

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, OCTOBER 4, 2011, 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 DeTienne, Flammini, Shantal Taylor, and Mayor Harrison. Commissioner Jim Taylor was absent.

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

AGENDA CHANGES

There were no agenda changes.

SPECIAL RECOGNITION/ QUEEN ESTHER JUANITA ANDREWS

Commissioner Shantal Taylor presented a Resolution of Congratulations recognizing Queen Esther Juanita Andrews on her 80th birthday.

CONSENT AGENDA

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

- (a) APPROVAL OF MINUTES of a Regular Meeting held on September 20, 2011 at 7:00 p.m. with all members having previously received copies.
- (b) DEPARTMENTAL REPORTS: ESDA Monthly Report, August, 2011
- (c) BILLS: Vouchers 111519 through 111634 drawn on PNC Bank, Total: \$473,880.03

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

CITIZEN COMMENTS

Mayor Harrison stated that litigation is pending regarding the violation of the federal court order forbidding use of the former City seal so no statements would be made by the Council. He stated that information would be forthcoming. Citizen comments were limited to three minutes.

Jack Edwards, 1310 Carmel Blvd, Zion, asked if permission was granted to use the former City seal in a newspaper ad, and if so, by whom. He stated if use of the seal was an action taken by a united City Council, then legal costs associated with a law suit should be the responsibility of the City and therefore be paid with tax dollars. If the action was taken by a single member of the Council without consult with the Council, then the individual should resign and save any additional legal costs.

David Ratliff, 2017 Gilead, Zion asked for the resignation of Commissioner Shantal Taylor. He stated if she is unwilling to resign, she should offer to pay court costs in the case regarding use of the former City seal, both the City's and the plaintiff's.

Ms. Mona Francesca Stanley Brown spoke in support of Commissioner Shantal Taylor. She stated everyone should be working together and there is no time for hate. She noted that the former seal was used in newspaper articles and on the internet after it appeared in Commissioner Taylor's community form ad.

Mr. Robert Sherman, Buffalo Grove, clarified that he is not a litigant or the plaintiff in the lawsuit regarding use of the former city seal. Court costs and legal fees incurred are not his, but that of the plaintiff, Clint Harris. Mr. Sherman stated that Commissioner Shantal Taylor apologized to the judge and told him that she meant no disrespect. She asked the court for forgiveness. Mr. Sherman stated that he forgives Commissioner Taylor and the matter of resignation is between her and Zion residents. He stated that he and the Commissioner had two things in common; they are both working to make the world a better place and they don't make small mistakes, they make big ones. He stated he believes her intentions were good but a mistake was made. Mr. Sherman stated that he hopes the City will offer an appropriate remedy to make Clint Harris whole financially.

Shon Sadler, 3506 Sara Drive, Zion stated that he has read the State Statutes and, in the commission form of government, the Mayor is the public relations officer. All matters should be communicated through him and anyone breaking the rules should suffer the consequences. He stated that things are going well in Shepherd's Crossing Subdivision. He stated the City should pursue a home rule referendum and an expanded recycling program.

Mayor Harrison stated that he agrees that the recycling program should be expanded and all residents should be provided with the large bins. Issues regarding alley access must still be resolved but big bin recycling is in the City's future plans. Mr. Sadler recommended going city-wide first as the pick up is already paid for and then address the problem pickups later.

Thomas Ring, 1601 Wilson Court, Zion stated that three times in the last three months, he has had problems getting his recycling picked up. It was not picked up again this week. Veolia has no explanation, but promised to pick up this week. The City of Zion will contact Veolia in an attempt to identify and resolve the problem.

ORDINANCE/VACATING PORTION OF 27TH STREET RIGHT-OF-WAY

Commissioner Flammini stated a request was received from a resident to vacate 320 feet of the 27th Street right-of-way east of Lydia Avenue. The City of Zion has no use for the land and the resident has been maintaining it. The resident was responsible for all related vacation costs.

It was moved by Commissioner Flammini, seconded by Commissioner Shantal Taylor that an Ordinance (11-O-51) be passed vacating a portion of the 27th Street right-of-way situated on the north side between Lydia Street and Lowery Court in Zion. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

DUTY & TRAINING AMMUNITION/POLICE DEPARTMENT

A memo (11-DOC-103) was received from Chief Brooks, requesting permission to purchase duty and training ammunition at the lowest possible prices from Kiesler's Police Supply in the amount of \$15,276.00 and Ray O'Herron's in the amount of \$518.00. These are budgeted items.

It was moved by Commissioner DeTienne, seconded by Commissioner Shantal Taylor to approve purchasing duty and training ammunition from Kiesler's Police Supply in the amount of \$15,276.00 and Ray O'Herron's in the amount of \$518.00. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried.

MOLD DECONTAMINATION INVOICE/FORMER TOWNSHIP OFFICE BASEMENT

A memo (11-DOC-104) was received from Rich Ianson requesting approval of payment for an invoice for the decontamination of mold-infested areas in the old Township office basement and Assessor’s offices. Asbestos Project Management was able to contain the mold and all air quality tests were negative following completion. Commissioner Flammini stated that steps have been taken to prevent any mold reoccurrence. The source of the mold was identified and stopped. Use of a dehumidifier and occasional checks of the area will also help in prevention.

It was moved by Commissioner Shantal Taylor, seconded by Commissioner Flammini to approve payment of the Asbestos Project Management Department invoice in the amount of \$9,800.00, as presented. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried.

VARIANCE/ELEVATOR CODE/SAFE PLACE II

A memo (11-DOC-105) was received from Rich Ianson requesting a variance from the American Society of Mechanical Engineers Code Section ASME A17.1 (2007) Section 2.7.4.1 which states that elevator machine rooms, control rooms and machinery spaces containing a driving machine not located in the hoist way shall have a clear headroom of not less than 84 inches. Safe Place II is requesting a 2-inch variance. The State Fire Marshal informed Mr. Ianson that this is a common request. The City supports this request in order to be able to maintain the 2-hour fire rating for the ceiling.

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne to approve the variance to the American Society of Mechanical Engineers Code Section ASME A17.1 (2007) Section 2.7.4.1 from the required 84 inches to 82 inches of clear headroom in elevator machine rooms, control rooms and machinery spaces as requested by Safe Place II, 2704 West 17th Street, Zion, and for an ordinance to be prepared accordingly. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried.

DEPARTMENTAL COMMENTARY

Chief Brooks introduced senior Police Staff in the audience; Deputy Chief Steve Dumyahn, Lt. Kevin Leslie, and Lt. Kirk Henderson. He also introduced Tom Ring, a volunteer in the Police Department.

ANNOUNCEMENTS

October 18	6:30 p.m. 7:00 p.m.	Zion Township Board Meeting Regular City Council Meeting
October 30	2 p.m. to 5 p.m.	Zion Trick or Treating

CLOSED SESSION

It was moved by Commissioner Shantal Taylor, seconded by Commissioner DeTienne that the Council recess to Closed Session at 7:29 p.m. to discuss personnel and probable litigation. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Shantal Taylor, aye; and Mayor Harrison, aye. Motion carried.

10/4/11

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to reconvene the Regular Council meeting at 7:53 p.m. with all members present. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Shantal 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 Shantal Taylor, seconded by Commissioner Flammini and unanimously approved the meeting be adjourned at 7:54 p.m. Motion carried.

City Clerk

Approved October 18, 2011