

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JANUARY 21, 2014, 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 Hill, Flammini, DeTienne, and Mayor Harrison. Commissioner Taylor was absent.

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

**CONSENT AGENDA**

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

- (a) **APPROVAL OF MINUTES:** a Regular Meeting held on December 17, 2013 at 7:00 p.m.
- (b) **BILLS:** Vouchers 117297 through 117533 drawn on First Merit Bank, Total: \$1,794,668.30

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

**ORDINANCE/ZION MUNICIPAL CODE AMENDMENT/SOUND AMPLIFICATION**

It was moved by Commissioner DeTienne, seconded by Commissioner Hill, that an Ordinance (14-O-1) be passed amending Chapter 30, "Environment", Article III, "Noise", Section 30-62, "Restrictions" of the Zion Municipal Code to allow sound amplification permits to be issued for events held on Sunday between the hours of 12:00 noon and 8:00 p.m. The vote on roll call was: Commissioners Hill, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**ABATING TAX/GENERAL OBLIGATION BONDS/WATERWORKS & SEWERAGE**

It was moved by Commissioner Flammini, seconded by Commissioner Hill that an Ordinance (14-O-2) be passed abating the tax levied for the Year 2013 to pay the principal of and interest on \$2,480,000 Taxable General Obligation Bonds, Series 2006, (Waterworks & Sewerage System Alternate Revenue Source) of the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners Hill, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**ABATING TAX/GENERAL OBLIGATION BONDS – SERIES 2012**

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne that an Ordinance (14-O-3) be passed abating the tax levied for the Year 2013 to pay the principal of and interest on \$2,500,000 Taxable General Obligation Bonds, Series 2012, (Alternate Revenue Source) of the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners Hill, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**ABATING TAX/GENERAL OBLIGATION REFUNDING BONDS – SERIES 2012A**

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini that an Ordinance (14-O-4) be passed abating the tax levied for the Year 2013 to pay the principal of and interest on \$2,215,000 General Obligation Refunding Bonds, Series 2012A, (Special Tax Allocation Fund Alternate Revenue Source) of the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners Hill, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**ABATING TAX/GENERAL OBLIGATION REFUNDING BONDS – SERIES 2012B**

It was moved by Commissioner Hill, seconded by Commissioner Flammini that an Ordinance (14-0-5) be passed abating the tax levied for the Year 2013 to pay the principal of and interest on \$2,160,000 General Obligation Refunding Bonds, Series 2012B, (Combined Zion Energy LLC Agreement Fees and Motor Fuel Tax Receipts Alternate Revenue Source) of the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners Hill, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**ABATING TAX/GENERAL OBLIGATION REFUNDING BONDS – SERIES 2012C**

It was moved by Commissioner Hill, seconded by Commissioner Flammini that an Ordinance (14-0-6) be passed abating the tax levied for the Year 2013 to pay the principal of and interest on \$1,460,000 General Obligation Refunding Bonds, Series 2012C, (Combined Zion Energy LLC Agreement Fees and Motor Fuel Tax Receipts Alternate Revenue Source) of the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners Hill, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**ABATING TAX/GENERAL OBLIGATION BONDS – SERIES 2013**

It was moved by Commissioner Flammini, seconded by Commissioner DeTienne that an Ordinance (14-0-7) be passed abating the tax heretofore levied for the Year 2013 to pay the principal of and interest on \$1,230,000 Taxable General Obligation Bonds (Area 3 South Sheridan Road Special Tax Allocation Fund Alternate Revenue Source), Series 2013, of the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners Hill, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**ORDINANCE/CLEANING & MAINTENANCE SERVICES FOR CITY FACILITIES**

Clerk Burkemper stated that bids for the cleaning and maintenance services for City facilities were opened in November 2013 and the Council awarded the bid to VMG Quality Services, however, an ordinance was never passed authorizing the contract.

It was moved by Commissioner Hill, seconded by Commissioner DeTienne that an Ordinance (14-O-8) be passed authorizing execution of a contract for cleaning and maintenance services for City Hall, the Police Administration Building and the Public Works facility with VMG Quality Services in the monthly amount of \$3,800. The vote on roll call was: Commissioners Hill, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried. Ordinance passed.

