

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, OCTOBER 18, 2016, AT 7:01 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 2828 SHERIDAN ROAD, ZION, ILLINOIS

Mayor Hill called the meeting to order.

On call of the roll the following answered present: Commissioners Frierson, McKinney, McDowell and Mayor Hill. Commissioner DeTienne was absent. A quorum was present.

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

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

AGENDA CHANGES

It was moved by Commissioner Frierson, seconded by Commissioner McKinney to accept the City Council meeting agenda as presented.

The vote on roll call was: Commissioners Frierson, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

CITIZEN COMMENTS

Stephen Hopkins, Zion, stated he has had a bad experience with the rental inspection program. He stated he realizes the program is to benefit City residents, but crooked landlords have forced him to relocate twice. He stated he is very frustrated. He stated he is on social security and the 14-day eviction period created a financial hardship for him. He stated he is in a much better place now that has already been inspected. He asked the Council to consider extending the period to 30-days for those on social security. Mayor Hill stated the Council will look into it.

Clyde McLemore, Zion, stated on November 6th, the Lake County Black Lives Matter chapter will be holding their Awards Banquet at the Inn at Market Square. He stated the keynote speaker will be Rhodesia McMillian Ed.S, Psychologist and Educator. He stated it is important to start a dialogue about race issues and social injustice plugging society. He stated it is important to educate and engage everyone in the dialogue and transform society to where all people are valued. He stated Black Lives Matter is sponsoring an essay contest to inspire youth and leadership. He stated young people between the ages of 15 and 25 are invited to apply for the Junior Leadership Award. He stated a personal essay is required with 250 words or less on how their positive leadership has affected someone.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** a Regular Meeting held on October 4, 2016 at 7:00 p.m.;
- (b) **BILLS:** Vouchers 124777 through 124907 drawn on First Merit Bank, Total: \$586,147.50

Approved by omnibus vote as follows: Commissioners Frierson, aye; McKinney aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

ORDINANCE/AMENDING ZION MUNICIPAL CODE/CHAPTER 14 "BUSINESSES"

A memo (16-DOC-85) was received from Deputy Clerk Spooner stating upon a review of Chapter 14 "Businesses" it was discovered a few sections were in need of updating. She stated there are a few practices the City has been following as part of the business license process but is not outlined in the code. The following changes have been made to keep consistency between the license application process and the code.

Section 14-1 – Licenses required - barbershops, cosmetology shops, nail salons – Generally - add language to include licenses issued by the State of Illinois.

Section 14-2 – Sanitation in barbershops, cosmetology shops, nail salons – Generally - to combine previous sanitation language into one section.

Section 14-36 – Persons subject to license – so as to keep consistency with all businesses, regardless of how many businesses are operating out of the same building, a license will be required for each separate business.

Section 14-40 – Fees to be paid in advance; term covered; disposition – license fees may be pro-rated for a partial year. Home-based businesses will be not pro-rated.

Section 14-43 – Inspections - this has been a practice the City has been following for the last several years for the protection of the City, the businesses and the public.

It was moved by Commissioner McKinney, seconded by Commissioner McDowell that an Ordinance (16-O-35) be passed amending Zion Municipal Code Chapter 14 “Businesses”. The vote on roll call was: Commissioners Frierson, aye; McKinney, aye; McDowell, aye and Mayor Hill, aye. Motion carried. Ordinance passed.

ORDINANCE/AMENDING ZION MUNICIPAL CODE/CHAPTER 56 “LIQUOR CONTROL REGULATIONS”/CHAPTER 62 “GAMBLING”

A memo (16-DOC-86) was received from Deputy Clerk Spooner stating in July 2015, the Council took action to repeal Ordinance 13-O-36 to allow video gaming in the City of Zion in accordance with the Video Gaming Act as regulated by the Illinois Gaming Board. Upon reviewing the code, it was discovered that the code did not contain a section that outlined the details of the City’s video gaming ordinance. She stated she and Clerk Burkemper met with Attorney Randall to go over necessary additions to the code to address video gaming. She stated other “housekeeping” items have been added/deleted as video gaming relates to the Liquor Control Regulations and Gambling. She stated the changes will make these sections consistent throughout the code. Mayor Hill stated the City’s only control over video gaming is whether to allow or opt out of gaming and to administer the liquor licenses. The City can also assess a \$25.00 fee per gaming terminal. He stated the State of Illinois oversees and regulates all video gaming.

