

**MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, JUNE 17, 2014, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 2828 SHERIDAN ROAD, ZION, ILLINOIS**

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Mayor Harrison called the meeting to order.

On call of the roll the following answered present: Commissioners DeTienne, Flammini, Taylor, Hill, and Mayor Harrison. A quorum was present.

Also present: Chief of Police Steve Dumyahn, Fire/Rescue Chief John Lewis, Public Works Director Ron Colangelo, Finance Director David Knabel, Building Director Richard Ianson, ESDA Field Director Brandon Busch, and City Attorney Paula Randall

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

**AGENDA CHANGES**

There were no agenda changes.

**SPECIAL PRESENTATION**

Lisa Pugliese, Executive Director, Affordable Housing Corporation of Lake County (AHC), presented an overview of the "Mortgage Foreclosure Mediation Program" which offers solutions to Zion residents to prevent foreclosures through education, counseling, and mediation. She stated that the program is being offered through a partnership with the 19<sup>th</sup> Judicial Circuit Court and AHC. AHC facilitates discussion between homeowners and the lender in an attempt to avoid foreclosure through loan modification or strategic exit. The program educates residents regarding options and how to pursue them. The program offers counseling via setting up interviews on behalf of the homeowner with the lender to create a modification packet to fit the needs of the resident. If eligible, homeowners can participate in mediation which brings them and the bank decision maker together with a court-appointed mediator. Ms. Pugliese stated that eligibility guidelines are being developed. The program is granted funded and is completely free to homeowners. She stated that the program has experienced a 75% success rate with the counseling and mediation. She asked the City of Zion to do what it could to advise its residents that this program is available. The Council agreed to advertise it on the City's website, place a blurb in the newspaper and make handouts available in the City Hall lobby.

**CITIZEN COMMENTS**

W. C. Bremner, 2525 Elim, stated that he has read articles that state that taxes in Zion are at 19.5%. He stated that there are eighteen taxing bodies listed on his tax bill and that the schools make up two thirds of it. He stated that the City's portion of the tax bill is 1.5%. He stated that he feels the reported tax figures lack integrity.

Clyde McLemore, 2815 Ezekiel, stated that his son was stopped by Zion Police on June 20, 2014. The officer reported that he had a gun. On June 12, Mr. McLemore stated that he went to the Police Department to request a complaint form and FOIA form to request the video. He stated that in order to get a complaint form, you must see the Shift Supervisor. He stated that Lt. Leslie handled him poorly and conducted himself very unprofessionally. He stated that he left the Police Department and went back the next day with a newspaper reporter. He stated that he requested a meeting with the Mayor but received no response. He stated that he received a written response to his FOIA requests today. Chief Dumyahn stated that he will investigate the matter.

Gary Nephew, North Shore Business Technology, 9114 58<sup>th</sup> Place, Kenosha, Wisconsin, stated that North Shore has upgraded the City's copiers several times. He thanked the City for their business over the past many years. He stated that he would like to continue the business relationship between the City and North Shore. He stated that the service technicians that service the City's copiers are Zion residents. He stated

that he cares about the business and was present to answer any questions the Council may have regarding the North Shore proposal.

**CONSENT AGENDA**

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

- (a) **APPROVAL OF MINUTES:** of a Regular Meeting held June 3, 2014 at 7:01 p.m.; approval but not release of Closed Session Minutes of a meeting held on June 3, 2014 at 7:32 p.m.
- (b) **BILLS:** Vouchers 118501 through 118633 drawn on First Merit Bank, Total: \$443,793.43
- (c) **FINANCIAL REPORT:** 12 months ending April 20, 2014

Approved by omnibus vote as follows: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye, Hill; aye, and Mayor Harrison; aye. Motion carried.

**PREVAILING RATE OF WAGES**

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that an Ordinance (14-0-30) be passed ascertaining the Prevailing Rate of Wages as determined by the Department of Labor as of June 2014 for laborers, mechanics and other workers performing construction of public works in the City of Zion, Lake County, Illinois. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye, Hill; aye, and Mayor Harrison; aye. Motion carried. Ordinance passed.

**ORDINANCE/MUNICIPAL CODE TEXT  
AMENDMENT/FIRE ALARM SYSTEMS**

A memo (14-DOC-53) was received from Chief Lewis requesting approval of modifications to Article II, "Fire Alarm Systems", Section 22-36, Section 22-40 and Section 22-43 of the Zion Municipal Code. He stated that the current fire alarm monitoring vendor, Alarm Detection Systems, requested that the City terminate its contract with them as the sole provider of alarm monitoring in the City based on recent industry litigation regarding monopolizing between vendors and municipalities. He stated that he is proposing changes to Code Chapter 22 in order to provide alarm holders an opportunity to choose a vendor for their fire alarm system. Chief Lewis stated that changes include sections regarding definitions, alarm connections, and misuses of alarms.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that an Ordinance (14-O-31) be passed amending Article II, "Fire Alarm Systems", Section 22-36, Section 22-40 and Section 22-43 of the Zion Municipal Code. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye, Hill; aye, and Mayor Harrison; aye. Motion carried. Ordinance passed.