**PRESENTATION/AUDITED FINANCIAL STATEMENTS DRAFT**

Jake Lenell, CliftonLarsonAllen, LLP, presented the 2013 Audit Results. He stated that his firm has completed auditing the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Zion for the year ended April 30, 2013. He briefly reviewed significant audit areas, the General Fund budget, all governmental funds, governmental activities, Enterprise Funds, fiduciary funds, significant disclosures, the Audit Communication Letter and the Management Letter. Mr. Lenell stated that the City records are maintained in good order and the accounting policies of the City are consistent with Illinois municipalities. He stated that he appreciated the full cooperation of City staff during the audit process. He stated that the audit opinion letter was currently being drafted. He stated that he should have presented the audit results to the Council in October, however, there was a delay in receiving the Police and Fire Pension audits. He stated that he would like to see marked improvement next year. Commissioner Hill asked at what percentage the pension funds are funded. Mr. Lenell stated that, as of April 30, 2012, the Police Pension Fund was 65% funded and the Fire Pension Fund was 71% funded, both of which do not include the earnings on the funds the City is paying back to the pension funds. He stated that funds being 70% funded is common in this area. Commissioner Hill asked that audit results be presented on a more timely basis in the future as the audit should be completed in October. Mr. Lenell stated that the Management Letter included one

recommendation regarding capital asset tracking. He recommended that the City consider transitioning this function from their firm to City staff. Commissioner Hill asked what the City pays his firm to complete the task. Mr. Lenell stated that he did not know the cost, but would determine it, and follow-up. Commissioner Hill asked if the City “was healthy”. Mr. Lenell stated that, yes, the City is healthy but he suggested that plans be made to replenish fund balances. Commissioner Hill asked about the Government Finance Officers Association (GOFA) grant award. Mr. Lenell stated that this award is part of a professional recognition program to encourage and assist local governments to improve the quality of their financial management and then to recognize their achievement. He stated that the application requires the reporting of ten years of demographic information and a lot of effort to compile initially. Commissioner Hill asked Mr. Lenell to provide a cost estimate to prepare an application. Commissioner Flammini asked what benefit the award would be to the City. Mr. Lenell stated that receiving the award would boost public assurance regarding full financial information disclosure.

#### **SETBACK VARIANCE/2015 ELIM/YOUTH BUILD OF LAKE COUNTY**

A memo (14-DOC-1) was received from Director Ianson requesting a variance from Zion Municipal Code Section 102-32(b) for property at 2015 Elim Avenue as petitioned by Youth Build of Lake County, Zoning Docket 13-Z-17. The structure must be demolished. The petitioner would like to use the existing foundation to re-build and is requesting a variance as the current north side setback from the foundation is 21 inches short of meeting the 6-foot required setback. The Planning and Zoning Commission made no recommendation at the January 9, 2014 meeting as there were not four concurring votes cast as required to make a recommendation. Mayor Harrison asked if Youth Build had the necessary funds for this project. Director Ianson stated that they do have the funds available, however, if they cannot build on the existing foundation, their fund will not be sufficient.

It was moved by Commissioner Hill, seconded by Commissioner Flammini, that the request for a variance allowing a structure to be built on the existing foundation at 2015 Elim, as the foundation exceeds setback requirements by 21 inches, be granted and that an ordinance be prepared accordingly. The vote on roll call was: Commissioners Hill, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

#### **BASEMENT VARIANCE/2015 ELIM/YOUTH BUILD OF LAKE COUNTY**

A memo (14-DOC-2) was received from Director Ianson requesting a variance from Zion Municipal Code Section 10-53 for property at 2015 Elim Avenue as petitioned by Youth Build of Lake County, Zoning Docket 13-Z-18. Section 10-53 requires basements in new single family ranch-style dwellings. Youth Build would like to re-use the existing crawl space foundation which is a poured foundation and has been inspected by the City and determined to be suitable for use. The Planning and Zoning Commission made no recommendation at the January 9, 2014 meeting as there were not four concurring votes cast as required to make a recommendation.

