

MINUTES OF A REGULAR MEETING OF THE ZION CITY COUNCIL HELD ON TUESDAY, NOVEMBER 1, 2016, AT 7:00 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 McKinney, Frierson, McDowell, DeTienne, and Mayor Hill. A quorum was present.

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

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

AGENDA CHANGES

It was moved by Commissioner McKinney seconded by Commissioner McDowell to accept the City Council meeting agenda with the following change:

- Item 12 "Closed Session": – delete the discussion of personnel

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

CITIZEN COMMENTS

W. C. Bremner, Zion, stated the Council agenda shows an incorrect date for the Proclamation recognizing the United States Marine Corps 241st Birthday. He stated the correct date should read November 10, 2016. Mayor Hill stated the Proclamation does reflect the correct date.

Al Rogers, Zion, stated he feels there is a lack of communication to residents in the City. He stated residents were not informed in a timely matter by the Police regarding an incident involving a young man that was arrested at Central Middle School. He stated he is looking for direction on who makes the call to inform residents when something happens that involves the community. He stated he understands the school plays a roll but the police department should have informed the residents. Police Chief Dumyahn stated he agrees the police did drop the ball this time. He stated they should have put something out on social media or a press release. He stated he is not sure why it didn't happen. He stated setting policy is the job of the City Council. He stated police have the hard job of having to decide what information can be released and when. He stated they cannot release information relating to juveniles. He stated they are stuck with many scenarios with many responses. Mayor Hill stated he appreciates Chief Dumyahn taking the responsibility for the school incident. He stated it is the responsibility of the City Council to create a policy to get information out to people when issues come up that affect others in the community. He stated the City must also consider putting together a social media policy. He stated both the Police Department and Fire Department are on social media and have a policy. Commissioner McDowell stated the CUBZ (Citizens for a Better Zion) committee was created to help address issues like getting information out to the public. He stated they will be talking about this subject in upcoming meetings.

Clyde McLemore, Zion, stated he has been coming to the Council meetings for about four or five years. He stated he has brought issues to the Council and feels he has been ignored. He stated the three minutes given to speak go in one ear and out the other of the Council. He stated regardless if the Council likes the character of the presenter or not, they need to listen to the message. He stated there are old laws on the books that need to be looked at. He stated some examples are: no overnight parking on the street and not being able to plant a tree in the middle of the road. He stated things aren't getting addressed and he is tired of it. He stated old ordinances need work. He stated there is a new Mayor and new Commissioners. He stated Mayor Hill needs to be a leader. Commissioner Frierson stated he agrees some things need to be reviewed. He stated when people speak it is reviewed and addressed. He stated he and Mr. McLemore have

discussed the parking issue. He stated he understands things might not move as quickly as he would like, but things are not as easy as just striking a pen to everything. Commissioner McDowell stated the parking issue was discussed. Commissioner McKinney asked Chief Dumyahn to explain why the ordinance is needed. Chief Dumyahn stated when things happen like late night parties that get out of control and complaints of loud music and congregating in the streets it give the police the tool to keep people from getting out of hand. He stated residents want the ordinance enforced to prevent the late night parties and people hanging out in the streets late at night. He stated for every change that is made another issue comes up. Mayor Hill stated if we have someone go through all these changes at once, it will cost a lot of money. He stated government is slow and it is designed to be slow when you are spending someone else's money. He stated you might not see it, but there have been a lot of changes in the City. He stated he would love to go over all the changes that have been made.