It was moved by Commissioner McDowell, seconded by Commissioner McKinney that an Ordinance (16-O-36) be passed amending Zion Municipal Code Chapter 56 “Liquor Control Regulations” Article IV “Conduct on Licensed Premises” and Chapter 62, Article V “Gambling”. The vote on roll call was: Commissioners Frierson, aye; McKinney, aye; McDowell, aye and Mayor Hill, aye. Motion carried. Ordinance passed.

ORDINANCE/VACATING PUBLIC ALLEY/WEST OF ELISHA AVENUE

Mayor Hill stated some time ago the Council discussed vacating the public alley west of Elisha. He stated Cancer Treatment Centers of America is using the alley for the entry to their hospital. He stated the City recently changed its policy regarding vacation of property. He stated the previous amounts charged were very low so the City decided to take a look at raising the fees. He stated they were in talks with the hospital and negotiated a price of \$17 per square foot. He stated the 3,500 square feet would result in collecting \$59,508.50 if approved.

It was moved by Commissioner McDowell, seconded by Commissioner McKinney that an Ordinance (16-O-37) be passed vacating a portion of a public alley situated west of Elisha Avenue. The vote on roll call was: Commissioners Frierson, aye; McKinney, aye; McDowell, aye and Mayor Hill, aye. Motion carried. Ordinance passed.

CONFERENCE & SEMINAR TRAVEL POLICY

A memo (16-DOC-87) was received from Clerk Burkemper requesting that the Council adopt the revised "Conference & Seminar Travel Policy and Procedures". Mayor Hill stated that the Department Heads have reviewed the City's current policy for approval/reimbursement of conference and seminar travel which was last revised in 2004. In order to avoid the policy falling victim to obsolescence, it was agreed that lodging, travel and meal rates be based on the average daily industry rates specific to the area to which each employee travels as determined by the GSA (General Services Administration). It was further agreed that expenses should not exceed the IRS guidelines in effect at the time of travel. Updates to the policy include, the following requirements set forth in Public Act 099-0604 with an effective date of January 1, 2017:

Expenses for travel, meals and lodging of any employee that exceeds the maximum allowed under the regulations adopted under Section 10 of the Act may only be approved by roll call vote at an open meeting of the corporate authorities of the municipality.

Reimbursement for any entertainment expenses shall be prohibited. "Entertainment expense" is defined by the Act to include shows, amusements, theaters, circuses, sporting events, and any other place of public or private entertainment or amusement unless ancillary to the purpose of the program or event.

It was moved by Commissioner McDowell, seconded by Commissioner McKinney to adopt the revised "Conference & Seminar Travel Policy and Procedures" as presented. The vote on roll call was: Commissioners Frierson, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

ELECTED OFFICIALS EXPENSE REIMBURSEMENT POLICY

A memo (16-DOC-88) was received from Clerk Burkemper requesting that the Council pass a Resolution approving a travel policy for elected officials to comply with the requirements of Public Act 099-0604. Mayor Hill stated the State of Illinois General Assembly enacted Public Act 099-0604 with an effective date of January 1, 2017, to establish certain obligations on local governments regarding reimbursement of local officials' expenses. This new law places two new obligations on units of local government: 1) to adopt by ordinance or resolution a local policy on expense reimbursement and 2) to approve by roll call vote of the corporate authorities any expenses that exceed the maximum allowable reimbursement established by the local policy. The new law also prohibits any unit of local government from reimbursing entertainment expenses. Municipalities must adopt a policy before January 1, 2017 to include, at a minimum, the types of official business for which travel, meal, and lodging expenses are allowed, a maximum allowable reimbursement for travel meals, and lodging expenses, and a standardized form for submission of travel, meal and lodging expenses. Mayor Hill stated the Council receives a quarterly stipend to cover travel and incidental expenses.

It was moved by Commissioner McDowell, seconded by Commissioner Frierson that a Resolution (16-R-20) be passed approving a travel policy for elected officials to comply with the requirements of Public Act 099-0604. The vote on roll call was: Commissioners Frierson, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried. Resolution passed.