It was moved by Commissioner Hill, seconded by Commissioner Flammini, that the request for a variance from Zion Municipal Code Section 10-53 for property at 2015 Elim Avenue to allow a structure to be built on the existing crawl space foundation be granted and that an ordinance be prepared accordingly. The vote on roll call was: Commissioners Hill, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

#### **SPECIAL USE PERMIT/DAY CARE/4527 STATE RT. 173**

A memo (14-DOC-3) was received from Director Ianson requesting a Special Use Permit to operate a day care in the HB (Highway Business) District for property at 4527 Rt. 173, Unit H, as petitioned by Jennifer Dempski, Zoning Docket 13-Z-19. Ms. Dempski is State licensed and can care for 70 children at this location. She plans to offer services for first and second shift day care. The Planning & Zoning Commission recommends approval. Commissioner Flammini asked if an outdoor play area was included in the plan. Director Ianson stated that an area will be fenced off for that purpose in the rear of the building.

It was moved by Commissioner Hill, seconded by Commissioner Flammini, that the request for a Special Use Permit to operate a day care in the HB (Highway Business) District for property at 4527 Rt. 173, Unit

H, be granted and that an ordinance be prepared accordingly. The vote on roll call was: Commissioners Hill, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

#### **ADDENDUM/COLLECTIVE BARGAINING AGREEMENT/TELECOMMUNICATORS**

A memo (14-DOC-4) was received from Chief Brooks requesting approval of an addendum to the 2012-2015 Collective Bargaining Agreement between the City of Zion and Zion FOP Telecommunicators. A conflict exists in Section 8.2, "Normal Workweek and Workday", with the rotating schedule and working an average of forty hours per week. He stated that when this agreement was signed, both parties agreed to resolve the conflict at a later date through a memorandum of understanding. The current schedule creates an annual paid shortfall of hours. The proposed addendum would reconcile and balance the shortfall. The hours would be reimbursed to the City by individual employees through their overtime worked and would be spread over each fiscal year for the duration of the collective bargaining agreement.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini, that the addendum to the 2012-2015 Collective Bargaining Agreement between the City of Zion and Zion FOP Telecommunicators be approved. The vote on roll call was: Commissioners Hill, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

#### **CEILING TILE REPAIRS/POLICE ADMINISTRATION BUILDING**

A memo (14-DOC-5) was received from Chief Brooks requesting acceptance of a proposal from Stried Builders, Inc. in the amount of \$5,922.00 to replace ceiling tiles in the training room at the Police Administration Building. He stated that the ceiling is 16 feet high and requires special equipment to assist in the repairs. He stated that Stried Builders is the preferred vendor who recently performed the lower level ceiling tile work in the building. Chief Brooks stated that the situation has become dangerous and he requested that the Council accept the proposal and have the repairs performed immediately.

It was moved by Commissioner DeTienne, seconded by Commissioner Hill to accept the proposal of Stried Builders, Inc. in the amount of \$5,922 to replace ceiling tiles in the training room at the Police Administration Building. The vote on roll call was: Commissioners Hill, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

#### **TABULATION OF BIDS/HVAC MAINTENANCE SERVICES FOR CITY FACILITIES**

A Tabulation of Bids (14-DOC-6) was received from Director Ianson for the combined HVAC maintenance services at City Hall, the Police Administration Building, the Public Works facility, and Fire Stations No. 1 & 2. He stated that, in 2011, when Northern Weathermakers was awarded the HVAC contract, there were numerous problems with the HVAC systems, particularly at the Police Administration Building. He stated there has been vast improvement in the maintenance and quality of service. Director Ianson recommended retaining Northern Weathermakers as the City's HVAC maintenance contractor in the annual amount of \$15,450. Chief Brooks highly recommended Northern Weathermakers and concurred with Director Ianson's recommendation.

It was moved by Commissioner Hill, seconded by Commissioner DeTienne that the bid for the combined HVAC maintenance services be awarded to Northern Weathermakers in the annual amount of \$15,450. The vote on roll call was: Commissioners Hill, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

#### **PURCHASE/STRYKER POWER LOAD SYSTEM**

A memo (14-DOC-7) was received from Chief Lewis requesting that the Council waive bids and purchase one Stryker Power Load System through John Fischer of Stryker EMS Equipment in the amount of \$21,351.24. He stated that funding would come from the 2014 Illinois Public Risk Fund Grant. This power load system would be installed by the new ambulance manufacturer during production so it is ready for immediate use upon delivery. Chief Lewis stated that this purchase was planned for Fiscal Year 2015 under the Capital Outlay-Other Equipment budget line item. He stated that because the purchase must be made prior to 2015 or receipt of the grant funds, Director Knabel has recommended purchasing the system

using current funds and then re-authorizing the funds when received. Chief Lewis requested that the Council authorize an amendment to the 2014 budget line items Capital Outlay-Other Equipment and Grants-Public Safety Use to allow for the purchase of this load system. He stated that Stryker EMS Equipment is the sole vendor of this system, therefore, he requested that bids be waived and the system be purchased from Stryker.

