a 66-foot street width to a 60-foot street width for the extension of Stella Court in the Kelly Woods Subdivision. The vote on roll call was: Commissioners Flammini, aye; Bennett, aye; DeTienne, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**SPECIAL USE PERMIT/AUTO DETAIL SHOP/2103 GALILEE AVE.**

It was moved by Commissioner Bennett, seconded by Commissioner Flammini that an Ordinance (07-0-49) be passed granting a special use permit for the operation of an automotive detail shop at 2103 Galilee Avenue. The vote on roll call was: Commissioners Flammini, aye; Bennett, aye; DeTienne, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

### **CITY TOWING**

A memo (07-DOC-137) was received from Clerk Mackey, regarding the renewal of the City's towing contracts for 2008. Roger Whitmore's Automotive Service and Beach Park Auto Center currently provide services on alternating months. The City Attorney is in the process of adding contract language, wherein the towing firm must provide proof that it leases or owns its own vehicles, as well as tightening the liability clause. Commissioner Taylor stated he prefers to award the contract to a qualified tax-paying Zion business. Rodney Johnson of Beach Park Auto Center stated he has provided quality service, and he would like to move his business into Zion some day. Commissioner DeTienne stated he also prefers utilizing a Zion towing company, however noting that both companies have provided good service and the current contract allows contracting with a company within two miles of the City. Commissioner Taylor stated he would like to see Beach Park Auto Center relocate to Zion, however he disagrees with splitting the contract between both companies.

At this time, Commissioner Taylor moved to approve awarding the City towing contract for January 1, 2008 through December 31, 2008 to Roger Whitmore's Automotive Service with terms and conditions as determined by the City. This motion died for lack of a second.

Commissioner Bennett stated he is opposed to limiting the City's ability to only do business with Zion companies, noting he is in favor of maintaining the two-mile limit.

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to approve City towing contracts for January 1, 2008 through December 31, 2008 with Roger Whitmore's Automotive Service and Beach Park Auto Center on alternating months, with contract terms and conditions as determined by the City. The vote on roll call was: Commissioners Flammini, aye; Bennett, aye; DeTienne, aye; Taylor, nay; and Mayor Harrison, nay. Motion carried.

### **ZION POLICE PENSION FUND TAX LEVY**

A memo (07-DOC-138) was received from the Zion Police Pension Fund, requesting approval of the tax levy for the fiscal year starting May 1, 2008. The Zion Police Pension Fund is requesting a tax levy of \$841,309. The tax levy requirements are set by the Illinois Department of Insurance.

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne to approve the Zion Police Pension Fund tax levy in the amount of \$841,309 for the fiscal year starting May 1, 2008 and ending April 30, 2009. The vote on roll call was: Commissioners Flammini, aye; Bennett, aye; DeTienne, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **SHEPHERD'S CROSSING/PHASE 3**

A memo (07-DOC-139) was received from Ron Colangelo, recommending the request from Deer Point Homes to start the two year warranty/maintenance period for Shepherd's Crossing Phase 3.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve starting the two-year warranty/maintenance period for Phase 3 of Shepherd's Crossing. The vote on roll call was: Commissioners Flammini, aye; Bennett, aye; DeTienne, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **TRUMPET PARK/PHASE 1**

A memo (07-DOC-140) was received from Ron Colangelo, recommending the request from Panattoni to convert the Letter of Credit to a 2-year maintenance bond for Trumpet Park Phase 1. Phase 1 was previously approved for maintenance.

It was moved by Commissioner Taylor, seconded by Commissioner Bennett to approve converting the Letter of Credit to a 2-year maintenance bond for Trumpet Park Phase 1. The vote on roll call was: Commissioners Flammini, aye; Bennett, aye; DeTienne, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **DIRECT FIBER LINK/CITY HALL & FIRE STATION 1**

A memo (07-DOC-141) was received from Larry Pannell requesting to waive bids and approve the installation of a private direct fiber link between City Hall and the new Fire Station No. 1. Comcast would cost \$900 per month for this service. By installing a fiber cable, the City could also eliminate costs for using AT&T T1 lines and voice service. Jim Keith, the City's computer consultant, recommends utilizing TIMCO, a cabling contractor company with considerable experience. TIMCO could complete the installation for a one-time fee of \$41,000. Computer Help-Key would also be needed for final connection of the systems with costs of approximately \$2,000. Mr. Pannell stated the budget would need to be amended for this project. Chief Labelle stated the cable would be installed in a special underground casing, and there would be no maintenance or maintenance costs involved.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to waive bids and approve the installation of a private fiber link between City Hall and the new Fire Station No. 1 with TIMCO and Computer Help-Key for an amount not to exceed \$43,000, and to amend the budget accordingly. The vote on roll call was: Commissioners Flammini, aye; Bennett, aye; DeTienne, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **WORKERS COMPENSATION LIABILITY PROGRAM**

A memo (07-DOC-142) was received from Larry Pannell regarding the City's workers' compensation and liability insurance coverage for December 1, 2007 through November 30, 2008. Mr. Pannell recommended renewing coverage with Mesirow Financial for workers' compensation through Illinois Public Risk Fund (IPRF) and liability coverage through Travelers for a total amount not to exceed \$1,147,663. While workers compensation costs have increased, liability expenses have decreased. Mr. Pannell stated the total cost includes a short-term policy from Travelers that will allow the plan year to coincide with IPRF and run December 15 through December 14 each year.

