

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, SEPTEMBER 3, 2013, 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 Flammini, Hill, Taylor, DeTienne, 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 Hill to approve the Council agenda with amendments as follows:

- Add "pending litigation" regarding a demolition matter to Closed Session per Commissioner Hill
- Correct Item 9b – change "Village of Beach Park" to "Beach Park Fire Protection District" per Commissioner DeTienne

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

CITIZEN COMMENTS

George Kessler, VFW, stated that the VFW will be accepting donations at various locations in the City during their annual Buddy Poppy Days on September 6, 7, and 8, 2013. He stated that all money collected goes to veterans or veterans' families.

Clyde McLemore, 2815 Ezekiel, thanked the Zion Police Department and all rescuers and offered high praise for the excellent job they did in searching for the remains of Joshua Summeries. He asked if the landfill should be the final resting place of Baby Joshua. He begged the City to find the resources to continue the search and get Joshua's remains out of the landfill.

Sherry Beall, 2122 Enoch, stated she applauds the Zion Police Department, Zion ESDA and all the volunteers for doing everything humanly possible to find Baby Joshua. She stated that people forget how tirelessly the Police and Fire Department personnel works to provide services. She called on residents to step up and thank law enforcement personnel for all they do the next time they meet them in public.

Robert Larsen, Canine Specialties, stated that he appreciated the search effort to locate the remains of Baby Joshua but it was not enough as they gave up. He stated that he does not give up. He stated that he and his dog located three people in three months. He stated that he volunteered his service at no charge but the Police Department declined because he drew too much media attention. He stated that his dog attended the same canine academy as the dogs that were used in the search.

Janet Jones, 1728 23rd Street, stated that she reviewed the proposed amendments regarding entertainment licensing, special event permits and special event vendor permits. She stated that she would like the opportunity to discuss some questions/concerns she has about the ordinance. She stated that the proposed ordinance did not take churches and other civic groups into consideration, only profit and not-for-profit groups. She stated that she was opposed to all fees as they were contrary to bringing people into Zion. She stated that the ordinance has been on the books for three years, however, it was never enforced. Mayor Harrison asked Ms. Jones if she had spoken to the City Clerk regarding her concerns and she stated that she had not.

Mayor Harrison stated that he wanted to honor and respect the effort of the hundreds of people representing agencies, in Illinois and beyond, who assisted in the search for Joshua Summeries. He asked Chief Brooks to present his prepared statement which he read aloud.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** of a Regular Meeting held on August 20, 2013 at 7:07 p.m. with all members having previously received copies
- (b) **BILLS:** Vouchers 116490 through 116597 drawn on PNC Bank, Total: \$494,092.69
- (c) **PROCLAMATION:** Buddy Poppy Days, September 6, 7 and 8, 2013

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

CONTRACT EXTENSION/REFUSE HAULING/ADVANCED DISPOSAL SERVICES

A letter (13-DOC-80) was received from Advanced Disposal Services presenting a contract extension and pricing for consideration by the City of Zion. Commissioner Flammini stated that an 8-year extension (ending April 30, 2023) to the existing residential refuse, recycling, and yard waste collection agreement between the City and Advanced Disposal Services was proposed. The remaining terms and conditions of the current contract, outside of the changes proposed in the letter/addendum and other minor changes, would remain in place. The addendum would include the provision of one 64-gallon recycling cart to each single family residence and will provide a recycling rebate to the City for every ton after prescribed tons set in the current agreement. The fuel surcharge language would be removed from the current contract, and instead, the monthly unit prices would be subject to an annual change in the CPI with a floor of 2% and a maximum annual increase of 5%. Commissioner Hill asked if the CPI increase was based on a floating rate per month and would fluctuate. Director Knabel stated that the CPI increase was based on an annualized CPI of the previous year not a monthly swing in the rate. Commissioner Flammini stated that the addendum includes a bulk leaf collection program whereby Advanced Disposal Services will provide bulk leaf collection instead of the City of Zion providing this service. Advanced would make four passes by each residence in the fall and two passes in the spring. The program would begin in the fall of 2013.

It was moved by Commissioner Flammini, seconded by Commissioner Hill to approve an 8-year extension of the existing residential refuse, recycling, and yard waste collection agreement between the City and Advanced Disposal Services as presented. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; Taylor, aye; DeTienne; aye; and Mayor Harrison, aye. Motion carried.