**ORDINANCE/MUNICIPAL CODE TEXT  
AMENDMENT/FIRE/RESCUE DEPARTMENT –GENERAL**

A memo (14-DOC-54) was received from Chief Lewis requesting approval of modifications to Article I, "General", Section 34-1, Section 34-2, and Section 34-16 of the Zion Municipal Code. He stated that the proposed changes in these sections are mostly housekeeping in nature and are being made so the Code coincides with current practices in the Fire/Rescue Department. Chief Lewis stated that changes include sections regarding authorized personnel, the creation of the office of Deputy Fire/Rescue Chief, and ambulance charges.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that an Ordinance (14-O-32) be passed amending Article I, "General", Section 34-1, Section 34-2, and Section 34-16 of the Zion

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

**ORDINANCE/MUNICIPAL CODE TEXT**  
**AMENDMENT/FIRE PREVENTION**

A memo (14-DOC-54) was received from Chief Lewis requesting approval of modifications to Article II, "Fire Prevention", Section 34-40, Section 34-43, and Section 34-59 of the Zion Municipal Code. He stated that the proposed changes in these sections are mostly housekeeping in nature and are being made so the Code coincides with current practices in the Fire/Rescue Department. Chief Lewis stated that changes include sections regarding the Foreign Fire Insurance Company Fee Board, codes adopted and smoke detectors.

It was moved by Commissioner DeTienne, seconded by Commissioner Taylor that an Ordinance (14-O-33) be passed amending Article II, "Fire Prevention", Section 34-40, Section 34-43, and Section 34-59 of the Zion Municipal Code. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye, Hill; aye, and Mayor Harrison; aye. Motion carried. Ordinance passed.

**RIGHT-OF-WAY LICENSE AGREEMENT/2723 SHERIDAN ROAD**

A memo (14-DOC-55) was received from Director Ianson requesting approval of a license agreement for use of a portion of the right-of-way (public sidewalk) located at 2723 Sheridan Road for use by Callie's in the Square, John and Janet Jones, proprietors, for an outdoor eating café. He stated that outdoor cafes are a permitted use in the CB Central Business District. He stated that the license term would be for one year commencing on June 1, 2014 and terminating on May 31, 2015. He stated that the license agreement addresses the duration of the agreement, the fee, conditions of the agreement, the operation of the outdoor eating café, maintenance, the required permit, the required insurance, and a hold harmless clause.

It was moved by Commissioner Hill, seconded by Commissioner Taylor that an Ordinance (14-O-34) be passed to approve entering into a license agreement between the City of Zion and John and Janet Jones, proprietors of Callie's in the Square, for use of a portion of the right-of-way adjacent to 2723 Sheridan Road for use as an outdoor eating café. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye, Hill; aye, and Mayor Harrison; aye. Motion carried. Ordinance passed.

**COPIER LEASE RENEWAL & MAINTENANCE**

A memo (14-DOC-56) was received from Director Knabel requesting consideration of quotes for the renewal of City-wide copier leases and maintenance. He stated that he obtained quotes from three vendors: 1) North Shore Business Technology, the current vendor, in the amount of \$1,429, 2) Interact Business Products in the amount of \$1,319, and 3) COTG (Xerox) in the amount of \$1,473. The quoted prices are monthly totals that include the monthly lease cost and the monthly maintenance cost. He stated that the City is currently paying \$2,700 per month for leases and maintenance. Director Knabel stated that all leases would be for five year terms. He stated that, based on the equipment that is to be provided in each proposal, he recommended accepting the quote of COTG (Xerox). Mayor Harrison asked if there have been any significant problems with North Shore Business Technology. Clerk Burkemper and Chief Dumyahm stated that the Public Affairs and Police Departments have no complaints. Director Knabel noted that the North Shore quote includes two refurbished machines. Gary Nephew, North Shore, stated that the City has used refurbished machines in the past, moving them to low volume areas, and that they were not told that refurbished machines were unacceptable. Commissioner Hill asked why the current monthly payment of \$2,700 can now be cut in half. Director Knabel stated that the current contract included an equipment buyout and color copies were not covered in the Police Department contract to reduce costs. He stated that the City would see a \$15,000 savings per year with the new contract. When asked, Director Knabel stated that he could accept either North Shore or COTG as both vendors have comparable equipment and service. Director Knabel stated that he would not recommend Interact Business Products due to equipment quality issues. Commissioner Hill stated that he prefers to accept the lowest quote.