It was moved by Commissioner DeTienne, seconded by Commissioner Hill that the Council 1) waive bids, 2) authorize the purchase of one Stryker Power Load System through John Fischer of Stryker EMS Equipment in the amount of \$21,351.24, and 3) amend 2014 budget line items Capital Outlay-Other Equipment and Grants-Public Safety Use to allow for the purchase of this load system. The vote on roll call was: Commissioners Hill, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

#### **“PAID ON PREMISE” PROGRAM/FIRE/RESCUE DEPARTMENT**

A memo (14-DOC-8) was received from Chief Lewis recommending the use of a “paid on premise” program in the Fire/Rescue Department to supplement staffing levels and improve delivery of services. He stated that with current staffing of 24, the Department averages 160 calls per shift firefighter compared to the County average of 88. He stated that seven personnel are on duty most days through the use of overtime, however, it drops to six under certain circumstances to allow the Department to operate within its budget allowance. He stated that the Department should be staffed at nine per day. Chief Lewis stated that the addition of a “paid on premise” program would help bring the Department closer to having all apparatus staffed and available to respond in a timely manner. He stated that Director Knabel was of the opinion that with no new money allocated, funds could be re-directed from paying overtime to paying “paid on premise” personnel which would improve the staffing situation. Chief Lewis stated that a “paid on premise” salary of between \$17 and \$20 per hour would allow initiation of the program with no additional expense to the Fiscal Year 2015 budget and remain in line with other department’s salaries for similar programs. He stated that he would like to have qualified candidates ready to start May 1, 2014. He requested that the Council consider amending the Personnel Authorization to include twelve (12) “paid on premise” personnel with the understanding that each “paid on premise” personnel would be limited to the number of hours worked each month based on a need and budget.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to amend the Personnel Authorization to include twelve (12) “paid on premise” personnel in the Fire/Rescue Department and that a resolution be prepared accordingly. The vote on roll call was: Commissioners Hill, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

#### **LETTER OF RESIGNATION/CHIEF OF POLICE WAYNE E. BROOKS**

A Letter of Resignation (14-DOC-9) was received from Chief of Police Wayne E. Brooks. He is retiring after thirty years of service to the Zion Police Department.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to regretfully accept the resignation of Wayne E. Brooks from the position of Chief of Police of the Zion Police Department. The vote on roll call was: Commissioners Hill, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

A Resolution of Commendation (14-R-1) was presented to Chief Wayne Brooks in recognition of his thirty years of service to the Zion Police Department. Mayor Harrison presented Chief Brooks with a clock as a token of the City’s appreciation.

#### **APPOINTMENT/CHIEF OF POLICE**

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to appoint Deputy Police Chief Stephen Dumyahn as Chief of Police effective January 27, 2014. The vote on roll call was: Commissioners Hill, aye; Flammini, aye; DeTienne, aye; and Mayor Harrison, aye. Motion carried.

Deputy Chief Dumyahns sons, Alec and Zachary Dumyahns, each pinned a star on either side of their fathers collar, in addition to the two already affixed. Three stars worn on his collar will distinguish him as the Chief of Police.

**DEPARTMENTAL COMMENTARY**

Chief Lewis stated that a smoke detector program is in place and recommended that residents check the City of Zion website for details.

**ANNOUNCEMENTS**

February 1	9:00 a.m. to 12:00 noon	Electronic Recycling at the Public Works Facility, 3220 27 <sup>th</sup> Street
February 4	7:00 p.m.	Zion City Council Meeting
February 15	9:00 a.m. to 12:00 noon	Electronic Recycling at the Public Works Facility, 3220 27 <sup>th</sup> Street
February 18	6:30 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting

**ADJOURN**

There being no further business to come before the Council at this time, it was moved by Commissioner DeTienne, seconded by Commissioner Hill and unanimously approved the meeting be adjourned at 8:20 p.m. Motion carried.

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City Clerk