ORDINANCE/AMENDING WASTE COLLECTION & DISPOSAL FEES

It was moved by Commissioner Taylor, seconded by Commissioner Hill that an Ordinance (13-0-45) be passed amending Zion Municipal Code Section 74-21 setting the quarterly fees payable to the City of Zion for services rendered for the collection of residential garbage and trash. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; Taylor, aye; DeTienne; aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ORDINANCE/AMENDING WATER & SEWER SERVICE RATES

It was moved by Commissioner Taylor, seconded by Commissioner Flammini that an Ordinance (13-O-46) be passed amending Zion Municipal Code Sections 94-355 & 356 establishing water and sewer rates for service both inside and outside the City. Commissioner Hill stated that he dislikes the idea of raising the rates, however, he sees that the City has no choice if the budget is to remain balanced. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; Taylor, aye; DeTienne; aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ABATING TAX/MIDWESTERN REGIONAL MEDICAL CENTER

Mayor Harrison stated that Midwestern Regional Medical Center repaid the entire bond obligation off 23 years early. The bonds were paid off in seven years. He stated that the hospital had been required to put up five years of payments in advance. He stated that he is thankful that the bonds have been repaid in full.

It was moved by Commissioner Hill, seconded by Commissioner Taylor that an Ordinance (13-O-47) be passed abating the tax levied for the year 2012 and thereafter to pay the principal of and interest on \$30,000,000 Taxable General Obligation Bonds, Series 2002 (Alternate Revenue Source) (Midwestern Regional Medical Center Project), of the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; Taylor, aye; DeTienne; aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ORDINANCE/AMENDING MUNICIPAL CODE/ENTERTAINMENT, SPECIAL EVENT & SPECIAL EVENT VENDOR LICENSING/PERMITTING

It was moved by Commissioner Hill, seconded by Commissioner Taylor that an Ordinance (13-O-48) be passed amending Chapter 14 "Businesses", Article XI, "Entertainments and Special Events", Sections 14-525, 14-573, 14-574, Article V, "Special Events Vendors", Sections 14-171, 14-202, 14-205 and Chapter 10 "Buildings", Section 10-9 of the Zion Municipal Code regarding entertainment licensing, special event permits and special event vendor permits. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; Taylor, aye; DeTienne; aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

ORDINANCE/PROPERTY CONVEYANCE/2516 LYDIA AVENUE

Commissioner Flammini stated that 2516 Lydia Avenue was acquired by the City through a HUD program for \$1.00. It has been determined that the home is structurally unsound due to a collapsed foundation. He stated that several attempts have been made to relieve the City of ownership of this property, however, all have failed. He stated that a neighbor has expressed interest in purchasing the property. Commissioner Flammini asked the Council for permission to sell the property and enter into a development agreement with the purchaser which will require the land to remain vacant. This agreement will satisfy the HUD requirement that the property be used for the good of the community.

It was moved by Commissioner Flammini, seconded by Commissioner Hill that an Ordinance (13-O-49) be passed conveying certain property located within the City of Zion, more commonly known as 2516 Lydia Avenue, subject to final attorney approval. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; Taylor, aye; DeTienne; aye; and Mayor Harrison, aye. Motion carried. Ordinance passed

BROKER SERVICES/LIABILITY & WORKERS COMPENSATION INSURANCE

A memo (13-DOC-81) was received from Director Knabel requesting permission to transfer broker services for liability and workers compensation insurance from Arthur Gallagher and Company to Assurance Agency. He stated that Assurance Agency, current broker for health care insurance and benefits, has provided superior service in implementing programs and analyzing claims to help the City realize future savings. Gallagher, while performing their services, has not gone above and beyond to address claim issues or improve future claims. Director Knabel stated that, in addition to the increased level of service, the Assurance Agency broker fee would result in a savings of approximately \$7,000 annually.

It was moved by Commissioner Taylor, seconded by Commissioner Flammini to approve the transfer of broker services for liability and workers compensation insurance from Arthur Gallagher and Company to Assurance Agency. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; Taylor, aye; DeTienne; aye; and Mayor Harrison, aye. Motion carried.