Commissioner Flammini stated that he supports accepting the quote of North Shore as they have a good relationship with the City, they offer quality equipment, and they provided the lowest quote.

It was moved by Commissioner Flammini, seconded by Commissioner Taylor to accept the lowest responsible quote, as submitted by North Shore Business Technology, for the renewal and maintenance for City-wide copiers and maintenance in the monthly lease amount of \$1,205 and the monthly maintenance amount of \$224, for a total monthly amount of \$1,429. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye, Hill; aye, and Mayor Harrison; aye. Motion carried.

**PROGRAM FUNDING AGREEMENT/ABANDONED RESIDENTIAL PROPERTY  
MUNICIPAL RELIEF PROGRAM GRANT**

Commissioner Hill stated that the City Council previously approved the City of Zion's participation in an Abandoned Residential Property Municipal Relief Program Grant from the Illinois Housing Development Authority (IHDA) for assistance with abandoned residential properties in Zion. The City Council also approved providing \$250,000 in matching funds as required by the grant. Commissioner Hill stated that IHDA is requesting that the City enter into a Program Funding Agreement with IHDA which is also a requirement of the grant.

It was moved by Commissioner Hill, seconded by Commissioner Taylor to approve entering into a Program Funding Agreement between the City of Zion and the Illinois Housing Development Authority (IHDA), as required by the grant, in order for the City to receive \$250,000 for assistance with abandoned residential properties in Zion. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye, Hill; aye, and Mayor Harrison; aye. Motion carried.

**MEMORANDUM OF UNDERSTANDING/JUSTICE ASSISTANCE  
GRANT/POLICE DEPARTMENT**

A memo (14-DOC-57) was received from Deputy Police Chief Henderson stating that the City of Zion was awarded \$10,194 from the US Department of Justice in the form of a Justice Assistance Grant (JAG) Grant. Chief Dumyahn stated that the JAG Grant is based on crime statistics and is to be used by the local law enforcement agency in criminal enforcement. He stated that the Waukegan Police Department, as the largest recipient in Lake County, has been designated as the administrator for the JAG Grants. He stated that the Department of Justice requires the City to share 15% of the \$10,194 with the Lake County States Attorney's Office and \$750 with the Waukegan Police Department to help pay for the administrative costs associated with the JAG Grant. Chief Dumyahn stated that after these reductions, the Zion Police Department would receive \$8,666. He stated that he anticipates ordering at least four marked squad cars, one unmarked squad car and one Community Service vehicle in September of 2014. He requested that the \$8,666 be applied to the costs of equipping these vehicles with emergency lights, in-car computers, video/audio recording systems, etc. He stated that this is an acceptable use of this grant money. Chief Dumyahn requested that the Council consider approval of the Memorandum of Understanding between the City of Waukegan, Lake County and the City of Zion so the Police Department may benefit from the proceeds of the JAG grant.

It was moved by Commissioner DeTienne, seconded by Commissioner Flammini to approve the execution of a Memorandum of Understanding between the City of Waukegan, Lake County and the City of Zion in order to receive \$8,666 in JAG grant funds. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye, Hill; aye, and Mayor Harrison; aye. Motion carried.

**DEPARTMENTAL COMMENTARY**

Chief Dumyahn stated that the Police Department's boot and tow program will kick-off in the next two weeks. He stated that an article will run in the local newspaper to announce that violators with three or more parking violations in the City of Zion will be subject to having their vehicles booted or towed. He stated that he anticipates that more vehicles will be towed than booted. It was noted that vehicles will only be booted or towed following adequate notification and the offering of an administrative adjudication hearing.

**ANNOUNCEMENTS**

June 19-22		Nostalgia Days
July 1	7:00 p.m.	Zion City Council Meeting
July 4		City Offices Closed for 4 <sup>th</sup> of July
July 15	6:00 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting
July 19	9:00 a.m. to 12:00 noon	Electronic Recycling at the Public Works Facility, 3220 27 <sup>th</sup> Street

**CLOSED SESSION**

It was moved by Commissioner Taylor, seconded by Commissioner DeTienne that the Council recess to Closed Session at 7:55 p.m. to discuss purchase of real estate and pending litigation. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye, Hill; aye, and Mayor Harrison; aye. Motion carried.

It was moved by Commissioner Hill, seconded by Commissioner Flammini to reconvene the Regular Council meeting at 8:58 p.m. with all members present. The vote on roll call was: Commissioners DeTienne, aye; Flammini, aye; Taylor, aye, Hill; 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 Hill and unanimously approved the meeting be adjourned at 8:58 p.m. Motion carried.

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City Clerk