CONSENT AGENDA

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

- (a) **APPROVAL OF MINUTES:** of a Regular Meeting held on October 18, 2016 at 7:01 p.m. approval but not release of Closed Session Minutes of a meeting held on October 18, 2016 at 7:38 p.m.
- (b) **BILLS:** Vouchers 124908 through 124992 drawn on First Merit Bank, Total: \$1,817,969.46
- (c) **PROCLAMATION:** 241st Birthday of the United States Marine Corps – November 10, 2016
- (d) **RECIVE AND PLACE ON FILE:** Treasurer's Report for Fiscal Year Ending April 30, 2016

Mayor Hill stated Director Knabel is absent today, but he has prepared a brief statement on the purpose of the Treasurer's Report. Per 30 ILCS 15 (State Statute), we are required to publish and provide to Council an annual report of; all moneys received and from what source, all moneys paid out during the year in excess of \$2,500 and the names of the payee, all moneys paid as compensation for personnel (in the increments shown on the report), and a summary statement of operations for all fund account groups. The report is for the period of 5/1/15 to 4/30/16.

Approved by omnibus vote as follows: The vote on roll call was: Commissioners McKinney, aye; Frierson, aye; McDowell, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried.

RESOLUTION/COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

A memo (16-DOC-92) was received from Director Colangelo requesting that the City Council consider passing a resolution authorizing the application to the Lake County Community Development Block Grant Program for assistance for sidewalk replacement and installation of handicap ramps at various locations throughout the City.

It was moved by Commissioner Frierson, seconded by Commissioner McKinney that a Resolution (16-R-21) be passed authorizing the application to the Lake County Community Development Block Grant Program for assistance for sidewalk replacement and installation of handicap ramps at various locations throughout the City. The vote on roll call was: Commissioners McKinney, aye; Frierson aye; McDowell, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried. Resolution passed.

ORDINANCE/USE OF RIGHT-OF-WAY LEASE/2260-2264 SHERIDAN ROAD

It was moved by Commissioner McKinney, seconded by Commissioner McDowell that an Ordinance (16-O-38) be passed authorizing the City to enter into a lease agreement for 1,584 square feet situated on the 23rd Street right-of-way, south of the building located at 2260-2264 Sheridan Road to allow for the

placement of five (5) parking spaces. The vote on roll call was: Commissioners McKinney, aye; Frierson, aye; McDowell, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried. Ordinance passed.

INTERGOVERNMENTAL AGREEMENT/BEACH PARK FIRE PROTECTION DISTRICT

A memo (16-DOC-93) was received from Chief Lewis regarding a joint effort between Zion Fire/Rescue and Beach Park Fire Protection District to purchase a new ladder truck. He stated in moving forward in identifying areas of functional consolidation with Beach Park Fire Protection District this is one area that can be an opportunity for savings. He stated Zion currently operates a 1999 Pierce 105' ladder truck and Beach Park maintains a 1991 Pierce 105' ladder truck. Replacement costs for a ladder truck currently starts somewhere between \$1 million and \$1.5 million dollars. He stated FEMA has opened the 2016 Assistance to Firefighters Grant (AFG) grant period, running October 11, 2016 through November 18, 2016. He stated Chief Tierney approached him recently with an opportunity to participate in the AFG grant as a Regional Grant with an attempt to purchase a new ladder truck to replace Beach Park's ladder truck. As part of the Regional Grant requirements, an Intergovernmental Agreement (IGA) must be in place between the participating agencies and submitted as part of the grant process showing that the grant request is a shared item. He stated the IGA only becomes effective if the grant is awarded to Beach Park and Zion. He stated no agreement is in place currently for sharing of the current ladder trucks other than through auto aid and mutual aid agreements. He stated there is no reason for both agencies to maintain the expense of each owning a ladder truck based on the height of buildings in the two communities. He stated the Beach Park Fire Protection District would be responsible for all costs related to the grant, and if awarded, would be responsible for the purchase, maintenance and insurance of the ladder truck. As outlined in the Intergovernmental Agreement, if awarded, the truck would be shared as the Chiefs of Beach Park and Zion determines best for operations of both agencies and communities. He stated staffing of the vehicle would be through utilization of personnel from Beach Park and Zion depending on who is housing the vehicle at the time. Costs for maintenance and operation of the vehicle could also be shared if agreed upon in writing by both parties. He stated the agreement was reviewed by the City attorney and found to be legally sufficient. He asked the Council to consider moving forward and approve the Intergovernmental Agreement and having it submitted to FEMA as part of the 2016 Intergovernmental Agreement process.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell to grant permission to move forward and approve the Intergovernmental Agreement with Beach Park Fire Protection District and have it submitted to FEMA as part of the 2016 Assistance to Firefighters Grant (AFG). The vote on roll call was: Commissioners McKinney, aye; Frierson, aye; McDowell, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried.

