

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, APRIL 1, 2008, 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 Bennett, DeTienne, Flammini, Taylor and Mayor Harrison.

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

AGENDA CHANGES

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

- Deleting to consider approval of Host Agreement with Veolia, item 8.f.
- Deleting discussion regarding Ehrenreich of Deerfield, Illinois, item 11.

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

ZEEBEES BOYS BASKETBALL TEAM

The Zion-Benton Township High School 2007-08 Varsity Boys' Basketball team and coaches were recognized for their achievement in winning 2nd place in the IHSA Class 4A State Championship game. Mayor Harrison presented a plaque for display at ZBTHS, with individual resolutions of commendation to be presented to all players and coaches. Mayor Harrison recognized not only the team's efforts and dedication, but also their excellent character in representing ZBTHS and the City of Zion.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES** of a Regular Meeting held on March 18, 2008 at 7:02 P.M. and a Budget Workshop/Special Meeting held on March 19, 2008 at 3:42 P.M., with all members having previously received copies.
- (b) **DEPARTMENTAL REPORTS:** City Clerk's Monthly Report, March 2008; Public Works Department Monthly Report, January and February 2008
- (c) **BILLS:** Vouchers 100920 through 101041 drawn on National City Bank, \$1,247,637.39
- (d) **PROCLAMATION:** Fair Housing Month – April 2008

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

AMEND PERSONNEL AUTHORIZATION/ACCOUNTS & FINANCE

It was moved by Commissioner Bennett, seconded by Commissioner Flammini that a Resolution (08-R-4) be passed amending the Personnel Authorization, adding a temporary position for the summer and holiday season in the Accounts and Finance Department. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

POLICE OFFICER VACANCIES

A memo (08-DOC-14) was received from Chief Booth, requesting permission to hire two police officers to fill vacancies from the Fire and Police Commission’s next eligible candidates.

It was moved by Commissioner DeTienne, seconded by Commissioner Bennett to grant permission to hire two police officers to fill vacancies based on the Fire and Police Commission’s Police Officer Eligibility List. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

SUMMER GRASS CUTTING PROGRAM/PUBLIC WORKS

A memo (08-DOC-15) was received from Commissioner Taylor, recommending the continuation of the Summer Grass Cutting Program as follows:

- 10 week program starting June 9, 2008 through August 15, 2008,
- Additional 54 hours for after school and Saturday work hours during the months of April and May,
- Supervisor’s wage to be increased from \$19.00 to \$19.25 per hour, and
- Hiring six (6) summer employees at an hourly wage of \$9.25 for new employees, and \$9.50 for employees who worked last summer, and
- Hiring one (1) summer employee under the supervision of the Downtown Improvement Technician.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to grant permission to approve the 2008 Summer Grass Cutting Program, as recommended. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

TEMPORARY SUMMER HELP/PUBLIC WORKS DEPARTMENT

Ron Colangelo requested permission to hire temporary summer employees in the Public Works Department, which has been an ongoing summer program, as follows:

Engineering Division	2
Street Division	3

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to hire five (5) temporary summer employees in the Public Works Department, as requested. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

NOSTALGIA DAYS

A memo (08-DOC-16) was received from Chief Booth, requesting permission to temporarily close Sheridan Road for Nostalgia Days on Saturday, June 21, 2008 from 6:00 a.m. to 5:00 p.m. from 23rd Street to 29th Street with the closure extended between 21st Street and 31st Street from 5:00 p.m. to 6:00 p.m. Mayor Harrison noted the need for communication with downtown businesses regarding this closure, as well as working with the businesses in providing access for off-street or alternate parking.

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that a Resolution (08-R-5) be passed requesting permission of the Illinois Department of Transportation for the temporary closure of Sheridan Road on June 21, 2008 between 6:00 A.M. and 6:00 P.M. for Nostalgia Days, with northbound traffic to be detoured three blocks east and southbound traffic two blocks east of Sheridan Road. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, pass; Taylor, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

THUNDERBIRD PLANNED UNIT DEVELOPMENT

Glenn Christensen, Senior Planner for Manhard Consulting, presented an overview of the proposed Thunderbird Condominium Planned Unit Development Agreement. A preliminary PUD was approved by the Council on March 30, 2007, noting various items still needed to be addressed. Mr. Christensen requested approval of the PUD Development Agreement and Final Plat.

