

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, NOVEMBER 20, 2012, 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 Jim Taylor, Shantal Taylor, DeTienne, Flammini and Mayor Harrison.

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

**AGENDA CHANGES**

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

- Add a personnel item and purchase/sale of real estate, both for discussion only, to the Closed Session agenda per Commissioner Flammini

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

**CITIZEN COMMENTS**

Patricia Axelrod, Director, The People's Advocate, a non-for-profit consumer advocate dedicated to protecting the civil rights of all Americans, stated that she served as a pollwatcher at the 2012 General Election. She observed Precincts 407, 408, 409 at Lakeview School, Precinct 411 at Hermon Park Center, and Precinct 415 at Shiloh Center. She reported 10% voter suppression. She asked that the Council place this subject on the Council agenda and convene a committee to discuss the matter. She read two statements from residents, one who stated he was declined the right to vote and one who stated he was not offered a receipt for having voted. Mayor Harrison stated that the City is not involved with the election process, and he referred her to Lake County Clerk Willard Helander, the County election official. Ms. Axelrod stated that as Mayor, it is his responsibility to protect and respect the rights of every citizen in Zion. Mayor Harrison stated that he would speak to Clerk Helander.

**CONSENT AGENDA**

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

- (a) **APPROVAL OF MINUTES:** a Regular Meeting held on November 6, 2012 at 7:00 p.m. as amended; approval but not release of Closed Session Minutes of a meeting held on November 6, 2012 at 7:31 p.m.
- (b) **DEPARTMENTAL REPORTS:** Building Department Monthly Report, October 2012; Monthly FOIA Report, October/November, 2012
- (c) **BILLS:** Vouchers 114397 through 114476 drawn on PNC Bank, Total: \$1,307,617.38

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

**AMENDING PERSONNEL AUTHORIZATION/POLICE DEPARTMENT**

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini that a Resolution (12-R-19) be passed amending the personnel authorization adding (6) part time Police Officers in the Police Department. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Resolution passed.

**REQUEST FOR VARIANCE/PARKING GARAGE/  
MIDWESTERN REGIONAL MEDICAL CENTER**

A memo (12-DOC-99) was received from Rich Ianson stating that the Planning & Zoning Commission considered a request for a variance from International Building Code 2000 Sections 406.3.5 and 406.3.6 regarding open parking garage areas and area and height increases, Zoning Docket (12-Z-13), as petitioned by Midwestern Regional Medical Center, to allow for the construction of a parking garage on the southeast corner of 26th Street and Emmaus Avenue. At a meeting held on November 8, 2012, the Planning and Zoning Commission voted to approve the request for a variance. Mr. Ianson stated that Section 406.3.5 refers to allowable area per tier for a IIB structure, allowing 50,000 sq. ft. per tier up to 8 tiers for a maximum of 400,000 sq. ft. The hospital is seeking a variance to allow 63,734 sq. ft. at 5 tiers for a total of 307,327 sq. ft. Mr. Ianson stated that Section 406.3.6 addresses area and height increases, requiring at least three (3) sides of each larger tier to have continuous horizontal openings, not less than 30 inches in clear height, extending for at least 80% of the length of the sides. The proposed structure has openings on (4) sides with an average horizontal opening of 33.99% and an average length of 71.81%.

It was moved by Commissioner Flammini, seconded by Commissioner Jim Taylor that an Ordinance (12-0-46) be passed granting a variance from International Building Code 2000 Sections 406.3.5 and 406.3.6 regarding open parking garage areas and area and height increases to allow for the construction of a parking garage on the southeast corner of 26th Street and Emmaus Avenue. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**ORDINANCE/SHERIDAN ALLEY EASEMENT**

A memo (12-DOC-100) was received from Ron Colangelo requesting that an ordinance be passed granting an easement to Sheridan Properties LLC for a portion of the Sheridan Road Alley. In January 1994, the Council granted an easement for this alley section to First of America Bank to serve as an access tunnel to the former drive-through teller booths for the annual fee of \$600. This same tunnel now serves Cancer Treatment Centers of America allowing access to their fiber optic communications and fire suppression water supply. The Finance Department has continued to bill and receive the \$600 per year from CTCA for this easement. The proposed ordinance formally names Cancer Treatment Centers of America as the grantee.

It was moved by Commissioner Jim Taylor, seconded by Commissioner Flammini, that an Ordinance (12-O-47) be passed granting an easement to Sheridan Properties LLC (Cancer Treatment Centers of America) for a portion of the Sheridan Road Alley for the annual fee of \$600. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**MEMORANDUM OF UNDERSTANDING/ZION PROFESSIONAL FIREFIGHTERS  
ASSOCIATION IAFF LOCAL 1999**

A memo (12-DOC-101) was received from Chief Lewis requesting approval of a Memorandum of Understanding received from the Zion Professional Firefighters Association IAFF Local 1999 which addresses a language change in the 2011-2013 contract, Section 14.4 "Acting Rank" with regard to a pay stipend to differentiate and identify the individual in charge at Fire Station 2 by assigning a Firefighter in Charge. The MOU adds the following language, "When station staffing allows for both the Battalion Chief and the Lieutenant to be assigned to the same station, there will be the position titled Firefighter in Charge

(FIC) assigned to the other station. This position will be filled in the same manner as Acting Lieutenant and will receive a \$25 stipend per 24-hour shift. The FIC must serve as the FIC for 8 or more consecutive hours to receive any portion of the stipend.” Chief Lewis stated that approval of this MOU will reduce overtime caused by general alarms and will facilitate delivery of services at a time of need.