LEAK DETECTION SURVEY/CITY'S WATERMAIN SYSTEM

A memo (16-DOC-94) was received from Director Colangelo requesting that the Council waive bids and accept the quote of M.E. Simpson Company in the amount of \$26,517.00 for the citywide leak detection survey. He stated M.E. Simpson has performed these services for the City in the past and large meter testing for the City and the Lake County Public Water District. He stated during last year's testing several leaks were found to the system and repaired. He stated the City's non-revenue water losses have dropped from 18.9% to 12.1%. He stated at the current water rates billed to the City, this is a savings or expense reduction of approximately \$94,000 annually. He stated in addition, the regulations set by the Illinois Department of Natural Resources (IDNR) is to achieve no more than 12% non-revenue water losses by 2017 and 10% by 2020. He stated the leak detection survey is also part of the City's correction action plan to the IDNR to help achieve these parameters. He stated staff had originally budgeted \$30,000 in the Water Fund for a sanitary sewer slip lining project but now feel that project can be moved to next year. Mayor Hill asked if the company did a water study and reduced the water losses from 19% to 12%, what makes him think they will reduce it past 12% this time. Director Colangelo this is the opinion of staff. He stated the leak detection should be done after hydrant flushing because it disturbs the system. He stated if you have any weak points or stress points that's when you will see the leaks. He stated the other issue on this year's survey is the newer parts of the City are PVC watermain. He stated normally metallic pipe listening points are around 400 to 500 feet apart, but because the plastic pipe does not transmit the sound or signal as well, the listening points are now multiplied and they will test every 150 feet. Mayor Hill asked what they are listening for. Director Colangelo stated they are listening for leaks. He stated the equipment hooks onto

hydrants, main line valves and water services to people's homes. He stated the equipment will actually pick up the sound of a leak. He stated they have found leaks at resident's homes and can pinpoint them in the backyard.

It was moved by Commissioner Frierson, seconded by Commissioner McKinney, to waive bids and accept the quote of M.E. Simpson Company in the amount of \$26,517.00 for the citywide leak detection survey. The vote on roll call was: Commissioners McKinney, aye; Frierson, aye; McDowell, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried.

SNOW PLOW EQUIPMENT

A memo (16-DOC-95) was received from Director Colangelo requesting consideration of quotes for the replacement of plows and plow frames. He stated during the process of inspecting and prepping snow removal equipment for the upcoming winter season the Fleet Maintenance Division found three vehicles needing replacing of plows and plow frames. He stated the vehicles have been repaired and re-welded over time and no longer can be temporarily repaired. He stated there are three quotes before you. He stated the difference between the low quote and the next highest is \$37.73. Due to the proximity of the second lowest quote, City staff recommends and requests accepting the quote from Master Truck and Trailer of Waukegan, Illinois in the amount of \$16,099.73. He stated funding will be split between the Public Works Motor Equipment line item and the Street and Bridge Fund.

It was moved by Commissioner Frierson, seconded by Commissioner McDowell to accept the responsible quote by Master Truck and Trailer of Waukegan, Illinois in the amount of \$16,099.73 for replacement of plows and plow frames. The vote on roll call was: Commissioners McKinney, aye; Frierson, aye; McDowell, aye, DeTienne aye, and Mayor Hill; aye. Motion carried.