It was moved by Commissioner Bennett, seconded by Commissioner Taylor to approve Mesirow Financial for the City's workers' compensation and liability insurance coverage, as recommended, for the 2007-2008 plan year for a total amount not to exceed \$1,147,663. The vote on roll call was: Commissioners Flammini, aye; Bennett, aye; DeTienne, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **TAXI DRIVER PERMITS**

A memo (07-DOC-143) was received from Chief Booth, recommending changing the criteria for approval of taxi driver permits. An arrest for a felony within the last 10 years is one of the current criteria for denying a permit. Chief Booth recommended changing this requirement to a felony conviction, as an arrest does not always lead to a conviction. Mayor Harrison also recommended reviewing the criteria for taxicab companies.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to approve changing one of the criteria for approval of taxi driver permits from an arrest to a conviction for a felony within the last 10 years, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners Flammini, aye; Bennett, aye; DeTienne, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **1913-1917 SHERIDAN ROAD**

A memo (07-DOC-144) was received from Delaine Rogers, requesting an extension of the closing date for the sale of city-owned property at 1913-1917 Sheridan Road. The extension request from Patinkin & Patinkin, Ltd. is for the completion of environmental studies with an anticipated closing date of December 20, 2007. Ms. Rogers stated the developer is also asking for monetary assistance with environmental study costs, however the staff does not support this request, due to costs already incurred and the property was sold "as is". Attorney Randall stated the closing date is based on environmental studies being returned with no further remediation prior to the closing date, noting this is unlikely by December 20.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to grant permission to extend the closing date for the sale of 1913-1917 Sheridan Road to December 20, 2007. The vote on roll call was: Commissioners Flammini, aye; Bennett, aye; DeTienne, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **GREEN BAY ROAD/ROUTE 173 CORRIDOR STUDY**

A memo (07-DOC-145) was received from Delaine Rogers, requesting to update the Green Bay Road/Route 173 Corridor study. Buxton Research completed their study in 2004, however with new development including Walmart, new data is being requested for grocery specific research. Ms. Rogers recommended updating the 2004 report provided by Associated Retail Consulting at a cost not to exceed \$6,000 including all expenses. Economic Development consulting fee funds could be utilized for this purpose.

It was moved by Commissioner Bennett, seconded by Commissioner DeTienne to approve updating the Green Bay Road/Route 173 Corridor study with Associated Retail Consulting at a cost not to exceed \$6,000 including all expenses. The vote on roll call was: Commissioners Flammini, aye; Bennett, aye; DeTienne, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

### **TRUMPET PARK**

A memo (07-DOC-146) was received from Delaine Rogers, requesting the Council's review of the assignment agreement between Panattoni Development Company and Zion Holdings regarding Trumpet Park. Panattoni is looking to assign some of their interest to an investment partner. Ms. Rogers requested conducting a future workshop in order to discuss Trumpet Park. No action is needed on this item.

The Council agreed to conduct a workshop on December 17 at 4:00 p.m. to discuss Trumpet Park.

**ANNOUNCEMENTS**

The Council agreed to conduct a Special Town Board Meeting on December 12 at 6:00 p.m. to consider bids for new Township Supervisor’s offices, as well as management needed to oversee the project.

Now – December 30                      Kringle’s Kingdom, Shiloh Drive-thru, Santa’s House, Holly Trolley & Skatium

Festival of Lights events open every day 5:00pm to 9:00pm – except December 24 & 25

December 18                              Town Board Meeting at 6:30 P.M.  
City Council Meeting at 7:00 P.M.

December 24 & 25                      City Offices closed for Holiday

**CLOSED SESSION**

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett that the Council recess to Closed Session at 8:33 p.m. to discuss personnel, purchase and sale of real estate, and probable and pending litigation. The vote on roll call was: Commissioners Flammini, aye; Bennett, aye; DeTienne, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to reconvene the Regular Council meeting at 9:23 p.m. with all members present. The vote on roll call was: Commissioners Flammini, aye; Bennett, aye; DeTienne, aye; 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 Bennett, seconded by Commissioner DeTienne and unanimously approved the meeting be adjourned at 9:23 p.m. Motion carried.

\_\_\_\_\_  
City Clerk

Approved December 18, 2007