SECURITY BENEFIT 457 PLAN AMENDMENT

A memo (16-DOC-89) was received from Clerk Burkemper requesting the Council consider the amendment to the Security Benefit 457 Plan to include the Roth elective deferral option. In January 2016, the Council approved the Security Benefit "Adoption Agreement for Eligible 457 Plan". The City chose to allow the following contribution types to the Plan:

- 1) Pre-Tax Elective Deferrals – The dollar or percentage amount by which each participant elected to reduce his compensation as provided in the participant's Salary Reduction Agreement
- 2) Rollover Contributions – The plan will accept a rollover contribution from any eligible retirement plan

In 2016, the City chose not to allow Roth elective deferrals as that had been past practice since the City first offered this benefit. The reason the City chose not to allow Roth deferrals from the onset is unknown. The City's choice to not allow Roth deferrals has become an issue as an error was made in the application of contributions which affected a City employee since July 2015. This error caused his contributions to be pre-taxed. In order to correct the error, and allow Roth Deferrals moving forward, it is necessary for the City's Plan to be amended. Security Benefit is willing to retroactively amend the Plan to allow Roth elective deferrals as of July 1, 2015 to correct the error. If the amendment is approved, a letter of instruction would be submitted to Security Benefit asking that the Roth feature be added to the Plan as of July 1, 2015. Director Knabel is in favor of adding the Roth deferral option to the Plan. Mayor Hill stated there is no cost to the City to add this option.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell to amend the Security Benefit 457 Plan to add the Roth deferral option to the plan. The vote on roll call was: Commissioners Frierson, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

PUBLIC WORKS SERVER

A memo (16-DOC-90) was received from Director Colangelo requesting the Council consider the quote from the City's IT Consultant (Computer Help Key) to replace the computer server at the Public Works Facility. He stated the current server is outdated, out of warranty and no longer supported by Microsoft. He stated it was originally planned to replace it with a server from the Police Department but that would only buy the City one year's worth of time. It would also require duplicating installation costs. Staff is requesting purchasing a new server this year and paying only once for installation through Computer Help-Key for a combined cost of \$6,541.19. He stated the funding would come from the Water Fund's IT Consultant and Software line item accounts.

It was moved by Commissioner McKinney, seconded by Commissioner Frierson to accept the quote from the City's IT Consultant (Computer Help Key) for purchase of a new server and installation for the Public Works Facility in an amount not to exceed \$6,541.19. The vote on roll call was: Commissioners Frierson, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

AFLAC BENEFIT

A memo (16-DOC-91) was received from Director Knabel requesting the Council consider offering AFLAC supplementary insurance as an employee benefit. He stated he recently met with an AFLAC representative to discuss the benefit. He stated employees could take advantage of the plan which provides supplemental medical coverage. He stated participation is voluntary and there is no cost to the City. The plan is between the employee and AFLAC. He stated all it would require from the City would be a payroll deduction.

It was moved by Commissioner McDowell, seconded by Commissioner Frierson to approve offering the AFLAC supplementary insurance benefit to City employees. The vote on roll call was: Commissioners Frierson, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

DEPARTMENTAL COMMENTARY

Director Colangelo stated leaf pick-up begins Monday October 24, 2016. He stated Advanced Disposal will make four trips this fall. Pick-up is on your regular garbage day on the street side. The schedule is posted on the City website.

ANNOUNCEMENTS

October 24 – November 5

Early Voting at Zion City
Hall Monday thru Friday -
9:00 a.m. to 5:00 p.m.
Saturday – 9:00 a.m. to
2:00 p.m.

October 28	5:00 p.m.	“Trail of Treats” sponsored by Lake County’s Lakeshore Chamber of Commerce the City of Zion and Zion Park District
October 30	2:00 p.m. to 5:00 p.m.	Zion Trick or Treat
November 1	7:00 p.m.	Zion City Council Meeting

CLOSED SESSION

It was moved by Commissioner Frierson, seconded by Commissioner McDowell that the Council recess to Closed Session at 7:38 p.m., pursuant to 5 ILCS 120/2 “Open Meetings”, for the discussion of pending litigation and collective bargaining. The vote on roll call was: Commissioners Frierson, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

It was moved by Commissioner McDowell, seconded by Commissioner Frierson to reconvene the Regular Council meeting at 9:03 p.m. with all members present. The vote on roll call was: Commissioners Frierson, aye; McKinney, aye; McDowell, aye; and Mayor Hill, aye. Motion carried.

ADJOURN

There being no further business to come before the Council at this time, it was moved by Commissioner Frierson, seconded by Commissioner McDowell and unanimously approved the meeting be adjourned at 9:05 p.m. Motion carried.

Deputy City Clerk