AMBULANCE/GROUP PURCHASING PROJECT

A memo (13-DOC-82) was received from Chief Lewis requesting permission to participate in a group purchasing project with the Beach Park Fire Protection District for the purchase of an ambulance to replace a 2002 Horton on an International chassis. Beach Park and four other agencies are currently in need of a new ambulance, and through this joint purchasing project, all participating agencies can realize a significant cost savings. Beach Park is developing a bid specification/request for proposal which should be delivered to vendors by October 1st. Chief Lewis stated that, if a contract is signed in FY 2013, and they take delivery in FY 2014, payments could begin as late as FY 2015. He stated the purchase could be funded by utilizing funds received from the current contract with Midwestern Regional Medical Center and using proceeds from the sale of Squad 1851 which was recently declared as surplus property.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to grant permission for the continuation of the Zion Fire/Rescue Department's participation in the group purchase of an ambulance with Beach Park Fire Protection District. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; Taylor, aye; DeTienne; aye; and Mayor Harrison, aye. Motion carried.

ADDITION TO 2013 STREET PATCHING PROGRAM

A memo (13-DOC-83) was received from Director Colangelo requesting permission to waive bids and accept the proposal of Payne & Dolan, and to add to the previously approved patching program, the resurfacing of a portion of the 2600 block of Emmaus Avenue and the 2300 and 2400 blocks of Sheridan East Frontage Road. Director Colangelo stated that, after further review of the 2013 Street & Bridge Fund, staff determined that the street program would be approximately \$40,000 under budget and the CBDG Grant Awarded to the City is \$25,000 more than the anticipated revenue which equals a net gain of \$65,000. He solicited a proposal from the previously awarded patching contractor, Payne & Dolan, for the resurfacing of the 2600 block of Emmaus to complete the paving started during the hospital's parking garage project. The proposal also included the resurfacing of the 2300 and 2400 blocks of the Sheridan East Frontage Road, with 50% of the project being TIF District #1 eligible. Director Colangelo stated that \$45,767.43 would come from the Street & Bridge Fund and \$20,131.42 would come from the TIF #1. Commissioner Hill asked why Director Colangelo requested to waive bids. Director Colangelo stated that Payne & Dolan was awarded the patching program bid and would already be on site with equipment and materials.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to waive bids and accept the proposal of Payne & Dolan, and to add to the previously approved patching program, the resurfacing of a portion of the 2600 block of Emmaus Avenue and the 2300 and 2400 blocks of Sheridan East Frontage Road. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; Taylor, aye; DeTienne; aye; and Mayor Harrison, aye. Motion carried.

APPOINTMENT/LIQUOR CONTROL COMMISSION

It was moved by Commissioner DeTienne, seconded by Commissioner Hill to appoint Juanita Winfrey to the Liquor Control Commission to replace Yvette Mull. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; Taylor, aye; DeTienne; aye; and Mayor Harrison, aye. Motion carried.

DEPARTMENTAL COMMENTARY

Director Colangelo stated that the fall chipper schedule and map have been posted on the City's website and published in the newspaper. The program begins on September 10, 2013.

ANNOUNCEMENTS

Thursdays through September 26th	11:00 a.m. to 7:00 p.m.	Zion Farmer's Market Sheridan Road & Shiloh Blvd.
September 7	9:00 a.m. to 12:00 noon	Electronic Recycling at the Public Works Facility, 3220 27 th St.
September 7	9:00 a.m. to 5:00 p.m.	Trash to Treasure Sale to benefit the Zion Historical Society
September 17	6:30 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting
September 21	9:00 a.m. to 12:00 noon	Electronic Recycling at the Public Works Facility, 3220 27 th St.
October 5	9:00 a.m. to 1:00 p.m.	Annual Recycle-O-Rama at Lake County Division of Transportation, 600 W. Winchester Rd., Libertyville

CLOSED SESSION

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that the Council recess to Closed Session at 7:56 p.m. to discuss purchase of real estate and pending litigation. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; Taylor, aye; DeTienne; aye; and Mayor Harrison, aye. Motion carried.

It was moved by Commissioner Hill, seconded by Commissioner DeTienne to reconvene the Regular Council meeting at 8:20 p.m. with all members present. The vote on roll call was: Commissioners Flammini, aye; Hill, aye; Taylor, aye; DeTienne; 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 Hill, seconded by Commissioner Flammini and unanimously approved the meeting be adjourned at 8:21 p.m. Motion carried.

City Clerk

Approved September 17, 2013