Mr. Christensen noted a few aspects of this agreement including:

- The developer would pay \$2,000 per acre for trees, which are removed during construction
- A sidewalk waiver for construction of sidewalks located outside the boundaries of the property
- The private roadways would be maintained per the provisions of a Homeowners Association
- Density and lot coverage has been decreased from the original plan, in order to increase open space
- All units are 2 bedroom with the development proposed to start at the south end of the property

Commissioner Taylor questioned the start date for construction. Mr. Christensen stated construction is anticipated upon all approvals. Commissioner Taylor asked if this would be a gated community. Developer Frank Blazeovich stated he is working on this issue. Commissioner Bennett questioned the content of the Homeowners Association Agreement. Mr. Christensen stated they are currently working on the by-laws, covenants and restrictions, which upon approval would then be recorded. Commissioner Bennett questioned the Agreement's #4, wherein modifications could be made to the final plan. Mr. Christensen stated, if any unforeseen modifications are needed, the developer would have to come back to the Council to request approval. Commissioner DeTienne asked if there are any age requirements. Mr. Christensen stated the development is not age restricted. Delaine Rogers noted, if the original purchaser is over age 55, there would be no impact on the schools, and therefore no school impact fees would be paid.

Commissioner Bennett questioned the Agreement's #7, wherein the fee schedule would not be increased for a ten-year period, noting this is an excessive amount of time. Mr. Blazeovich agreed to change this section to a five year period starting from the date of the agreement; April 1, 2008 until April 1, 2013. Ron Colangelo noted a discrepancy as to when water and sewer tap on fees are to be paid, as the agreement states the money is due when the building permit is paid and Exhibit F states when an occupancy permit is issued. Mr. Blazeovich stated he prefers the occupancy provision, with a pro-ration due at the time of occupancy per unit. Mayor Harrison stated he has no objection to Mr. Blazeovich's recommendation, if this would create no extra cost to the City. Commissioner Flammini stated Agreement Section N should also be amended to match water and sewer tap on language.

A concern was noted regarding recapture provisions, as another builder is considering constructing a single family home adjacent to this development. Attorney Randall stated that everyone, including the builder, has acknowledged the potential of whomever builds first could be entitled to recapture fees, noting Agreement Section M agrees to conform to this issue.

Commissioner Bennett questioned Agreement Section Q regarding the developer's requirements to comply with any amending or modifying future ordinances. Attorney Randall stated this section is only for less restrictive ordinances. Mayor Harrison stated, once construction has started, the developer should be protected by the adoption of more restrictive ordinances. Commissioner Bennett questioned the number of parking spaces per unit. Mr. Christensen stated there will be 2 ½ spaces per unit, which includes 1 garage space, 1 space adjacent to the garage, and 7 additional guest spaces per building. Commissioner Bennett stated the masonry separation issue had not yet been resolved, noting there should be a variance. John Jones stated the buildings would have sprinkler systems and fire separation dry walls. Commissioner Taylor agreed the Municipal Code should be amended, so this issue could be resolved. Commissioner Bennett noted concerns regarding the possible future rental of units. Attorney Randall stated the agreement contains a restrictive provision, wherein the Homeowners Association covenants would contain this restriction, which would require a vote to approve of any such change.

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne to approve the Thunderbird Condominiums Planned Unit Development Agreement, with amendments as discussed, and subject to attorney review. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Flammini, seconded by Commissioner Bennett to approve the Thunderbird Condominiums Final Plat. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

FIRE STATION #1/ENVIRONMENTAL STUDY

A memo (08-DOC-17) was received from Delaine Rogers, regarding the environmental study of Fire Station #1. Terracon Environmental performed this study, and determined that remedial actions have been performed to warrant closure of the IEPA LUST incident. A final No Further Remediation Letter from the IEPA is required for this closing. Terracon proposed to complete these services for \$1,800.00.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve accepting the proposal from Terracon Environmental for IEPA closure procedures at a cost up to \$1,800. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

ANNOUNCEMENTS

- April 2 Zion Liquor Control Commission Meeting – 4:00 P.M.
- April 7 City Council Budget Workshop – 3:30 P.M.
- April 8 Annual Town Meeting – 6:00 P.M.
- April 15 Township Budget Workshop – 5:00 P.M.
- April 15 Township Public Hearing – 6:00 P.M.
- April 15 Town Board Meeting – 6:30 P.M.
- April 15 City Council Meeting – 7:00 P.M.
- April 16 Coalition for Healthy Communities Annual Banquet – 6:00 P.M.

4/1/08

CLOSED SESSION

It was moved by Commissioner Taylor, seconded by Commissioner Bennett that the Council recess to Closed Session at 8:30 p.m. to discuss the purchase and sale of real estate. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, aye; Taylor, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to reconvene the Regular Council meeting at 9:10 p.m. with all members present. The vote on roll call was: Commissioners Bennett, aye; DeTienne, aye; Flammini, 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 Taylor, seconded by Commissioner Flammini and unanimously approved the meeting be adjourned at 9:10 p.m. Motion carried.

City Clerk

Approved April 15, 2008