It was moved by Commissioner DeTienne, seconded by Commissioner Shantal Taylor to approve the language amendment to Section 14.4 “Acting Rank” of the 2011-2013 Zion Professional Firefighters Association IAFF Local 1999 contract, creating the position of Firefighter in Charge who will receive a \$25 pay stipend per 24-hour shift. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

### **SWALCO OPERATIONS & MAINTENANCE FEES**

A memo (12-DOC-102) was received from Commissioner Flammini stating that the Solid Waste Agency of Lake County (SWALCO) collects an annual operations and maintenance fee of \$1.00 per unit/year based on the number of residents served under the municipal franchise agreement with Veolia. The projected cost for Fiscal Year 2013 is \$6,965. The SWALCO Executive Board originally proposed doubling the fee to \$2.00 per unit/year, however, the increase was never approved. At the November 29, 2012 meeting, a vote will be taken which proposes to raise the fee to \$1.25 per unit/year. The proposed change would result in an increase of \$1,741.25 to a total of \$8,706.25. If the raise is approved, the Waste Fund in the City budget would need to be amended to reflect the increase. Commissioner Flammini requested direction from the Council as to how he should cast his vote at the SWALCO meeting. Commissioner Shantal Taylor stated that SWALCO provides outstanding electronic recycling and hazardous chemicals collection. Commissioner Jim Taylor stated that they monitor the landfill. Commissioner Flammini stated that SWALCO keeps an eye on the accuracy of tipping fees payments on behalf of the City.

It was moved by Commissioner Jim Taylor, seconded by Commissioner DeTienne to direct Commissioner Flammini to vote “yes” at the November 29, 2012 SWALCO meeting on the matter of raising the annual operations and maintenance fee to \$1.25 per unit/year. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

### **PART TIME POLICE OFFICERS/TELECOMMUNICATORS**

A memo (12-DOC-103) was received from Chief Brooks requesting permission to immediately hire two part time police officers to be paid an hourly rate of \$18.00 and receive no benefits. These officers would be used to maintain current staffing levels in lieu of ordering in full time officers and paying their overtime rate of time and one half. Any hours worked by part time officers would be in compliance with the FOP bargaining unit contract agreement. These officers will have fulfilled the State training and standards board certification requirements. Chief Brooks requested permission to immediately hire two additional part time telecommunicators. The Police Department is currently authorized (6) six part time positions. Two of the six position are filled, both working very limited hours. These telecommunicators would be used to maintain current staffing levels in lieu of ordering in full time personnel and paying their overtime rate of time and one half. Any hours worked by part time officers would be in compliance with the FOP bargaining unit contract agreement.

It was moved by Commissioner DeTienne, seconded by Commissioner Shantal Taylor, to approve the immediate hiring of (2) two part time police officers and (2) part time telecommunicators in the Police Department. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**ILLINOIS MUNICIPAL LEAGUE INVOICE/2013 MEMBERSHIP DUES**

An invoice was received from the Illinois Municipal League for membership dues beginning January 1, 2013 and ending December 31, 2013 in the amount of \$1,536.00. This is a budgeted item in the Public Affairs Department budget.

It was moved by Commissioner Jim Taylor, seconded by Commissioner Shantal Taylor to approve payment of the Illinois Municipal League invoice in the amount of \$1,536.00, as presented. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

**MUNICIPAL ELECTRICAL AGGREGATION CITIZEN COMMITTEE**

A memo (12-DOC-104) was received from Commissioner Jim Taylor recommending the appointment of Andy Angelos and John Nudo to the Municipal Electrical Aggregation Citizen Committee. Mayor Harrison recommended appointing Charles Fitzgerald and William Bremner to the committee.

It was moved by Commissioner DeTienne, seconded by Commissioner Shantal Taylor to approve the appointment of Andy Angelos, John Nudo, Charles Fitzgerald, and William Bremner to the Municipal Electrical Aggregation Citizen Committee. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

Due to the time sensitive nature of this committee, Commissioner Jim Taylor scheduled the first meeting for Monday, December 3, 2012 at 7:00 p.m. in the Council Chambers at Zion City Hall.

**ANNOUNCEMENTS**

November 22 & 23		City Offices closed for Thanksgiving Holiday
November 27	7:00 p.m. to 8:00 p.m.	Energy Impact Illinois Community Meeting at Zion City Hall
December 1	9:00 a.m. to 12:00 noon	Electronic Recycling at the Public Works Facility, 3220 27 <sup>th</sup> St.
December 4	7:00 p.m.	Zion City Council Meeting
December 15	9:00 a.m. to 12:00 noon	Electronic Recycling at the Public Works Facility, 3220 27 <sup>th</sup> St.

Mayor Harrison stated that recently re-elected Lake County Board Representative Brent Paxton was in attendance.

**CLOSED SESSION**

It was moved by Commissioner DeTienne, seconded by Commissioner Shantal that the Council recess to Closed Session at 7:34 p.m. to discuss personnel and the purchase and sale of real estate. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner DeTienne, seconded by Commissioner Jim Taylor to reconvene the Regular Council meeting at 7:58 p.m. with all members present. The vote on roll call was: Commissioners Jim Taylor, aye; Shantal Taylor, aye; DeTienne, aye; Flammini, 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 Flammini, seconded by Commissioner Shantal Taylor and unanimously approved the meeting be adjourned at 7:58 p.m. Motion carried.

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City Clerk

Approved December 4, 2012