BUILDING DEPARTMENT/IUOE BARGAINING UNIT CONTRACT AGREEMENT

Mayor Hill stated all three IUOE bargaining unit contracts are up for consideration. He stated the City has made a commitment to all three unions to begin negotiations in November to have an idea where the City is before they begin the budget process. Commissioner McDowell asked if on page 12, regarding the sentence "For a period of May 1, 2016 to May 1, 2017 the City agrees that it will not lay off any bargaining unit employees" is that only during the bargaining process. He stated this extends it to May 1, 2017. Mayor Hill stated it should not be in the contract. He stated the language should be removed from all the contracts.

It was moved by Commissioner Frierson, seconded by Commissioner McKinney to approve the Collective Bargaining Agreement between the City of Zion and Zion Building Department and the International Union of Operating Engineers, Local 150, Public Employees Division, striking the sentence on page 12, "For the period of May 1, 2016 to May 1, 2017, the City agrees that it will not lay off any bargaining unit employees". The vote on roll call was: Commissioners McKinney, aye; Frierson, aye; McDowell, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried.

CLERICAL/IUOE BARGAINING UNIT CONTRACT AGREEMENT

It was moved by Commissioner Frierson, seconded by Commissioner McDowell to approve the Collective Bargaining Agreement between the City of Zion and Zion Clerical Employees and the International Union of Operating Engineers, Local 150, Public Employees Division, striking the sentence on page 14, "For the period of May 1, 2016 to May 1, 2017, the City agrees that it will not lay off any bargaining unit employees". The vote on roll call was: Commissioners McKinney, aye; Frierson, aye; McDowell, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried.

PUBLIC WORKS/IUOE BARGAINING UNIT CONTRACT AGREEMENT

It was moved by Commissioner Frierson, seconded by Commissioner McDowell to approve the Collective Bargaining Agreement between the City of Zion and Zion Public Works Department and the International Union of Operating Engineers, Local 150, Public Employees Division, striking the sentence on page 12, Section 8.1, “For the period of May 1, 2016 to May 1, 2017, the City agrees that it will not lay off any bargaining unit employees”. The vote on roll call was: Commissioners McKinney, aye; Frierson, aye; McDowell, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried.

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.
November 8		Election Day
November 15	6:30 p.m. 7:00 p.m.	Zion Township Board Meeting Zion City Council Meeting
November 24 & 25		City Offices closed for Thanksgiving Holiday

CLOSED SESSION

It was moved by Commissioner Frierson seconded by Commissioner McDowell that the Council recess to Closed Session at 7:44 p.m., pursuant to 5 ILCS 120/2 “Open Meetings”, for the discussion of probable litigation. The vote on roll call was: Commissioners McKinney, aye; Frierson, aye; McDowell, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried.

It was moved by Commissioner Frierson seconded by Commissioner McDowell to reconvene the Regular Council meeting at 8:00 p.m. with all members present. The vote on roll call was: Commissioners McKinney, aye; Frierson, aye; McDowell, aye; DeTienne, aye; and Mayor Hill, aye. Motion carried.

ORDINANCE/AMENDING LIQUOR CONTROLORDINANCE

A memo (16-DOC-96) was received from Mayor Hill regarding a recommendation from the Liquor Control Commission to amend Chapter 56 of the Zion Municipal Code pertaining to the Liquor Control Ordinance to reduce the number of Class K Retail Liquor Licenses from five (5) to (4).

It was moved by Commissioner McDowell seconded by Commissioner DeTienne that an Ordinance (16-0-39) be passed amending Chapter 56 of the Zion Municipal Code pertaining to the Liquor Control Ordinance, Sec. 56-58 – Limitation on number of licenses issued. Reducing the number of Class K Retail Liquor Licenses from five (5) to four (4). The vote on roll call was: Commissioners McKinney, aye; Frierson, aye; McDowell, aye; DeTienne 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 DeTienne, seconded by Commissioner McDowell and unanimously approved the meeting be adjourned at 8:02 p.m. Motion carried.

Deputy City Clerk